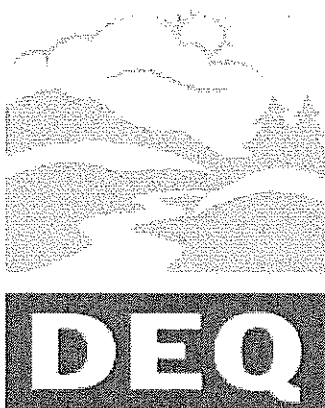


7/16/1982

OREGON
ENVIRONMENTAL QUALITY
COMMISSION MEETING
MATERIALS



State of Oregon
Department of
Environmental
Quality

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OREGON ENVIRONMENTAL QUALITY COMMISSION MEETING

July 16, 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.

APPROVED A. Minutes of the June 11, 1982, EQC meeting.

APPROVED B. Monthly Activity Report for May, 1982.

APPROVED* C. Tax Credits. [*Time Oil applications T-1142 and T-1172 were approved at 20%.]

9:05 am 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

~~D. Request for authorization to conduct a public hearing on proposed revisions to Oregon Administrative Rules, Chapter 340, State Financial Assistance to Public Agencies for Pollution Control Facilities.~~

WITHDRAWN

APPROVED E. Request for authorization to conduct public hearings on amendments to rules governing on-site sewage disposal, fees for Multnomah County, OAR 340-72-070; and fees for Jackson County, OAR 340-72-080.

ACTION AND INFORMATIONAL ITEMS

Public testimony will be accepted on the following except items 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.

SET OVER
to 8/27 F. Mr. John Mullivan: Appeal of variance denial.

~~G. Mr. Eldon Thiessen: Request for variance from on-site sewage disposal rules.~~

POSTPONED

APPROVED H. Stipulated Compliance Orders for Water Pollution Sources--Status Report and proposed action.

(MORE)

- APPROVED I. Request by the Town of Butte Falls for a variance from rules prohibiting open burning dumps, OAR 340-61-040(2).
- APPROVED J. Informational report: Waste reduction program acceptances (Lincoln County, METRO, Yamhill County). [*Deferred acceptance of Plan by EQC until after discussion w/METRO of Cond. 4, 5 & 7.]
- RULE PREP.*
- APPROVED K. Request for the Commission to (1) adopt revisions to administrative rules 340-53-005 through 53-035, Development and Management of the Statewide Sewerage Works Construction Grant Priority List; and (2) approve the FY 83 Construction Grant Priority List developed in accordance with the aforementioned rules.

~~L. Proposed adoption of:~~

WITHDRAWN

- ~~(a) Geographic Area Rule for the Clatsop Plains area, OAR 340-71-460(5).~~
- ~~(b) Amendment to Clatsop Plains Moratorium, OAR 340-71-460(6).~~
- ~~(c) Clatsop Plains Groundwater Protection Plan as a revision to the Statewide Water Quality Management Plan for the North Coast Lower Columbia Basin.~~

- APPROVED M. Proposed adoption of revisions to the State Air Quality Implementation Plan for the Portland-Vancouver Interstate AQMA (Oregon portion) regarding ozone control strategies.
- APPROVED N. Proposed adoption of revisions to the State Air Quality Implementation Plan for the Portland-Vancouver Interstate AQMA (Oregon portion) regarding carbon monoxide control strategies.
- APPROVED O. Proposed adoption of amendments to Noise Control Regulations for the sale of new school buses, OAR 340-35-025.
- APPROVED P. Proposed adoption of amendments to the Motor Vehicle Emission Control Test Criteria Methods and Standards, OAR 340-24-300 through 25-350.
- ACCEPTED Q. Commission review of FY 83 State/EPA Agreement and opportunity for public comment.

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.

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- ~~G. Mr. Elden Thiessen: Request for variance from on-site sewage disposal rules.~~ POSTPONED
- H. Stipulated Compliance Orders for Water Pollution Sources--Status Report and proposed action.

(MORE)

- I. Request by the Town of Butte Falls for a variance from rules prohibiting open burning dumps, OAR 340-61-040(2).
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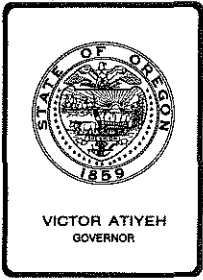
The Commission will breakfast (7:30 am) at the Portland Motor Hotel, 1414 S. W. Sixth Avenue, Portland; and will lunch at DEQ Headquarters, 522 S. W. Fifth Avenue, Portland.

OREGON ENVIRONMENTAL QUALITY COMMISSION

July 16, 1982

BREAKFAST AGENDA

- | | |
|------------------------------------|-------|
| 1. 83-85 budget preparation status | Downs |
| 2. Job climate report | Young |



Department of Environmental Quality

522 S.W. 5th AVENUE, BOX 1760, PORTLAND, OREGON 97207

MEMORANDUM

To: Environmental Quality Commission

From: William H. Young *why*

Date: July 16, 1982

The Oregon Job Climate Task Force made four recommendations concerning environmental regulations and their impact on the Oregon job climate. These four recommendations refer specifically to air quality requirements that apply to new and existing air pollution sources wishing to expand or locate in Oregon. The specific recommendations and the Department's responses are as follows:

Recommendation #3 - State Rules Should Be More Consistent With Federal Rules

This is done to the extent possible and where applicable. Verbatim adoption is generally precluded because:

- Attorney General's office has advised Federal rules cannot be adopted by reference and difference in Federal and OAR format necessitates some changes.
- Federal requirements sometimes include items not applicable to Oregon or they are general with options between which the States must choose.
- State problems and conditions sometimes dictate more stringent requirements. Notably, smaller new source review cut-off sizes in 5% of the State's land area exceeding air quality standards are justified because of existence of much poorer ventilation than other areas of the country.

Recommendation #4 - Department Should Consider Economic Effects Of Rules

The Department analyzes economic impact of all rules pursuant to ORS requirements and considers cost-effectiveness in adopting control strategies.

The Department's air quality rules contain all of the latest Federal regulatory reform provisions such as "bubbling" and "banking" which are intended to give industries the maximum amount of flexibility in selecting control options to have the least economic impact. Oregon has been in the forefront in adopting these reforms and many other States (including California and Washington) are beginning to consider these measures.

Recommendation #5 - Department Rules Should Be Reasonably Uniform With Neighboring States

The Department believes it has reasonable uniformity and in many cases is less

stringent, for example:

- Fifty percent (50%) of California land area is designated nonattainment and subject to stringent control requirements like offsets in contrast to 5% of the land area in Oregon.
- California requires high cost, low sulfur fuel oil (less than .5%) in many parts of the State in contrast to Oregon's 1.75% maximum sulfur content requirement.
- California has a tighter ozone standard of .1 ppm versus Oregon's .12 and also has visibility and sulfate ambient air standards, which Oregon does not have.
- Washington administers an offset requirement for new and expanding sources of VOC in their portion of the Portland-Vancouver airshed, while Oregon worked hard to establish a growth cushion to relieve industry from the financial and time burden of obtaining offsets.
- Washington requires a comprehensive Environmental Impact Statement for major sources which includes significant administrative processing time. Oregon has no such requirement.
- Other rules are generally similar to Washington and California requirements with exception that Oregon operates an indirect source permit program. The I/S program has been revamped several times to minimize burden to new development.
- The Department's Plant Site Emission Limit rule does not require any new control on existing sources nor restrict their growth if airshed capacity is available. Such a rule is necessary to implement programs like "Banking" and "Bubbling." Other States will have to adopt something equivalent to implement such programs.

Recommendation #6 - DEQ Should Reduce Impacts From Non-Traditional Sources To Minimize Further Constraints On Industry

DEQ is working hard to develop control programs, but little success has been achieved other than with Portland's I/M program because of lack of political support, legal authority, and public support.

- Regulation of backyard burning was restricted by 1981 Legislature.
- Grass field burning acreage was increased by 1979 Legislature.
- Wood stove and slash burning control by DEQ is precluded by ORS.

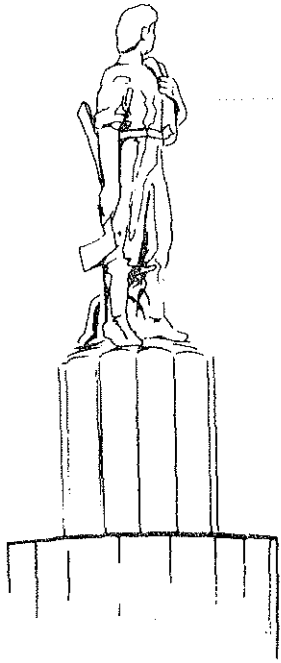
DEQ has pursued reducing impacts from these sources through:

- Better defining of the problem through state-of-the-art monitoring programs.
- Improved smoke management programs.
- Projects to develop alternatives to open burning.
- Extensive public information/education on wood heating.
- Development of potential legislation on wood heating.

It does not appear, though, that any substantive control program for non-traditional sources such as backyard burning and wood stoves can be launched without stronger support from the industrial and political communities.

/ahe

cc: Governor's Office



Oregon
Job Climate
Task Force
Report

1982

VICTOR ATIYEH
GOVERNOR



OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM, OREGON 97310

June 7, 1982

Richard F. Olson, Chairman
Oregon Job Climate Task Force
P O Box 12519
Salem, OR 97440

Dear Dick:

Please accept my personal gratitude for the efforts given to accomplish this report of the Oregon Job Climate Task Force.

I heartily commend participating organizations and individuals for their efforts to help restore the state's economic vitality. The work of this Task Force is another example of the enthusiastic volunteerism that has served the best interest of Oregonians traditionally.

The gathering together of diverse interests to find common solutions to mutual problems does much to guarantee the high standards of Oregonians.

Sincerely,

Victor Atiyeh
Governor

VA/sb

C O N T E N T S

Task Force Members (ii)

Subcommittee Members (iv)

Purpose (v)

Recommendations:

Energy, Environment & Transportation (vi)

Industrial Development (vi)

Labor Laws (viii)

Land Use Planning (x)

State & Local Regulations (xi)

Taxation (xi)

Full Subcommittee Reports:

Energy, Environment & Transportation (1)

Industrial Development (5)

Labor Laws (9)

Land Use Planning (18)

State & Local Regulations (23)

Taxation (27)

OREGON JOB
CLIMATE TASK
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Dick Smelser, President
Smelser Homes, Inc.
Vice President, Oregon State
Home Builders Association
701 John Adams Street
Oregon City, OR 97045

Participating Organizations

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Associated General Contractors, Inc.
Economic Development Commission
Oregon Association of Realtors
Oregon Bankers Association
Oregon Chamber Executives
Oregon State Home Builders Association
Portland Chamber of Commerce

Energy, Environment & Transportation

Carl Halvorson, Chairman
Ken Austin
Don-Lee Davidson
Don Frisbee

Industrial Development

Dwayne Moore, Chairman
Philip Bladine
Charles Johnson
James M. Wright
Ted A. Yaw

Labor Law

Dick Anderson, Chairman
Herb Ballin, Jr.

SUBCOMMITTEES

Land Use Planning

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Nell Kuonen
Richard F. Olson

State & Local Regulations

Dick Smelser, Chairman
B. J. Rogers
Gerry Thompson

Taxation

Merle D. Courson, Chairman
Dick Boudreau
Gene D. Knudson

P U R P O S E

Basic purpose of this report is to improve Oregon's job climate.

Efforts were made to examine both present strengths and weaknesses. Identifying strengths and emphasizing them is the first step toward creating a more positive attitude about the job climate.

Identifying weaknesses and recommending practical solutions is the second step toward lasting improvement.

Some solutions depend upon legislative action. Some may be accomplished by order of the Governor or by administrative action by state agencies. Every effort was made to specify appropriate action for each recommendation.

Although extensive, this report does not purport to be all-inclusive. Rather, it is designed to blend with and complement additional activities in many areas of concern.

Voluntary time and expertise to complete this report were freely given by all participants in the spirit of cooperation and dedication to the task.

Richard F. Olson
Chairman
Oregon Job Climate Task Force

R E C O M M E N D A T I O N S

NOTE: The following are not necessarily consensus recommendations nor do they represent policy of participating organizations until or unless adopted by those organizations.

ENERGY, ENVIRONMENT & TRANSPORTATION

1. The Governor undertake a study to determine if repealing the Jones Act would materially benefit Oregon industries. If study reveals repeal of the Act would be beneficial, the Governor is urged to make the results known to the Oregon Congressional Delegation. Further, the Oregon Legislature is urged to memorialize Congress to repeal the Jones Act, based on results of the gubernatorial study. (See page 4).
2. The Governor instruct Oregon's representatives on the Northwest Regional Energy Council that in their work on the Commission they insure, wherever possible, that Council decisions reflect certainty of the future supply of electrical energy. (See page 1)
3. The Department of Environmental Quality and the Environmental Quality Commission reduce the uncertainty about the meaning of Oregon environmental rules and their interpretations by utilizing adopted federal rules wherever possible. (See page 2)
4. The Governor discuss with the Environmental Quality Commission and department director the need for their attention and concern in the adoption of rules to the economic effect of such adoption upon permittees, potential permittees and the DEQ itself. (See page 3)
5. The Governor discuss with the EQC and department director the desirability in rulemaking of attempting to achieve reasonable uniformity of rules with our neighboring states most likely to compete with Oregon for new business and jobs. (See page 2)
6. The Governor discuss with the EQC and the department director what specific plans they have to reduce the impact of non-traditional area sources which are substantially, causally related to our air quality non-attainment status, and which impose difficulties on the location of industry in the major urban areas of this state. (See page 4)
7. Seek legislation which will require the Energy Facility Siting Council to site the disposal of low level radioactive wastes generated in this state for which no other site is available for its disposal. (See page 4)

INDUSTRIAL DEVELOPMENT

1. The Governor must be Oregon's "Number One" salesman with cooperation and assistance from the Legislature. (See page 5)
2. Move the Department of Economic Development permanently under control of the Governor's office with the Director a senior member of the Governor's staff, reporting directly to the Governor. (See page 8)

3. The Department of Economic Development should maintain development assistance facilities in the Portland metropolitan area. (See page 6)
4. Banks, utilities, transportation firms and others working with new business prospects should be allowed to expand development departments. (See page 6)
5. Increase selective trade show participation by state and local governments and private sector firms. (See page 5)
6. Department of Economic Development should rely on private sector for current information about availability of industrial sites instead of attempting a continuing state-wide land inventory. (See page 8)
7. Attempts to market Oregon industrial sites should be based on strengths and aimed at diverse industries. (See page 9)
8. The Travel Information Section of the Department of Transportation should be transferred to the Governor's Office under the Department of Economic Development. (See page 8)
9. Oregon should make a permanent commitment to support an office to facilitate motion picture, television, theatrical and commercial productions. (See page 8)
10. Long-term leases of some state park land to the private sector should be considered for campgroup and tourist/convention facilities. (See page 8)
11. Develop marketing logo and slogan to sell Oregon to targeted audiences, combining tourist and industrial promotion where possible. (See page 6)
12. Attract more promotional money by establishing matching funds for tourist-industrial advertising to assist local communities, Chambers of Commerce and others. (See page 8)
13. The Legislature should consider adequate funding and a joint state-private sector subsistence effort for International Trade Division of Department of Economic Development. (See page 7)
14. Enlist news media support in achieving wider public economic understanding. (See page 5)
15. Establish a gubernatorial task force to determine feasibility of conducting a 1992 Bicentennial Exposition celebrating discovery of the Columbia River. (See page 9)
16. Amend Urban Renewal Statute (ORS 457) to eliminate blighted area requirement for construction of major public improvements in industrial areas. (See page 6)
17. Amend ORS 457.420 to permit property owners and local taxing bodies to negotiate terms of tax increment financing for major public improvement construction. (See page 6)

18. Amend ORS 198, 199, 451 to allow formation of special service districts in industrial areas based on assessed value instead of registered voters but without encumbering residential property. (See page 6)
19. Industrial Revenue Bonds should be continued as a capital formation tool. (See page 7)
20. County Development Revolving Fund should be continued and increased. (See page 7)
21. Seek tax reform instead of tax incentives to stimulate industrial development. (See page 7)
22. Comprehensive, national and regional, business climate studies should be carefully evaluated by the Legislature and state agencies, because they are a factor utilized by those involved in new business location activities. (See page 9)
23. Achieve more emphasis on basic education, good work habits and discipline in public schools and initiate minimum proficiency testing of primary and secondary students and teachers. (See page 7)
24. Community colleges should place more emphasis on those vocational and technical courses necessary to support existing or anticipated job opportunities. (See page 7)
25. The Board of Higher Education should establish funding priorities to meet perceived occupational needs. (See page 7)
26. Limit higher education construction to actual, individual campus needs. (See page 7)
27. Oregon institutions of higher education must pay market rates to attract and hold quality faculties. (See page 7)
28. A continuing inventory of employment needs would provide schools with a better base for effective education. (See page 8)
29. High technology instruction capability should be upgraded. (See page 8)

LABOR LAWS

Workers' Compensation

1. Redefine the definition of accidental injury so it would include only those injuries which truly arise out of and in the course of employment. (See page 11)
2. Redefine the occupational disease section of the law to require that a disease or infection be originally caused by work exposure unique to the place of employment. (See page 11)

3. Strengthen current law with a definition that would make mental illness compensable only when the claimant can establish that unexpected, unusual and extraordinary job-related stress caused the illness. (See page 11)
4. Modify law pertaining to temporary total disability to reflect an historical wage approach, averaging wages received over the last year versus the current two-thirds of the wages at the time of injury. (See page 11)
5. Permanent total disability benefit offset be extended to include general social security retirement benefits. Also, the offset should be expanded to include the public employe retirement system and private disability plan benefits. (See page 11)
6. Serious consideration be given to adopting the "wage loss" concept to permanent partial disability. (See page 12)
7. Review of Workers' Compensation Board decisions be changed to "substantial evidence" approach at the Court of Appeals level. (See page 12)
8. Current law permitting an insurer or self-insured employer to close a claim that is nondisabling or is disabling but without a permanent disability be expanded to include claims involving permanent partial disability. (See page 12)
9. Remove prohibition of "compromise and release" which now exists except in claims where there is a bona fide dispute over compensability. (See page 12)
10. Consider "shared funding" of workers' compensation medical benefits by both employers and workers. (See page 12)

Unemployment Insurance

1. Modify law so benefits paid to an individual in any quarter of the individual's benefit year do not exceed the total wages paid to the individual during the corresponding quarter of the individual's wage base year. (See page 13)
2. Support Governor Atiyeh's program which suggests three major changes in the funding system to bring control back to the states:
 - a. Congress should eliminate that part of FUTA which funds state administration. States would then have the flexibility to use their unemployment insurance trust fund accounts for administration of the program as well as payment of benefits. The states could determine tax levels commensurate with their individual needs, levels of benefits, greater enforcement or expanded job placement activities. (See page 14)

- b. These same state trust funds should be removed from the federal unified budget, where they give a false impression of surplus or deficit. This can be accomplished by Presidential Order. (See page 14)
- c. Federal law should be revised to provide only minimal conformity requirements to address national goals, maintain order in the system, and protect interstate workers. (See page 14)

Wage and Hour Legislation

1. Legislature take no action to move Oregon's minimum wage rates out of their current middle-of-the-road posture into a forerunner's position. (See page 14)
2. Determine the "true" prevailing wage rates within the state instead of accepting the highest as its minimum in administering Oregon's "Little Davis-Bacon Act". (See page 15)

Civil Rights

1. Legislature should be urged to reject "comparable worth" legislation for either the public or private sectors in the State. (See page 16)

Occupational Safety and Health

1. We strongly endorse the continued administration of this important area of industrial law at the state level. Our only recommendation is that the state not carry its standards beyond those required at the federal level. (See page 17)

LAND USE PLANNING (See page 17 - 21)

1. Decentralize ultimate decisions regarding land use planning from the state level and place them at an appropriate local level that is responsive to the particular characteristics of the different areas of the state.
2. Change mandatory state land use goals to advisory guidelines, to be flexibly applied in response to local circumstances and market demands.
3. Make the function of the state Land Conservation and Development Commission and Department advisory, providing needed information and technical assistance to serve local land use planning efforts.
4. Remove Land Use Board of Appeals and LCDC from the appeals process and establish a court-based system of appeals. Limit the ability to challenge local land use decisions (standing) from its present scope to those persons whose rights or substantial interests are actually affected by the decision. Require that the issues raised on appeal be realistically related to those affecting the appellant's rights or interests. Streamline time frames and procedures for review of land

use decisions. Make appellants of a local land use decision liable for the applicant's costs incurred by the delay of an appeal when the appeal is found to be without merit, such as through the posting of a bond when the appeal is filed.

STATE AND LOCAL REGULATIONS

1. Evaluate the effectiveness of Oregon's Regulatory Flexibility Act, ORS 183.310, 183.335, 183.540 to 183.550, to assure that state agencies are complying with its requirements. Additionally, evaluate the positive effect of increasing the scope of the Act. (See page 23)
2. Seek legislation to make Oregon's "one-stop" permit program effective. (See page 24)
3. Executive Department conduct a study to determine if statutory time requirements for issuance of permits are being complied with by state agencies. (See page 25)
4. Investigate methods to reduce state building code and local planning code restrictions which increase costs and deter construction of all forms of building, residential, and commercial. (See page 25)
5. Study methods to reduce the front-end investment costs imposed by system development charges. (See page 26)
6. Explore methods to modify local government architectural regulations and esthetic controls. (See page 27)

TAXATION

1. Cut state personal and corporate income tax in half and reduce property taxes by one-third. In place of these reduced taxes, a general retail sales tax of approximately 4 to 5% should be adopted. The revenue generated by a sales tax to be used entirely to offset the reductions in the income taxes and the property tax. Sales tax to provide for a collection offset for retailers to cover their collection expenses. (See page 27)
2. Reduce personal income tax by widening the brackets and reducing the top rate. Make provisions for adjustments in the income tax rates or brackets to eliminate the effects of inflation on personal incomes. (See page 28)
3. Place on the ballot for approval by the voters a constitutional expenditure limitation on the state and all units of local governments in Oregon. Adopt procedures to ensure a more accurate reflection of voter attitude on property tax levies. (See page 28)
4. Eliminate the 30% property tax relief program and return the basis of property taxation to 100% of market value as it was in 1979. (See page 28)

ENERGY, ENVIRONMENT & TRANSPORTATION SUBCOMMITTEE

The subcommittee held its organizational meeting on March 4, 1982. The following preliminary determinations were made on the subjects to be considered.

ENERGY

The subcommittee recognized fully the effects of cost and availability of energy on jobs and job formation. The subcommittee, however, reached no firm conclusion for action that would affect these energy issues, except for a singular recommendation to the Governor. The reason for what may appear to be indecision on the part of the subcommittee is dictated by the following:

- a. Oregon is almost totally dependent for its supplies of oil and natural gas from sources outside the State of Oregon, thus, Oregon industry has little, if any, opportunity to control either the price or availability of such energy sources.
- b. Electrical energy cost and availability have been among Oregon's most favorable economic factors for increased jobs. The advent of the Northwest Regional Power legislation and the deteriorating situation of the Washington Public Power Supply System has created a situation of severe uncertainty of price to participating public owned entities.

In view of the above, the subcommittee did not feel adequately informed to make recommendations for action, particularly when the fundamental answers will not be made by Oregon legislative or administrative bodies.

Even more important in the long term is the issue of availability. There is an uncertainty which no industry can independently deal with adequately and which will negatively impact our job climate, even in so-called "high tech" industries, and even though our electric rates are projected to remain below the national average.

The subcommittee, therefore, requests the Governor to become fully aware of the serious concern of many Oregon industries regarding future electrical energy availability which vitally affects their planning for the future.

Recommendation

Availability of electrical energy is essential to the future economic health of Oregon and the Northwest. The subcommittee recommends that the Governor instruct Oregon's representatives on the Northwest Regional Energy Council that in their work on the Commission they insure, wherever possible, that Council decisions reflect certainty of the future supply of electrical energy.

ENVIRONMENT

The subcommittee reviewed those environmental areas for which Oregon has established programs to determine if those programs had had a deterrent effect on the creation of jobs in Oregon. They included water quality, hazardous waste, solid waste, low-level radioactive wastes and air quality.

In general, Oregon appears to have substantially similar laws to those of other states in the fields of air and water quality and solid and hazardous waste due to preemption of those fields by the federal government through the Environmental Protection Agency. Those same preemptive laws also, on each of those environmental issues, provide authority for each state to administer its own program if the state has:

- a. Law that provides substantially similar authority as federal law.
- b. Has adopted administrative rules to carry out state law which will enable the state to meet federal regulatory requirements.
- c. Has provided adequate budget and manpower to administer and enforce the state law and rules.
- d. Has provided substantially similar enforcement authority and penalties as provided by federal law.

Thus, since each state must meet the above standards there should not be significant differences from state to state in the basic laws and regulations affecting those environmental issues. However, closer examination suggests that Oregon air quality rules may have become somewhat more difficult for companies seeking to locate or expand in Oregon because the agency has elected in many instances to:

- a. Rewrite the federal rules in a manner the Department of Environmental Quality believes is more understandable and more concise than the federal rules. The difficulty with this approach is that such a company seeking to locate in Oregon must familiarize itself with the Oregon rules and their interpretations which may vary somewhat from the federal rules and their interpretations. This is both time consuming, expensive and allows for some uncertainty with regard to Oregon requirements.
- b. Utilize the provision in federal law that state laws and regulations may be more stringent than federal rules. Recently the state adopted new source rules which provide that new sources or major modifications of existing sources with emissions, after control, of greater than 25 tons of particulate and are in or impact a non-attainment area are subject to these rules. A major modification even in an attainment area with no impact is also subject. These new source rules may require extensive computer modeling and ambient air monitoring prior to construction if adequate existing data is not available. This requirement may cause significant added expense and delays of more than one year in securing needed permits. Federal rules do not require such review unless the source exceeds 100 tons per year. The potential costs and delays pose significant difficulty, but do not change the requirement that best available control technology (BACT) or lowest achievable emission rate (LAER) controls be installed.

The problem for jobs is that the delay and cost that may be occasioned by Oregon rules is not required by the State of Washington, which is following the federal rule, even in a shared airshed (Vancouver-Portland AQMA).

In addition, in the air quality field the Department of Environmental Quality recently adopted a unique rule for plant site emission limits (PSEL). This means that each existing industry, subject to limited adjustments, will have a PSEL assigned which initially limits its air emissions to the emissions of 1977 or 1978 or some earlier year if that year had a more representative operating rate. The 1977-78 period is the baseline from which growth in industrial emissions is to be measured. AOI and its Air Quality Committee took strong exception to the rule when it was proposed in late 1980 and due to those objections the rule was modified and adoption was delayed from January until August of 1981.

As adopted the rule may still affect job formation because:

- a. It is significantly more difficult to comply with than the federal Prevention of Significant Deterioration rules which do not require industrial permits to show a plant site emission limit.
- b. The PSEL not only limits emissions, it has the effect of limiting production because the emissions are denominated against units or tons, etc. of production. If you want to grow you must make application for additional use of the airshed and at some time, theoretically, there will be no more room, hence no more growth.
- c. If the firm with the PSEL was utilizing natural gas during 1977-78 and now, for economic reasons, needs to burn oil, the firm may not be able to switch fuels.
- d. This type of limitation is not now being utilized by the State of Washington, hence that state presents fewer location concerns for a new industry.

The subcommittee believes our environmental agencies may not recognize fully the effects of agency actions:

- a. Which delay the decision-making process;
- b. That result in uncertainty on the part of applicants for permits as to the intentions of the agency;
- c. That are more restrictive than required by other states in which location is also feasible;
- d. Which add significant cost without clear environmental benefit;
- e. Which cause administrative encumbrances on both the permittee and the agency without a clear environmental benefit.

While the above criticisms are difficult to quantify, the subcommittee believes there is sufficient substance to them to bring them to the attention of the Governor. It appears to the subcommittee that newly created positions in the Governor's office for persons to assist applicants in expediting their permit applications will be helpful in resolving some of these issues.

These recommendations are not suggested with any other intention than for our environmental agencies to do a better job, and are not intended to reduce the environmental achievements of Oregon.

To complete this part of the report the subcommittee notes the following:

- a. The Environmental Quality Commission has within the past year acted to modify a rule that was more stringent than federal standards. This action was the adoption of federal EPA .12 ozone standard as the only ozone standard in Oregon.
- b. The DEQ and EQC have been very responsible in their attitude toward the imposition of civil penalties.
- c. The areas of water quality, solid and hazardous waste regulation and administration appear to the subcommittee to approximate federal law and standards and do not appear to adversely influence job formation.
- d. At present, the non-attainment of ambient air quality standards appears more influenced by non-traditional area sources than by industrial sources. There is little or no statutory authority that addresses this issue, nor does it appear that the public is adequately informed of this development which has only been identified and evaluated within the last three years.

With regard to the issue of low-level radioactive waste, the Legislature has considered this matter for the last two sessions but has failed to fully resolve the issue.

Until the 1981 session, low-level radioactive wastes could not be disposed of in Oregon. The 1981 session made provisions for the Energy Facility Siting Council (EFSC) to site such wastes generated prior to July 1, 1981.

The problem that remains is that Oregon law and rules place the threshold for what is low-level waste lower than that recognized by other states, particularly the State of Washington. Washington has one of only three sites in the United States for disposal of this material and it is reluctant to accept material below its higher threshold and has refused to accept large quantities of such material because it utilizes too much space in its disposal area. Oregon industries which may have to utilize such materials in their processes may not be able to dispose of such material under present circumstances. Oregon should assume the responsibility for determining the disposition of such wastes created in this state, and not assume that other states will assume that responsibility.

TRANSPORTATION

Increasing transportation costs have had an adverse impact on Oregon jobs, particularly for those industries which have lost a significant part of their market due to ever-increasing costs of freight shipment which has limited their ability to compete. Oregon industries so impacted are our lumber, plywood and food products industries. Further complicating the situation is the Jones Act which requires goods shipped from one American port to another be shipped on U.S. flag vessels. Our major lumber competitors are the Canadians who have no such restrictions. The subcommittee, with the exception of the Jones Act, concluded that there were few significant issues that could be resolved by the Oregon Legislature or administrative agencies because the issue is primarily one of an interstate nature and subject to federal jurisdiction.

INDUSTRIAL DEVELOPMENT SUBCOMMITTEE

OREGON'S BUSINESS CLIMATE

Oregon's business image is generally considered in negative terms rather than positive and friendly, both inside the state and nationally. Oregon must significantly improve its image if it hopes to attract new businesses to locate here. This also applies to expansion of existing Oregon firms.

The state has to make a long-term commitment to accomplish this change which must come from all elected officials, both state and local.

The "image" change must be reinforced with positive changes in the legislative arena that have created our "anti-business, anti-growth" reputation. Changes must be made in our taxing structure, land use laws, regulation and permit delays, labor laws, etc., which adversely affect business and industry in Oregon.

We must recognize also that Oregon has certain disadvantages that cannot be changed, such as geographical location, market proximity and transportation problems.

On the other hand, Oregon has some positive advantages such as livability, mild climate, generally recognized good education systems and research facilities, recreation opportunities and others.

Sales efforts for Oregon should emphasize the positive factors and discuss the negative factors in the light that our political leadership at all levels recognizes our non-competitive areas and are addressing changes necessary to improve our job climate.

Recommendation

The news media, through its trade associations, should be enlisted to assist in achieving public economic understanding. News media also can do much to create improved economic conditions here by reporting problem-solving methods utilized in other areas of the nation.

MARKETING OREGON

The State of Oregon has a limited marketing strategy at present. If we assume structural changes are made within the state to make it more "attractive" to industry, then the state, in conjunction with local communities and private enterprise, should expand marketing and advertising efforts. It must be emphasized that this will be effective only over the long term.

Recommendation

1. Increase participation in selective trade shows by state and local governments and private industry.
2. The Governor must be Oregon's Number One salesman and actively participate in recruiting industry. The Governor should travel in and out of the state to "sell" Oregon as a place to locate or expand. The Legislature must cooperate and assist the Governor.

3. The Department of Economic Development should establish a business development office in the metropolitan Portland area. The office would add to the effectiveness in working with prospective clients, as well as other professionals involved in the "siting" of industries. DED offices must coordinate and provide usable, up-to-date data for local communities, Chambers of Commerce, private sector developers and economic development specialists. Information useful in working with prospective industrial firms is not currently available at DED offices or any other centralized location. A "clearinghouse" is required to provide needed information quickly and avoid duplication.
4. Private sector firms that work with companies interested in locating or expanding in Oregon should be encouraged to expand their economic-industrial development activities. Regulated entities, such as public utilities, should be allowed to include the cost of such operations in their rate bases, fee schedules, etc.
5. Develop a marketing logo and slogan to sell Oregon. Target advertising to reach desired audiences. Combine tourist promotion with subtle advertisements for industry.

PUBLIC IMPROVEMENTS

It is necessary for the state, county and local communities to assist industry in funding public improvements such as roads, storm drainage systems, sanitary sewers, etc. The idea that an industry must pay for large dollar off-site improvements to "buy in" the community, without weighing the positive economic impact that industry would have on the community, is not realistic.

Recommendations

1. The urban renewal statute (ORS 457) should be amended to allow for setting up districts in industrial areas for the purpose of constructing major public improvements (streets, storm drainage, sanitary sewer, etc.) without the "blighted area" requirement. This would only apply to those projects that are of general benefit to large industrial areas (major collector streets, storm and sanitary sewer mains, etc.). It would not apply to "normal" development requirements for industrial subdivisions.
2. Tax increment financing should be used as a method for funding these "major" public improvements. A portion of the increased taxes collected (as a result of increased assessed valuation from new development) would assist in paying for the improvements necessary for orderly industrial development. ORS 457.420 should be amended to allow for a "split" in the tax increment which would allow the Urban Renewal Agency (property owners) to "negotiate" with the governmental taxing bodies affected by the tax increment financing. This would generally make tax increment financing more palatable to each of the individual taxing bodies.
3. It would also be helpful if special service districts in industrial areas could be set up based on assessed value, and not registered voters (allowing for exclusion of assessment or taxation of dwelling units). This is needed because industrial property owners usually are not registered voters within the industrial areas where their property is located, yet would pay for all of the improvements through assessments or taxes. (ORS 198, 199 & 451.)

CAPITAL FORMATION & TAX INCENTIVES RECOMMENDATIONS

1. Industrial Revenue Bonds are now being used in a limited way in Oregon and should continue as a tool for capital formation. Because of the cost of issuing bonds, they are not economically feasible for amounts less than \$500,000. Also, the financial strength of the company provides the collateral, which tends to eliminate new business ventures from qualifying for IRB sales.

Equity fund organizations, to provide small businesses with funding and long-term capital, should be encouraged. A study done in 1980 indicated about one-third of the small businesses contacted had to abandon or postpone expansion plans for lack of capital.

2. County Development Revolving Fund -- The continued and increased funding of this fund should be encouraged.
3. Without question, tax reform would be much more effective in stimulating industrial development than would tax incentives. Companies become suspicious of an area that must offer tax incentives to attract industry. They also tend to be discriminatory toward existing industry.

IMPORT/EXPORT RECOMMENDATION

The Legislature should consider adequate funding and a joint state-private sector subsistence effort for International Trade Division of Department of Economic Development.

EDUCATION

The public education system in Oregon has the potential to make a greater contribution to the economic vitality of the state. Changes are needed in educators' attitudes, dedication to quality of product and commitment to cost-effectiveness.

Recommendations

1. Primary and Secondary -- Completion of secondary education is sufficient for most jobs in business and industry. Oregon needs to emphasize basic studies, good work habits and discipline at all levels. Initiate minimum proficiency testing for primary and secondary school students and teachers.
2. Community Colleges should place more emphasis on those vocational and technical courses necessary to support existing or anticipated job opportunities.
3. Colleges and Universities -- More direction is needed to control the college and university system. Multiple duplication of programs offered cannot be justified at all schools. The multiple offerings of education degrees is only the most obvious. One-ups-manship in building construction must be halted. If there is a justifiable need to build one or more new buildings on one campus and none at another - so be it. Oregon institutions must pay the market rate to attract quality professors in the system.

4. More direct contact is needed between business and educators. A continuing inventory of employment needs within our state would provide a better education base. Students should be educated for employment opportunities that actually exist or have good potential to exist in the future in Oregon.
5. High-tech instruction capability should be upgraded in our educational system. In addition to classroom instruction at the major technical schools, specialized satellite centers could be located at other colleges, community colleges, employment centers, etc., using video and other electronic type means of communication.
6. In the opinion of this committee, the above can be initiated without an increase in educational expenditures beyond normal inflationary changes.

TOURISM & MOTION PICTURE INDUSTRY

The state must accept tourism as an Oregon industry, the same as wood products, agricultural and other manufacturing and service facilities. We should encourage the development of tourist and convention facilities, as well as encourage the upgrading of some of the existing facilities.

Recommendations

1. The State of Oregon should make a permanent commitment to support an office for motion picture, television, theatrical and commercial production. The office should provide professional liaison with the industry as well as the necessary advertising and promotion efforts vitally needed to succeed in this highly competitive field.
2. The Tourist Information Section should be removed from ODOT's jurisdiction and become a part of the Governor's Office (DED).
3. Consideration should be given to long-term leases of some state parks land to the private sector for campground and tourist/convention facilities.
4. We recommend an advertising matching fund for out-of-state advertising be studied, and if feasible, be initiated to assist local communities, Chambers of Commerce, etc., to stretch the advertising dollars for Oregon.
5. Additional funds may be considered for tourism promotion that would allow for special matching funds and more advertising at the state level.
6. A strong tourism campaign can be used for business image enhancement, as well as attracting tourists.

DEPARTMENT OF ECONOMIC DEVELOPMENT RECOMMENDATIONS

1. We strongly support the recent statutory change whereby the Department of Economic Development reports directly to and remains responsible to the Governor. The Director of the Department of Economic Development should be a senior member of the Governor's staff.
2. A state-wide land inventory is not a good investment. It is simply too expensive to complete and impossible to keep updated. The DED should rely on the private sector for current industrial site availability.

3. The Governor's Office should assess Oregon's major selling points and encourage competent industries to locate in the state, i.e., sell on strength. We should not, however, limit our marketing only to a select group of industries. It should be emphasized that Oregon is willing to discuss site locations with all industries. (This is not to say that any industrial plant by any company would necessarily be allowed to locate in any part of the state they desired.)

STUDIES ON OREGON'S BUSINESS CLIMATE RECOMMENDATION

Comprehensive, national and regional, business climate studies should be carefully evaluated by the Legislature and state agencies, because they are a factor utilized by those involved in new business location activities.

1992 BI-CENTENNIAL EXPOSITION

The Lewis & Clark Exposition, Portland 1905, was first conceived 10 years earlier in 1895 (during depression) as a method by which to spur the region's depressed economy and usher a new era of development in the coming century (1900). The success of that World's Fair is neatly chronicled in a new booklet published by the Oregon Historical Society, called "The Great Extravaganza". The Lewis & Clark Exposition turned a profit financially for its thousands of investors -- much money was raised by popular subscription for sums as small as \$2.00.

Recommendation

We recommend a study be launched (gubernatorial task force) to determine the feasibility of conducting a Bi-Centennial Exposition in 1992 celebrating the discovery of the Columbia River.

Such an event would focus national and international attention on Oregon's friendly attitude toward creation of new employment opportunities.

LABOR LAW SUBCOMMITTEE

GENERAL FINDINGS

In general, Oregon's Labor Laws do not have a major negative impact on the State's ability to attract and retain business and industry. With effective input from business, labor, and private individuals, in recent years the Legislature has made significant progress in streamlining administrative procedures, reducing costs, and improving the quality, equity, and effectiveness of the State's statutes in regulating labor and employment practices. We view this trend as positive; however, there still remains areas for improvement which, when implemented, would further enhance the climate for business and industry within Oregon.

This report contains a comprehensive set of specific recommendations in the following areas:

Workers' Compensation	Unemployment Insurance
Wage and Hour Legislation	Civil Rights
Occupational Safety and Health	

The effective implementation of these recommendations would not only continue the positive trend towards progressive labor legislation, but would also help establish Oregon as a leader in employment practices, policies, and legislation which will significantly enhance the State's ability to attract new industry and would also revitalize the business climate for existing firms.

WORKERS' COMPENSATION

Six years ago Oregon had developed a deserved reputation of being one of the very highest cost states for Workers' Compensation. In the past years, due to a cooperative executive branch and an intelligent approach by a bipartisan legislative group aided and abetted by a strong tenacious business lobby, the 1977, 1979, and 1981 Legislatures changed the picture materially. Today, the effective Workers' Compensation rates in the State of Oregon are at least 50 percent below what they were prior to the 1977 Legislature. Listed below are some of the legislated changes that have reduced costs appreciably.

1. The Legislature changed the definition of permanent total disability, required annual financial statements, and biennial physical exams on existing PTD awards which has virtually cut in half the number of potentially expensive claims in this area.
2. The 1977 Legislature changed the law to permit insurance companies to deviate from previously mandated Workers' Compensation rates. Most insurance companies providing Workers' Compensation Insurance in the State of Oregon deviate an average of 25 percent from the published rates. These deviations are over and above the 30 percent rate reductions in basic rates.
3. The Legislature made administrative changes which included the elimination of the circuit court review, making the Board strictly a case review body, which has had a salutary effect on costs.
4. Offsets were required for disability payments received under Social Security.
5. The competitive rating picture in Oregon is further enhanced by the liberal use of cash flow plans for premium payments. These plans are prohibited in some states, i.e. California.

The above changes and other minor ones which are too numerous to list, have effectively reduced Workers' Compensation costs in Oregon as mentioned above by approximately 50 percent and brings the Oregon Workers' Compensation costs into a more favorable comparison with other states. For example, a current comparison shows most Workers' Compensation effective rates by classification in Oregon are lower than California. We have made significant strides in correcting the Workers' Compensation costs in Oregon. It is important that we publicize this fact as most of the country is still reviewing Workers' Compensation costs in Oregon on the basis of national rating manuals which do not reflect the State's new posture and the true net costs that are resulting from the recent changes in the law.

There are four areas (i.e. high utilization, restructuring of entitlements, administrative procedures and funding) in which further changes are needed to truly bring the Workers' Compensation picture in Oregon into a competitive posture.

a. High Utilization

- (1) Oregon has an extremely liberal system regarding entry into it. What is construed as an accidental injury or occupational disease in this state is often excluded in other states. As a consequence, Oregon has a much higher utilization of its program - resulting in higher costs. The Oregon law states that "An injury is accidental if the result is an accident, whether or not due to accidental means." That is hardly clear and concise language and has resulted in appellate court decisions that make it questionable that any "injury" could be excluded under the current law. We feel that the definition of accidental injury should be redefined so that it would include only those injuries which truly arise out of and in the course of employment.
- (2) Another factor contributing to the high utilization of our system is the definition of occupational disease. We suggest that this should be redefined to require that a disease or infection be originally caused by work exposure unique to the place of employment.
- (3) A third area where redefinition is desirable relates to mental illness or mental stress cases. There have been several Appeals Court and Supreme Court decisions that have affected this definition. We feel the current law should be further strengthened with a definition that would make mental illness compensable only when the claimant can establish that unexpected, unusual, and extraordinary job-related stress caused the illness.

Hopefully, the definitional changes suggested would convey to the Legislature that the Workers' Compensation system cannot accommodate every social problem; the price is too great. Workers' Compensation is merely an insurance system designed to protect both employers and employees financially for accidental injuries arising out of the workplace. It is a no-fault system - nothing more, nothing less.

b. Restructuring of Entitlements

- (1) It is the suggestion of the Committee that the State of Oregon should return to a historical wage approach, averaging wages received over the last year versus the current two-thirds of wage rate in effect at the time of injury.
- (2) It was mentioned earlier that the State of Oregon did adopt an offset of social security disability payments against Workers' Compensation payments. It is the recommendation of the Committee that general social security retirement benefits

also be an offset to Workers' Compensation costs. It was also discussed that possibly the offset should be expanded to include the public employee retirement system and also private disability plan benefits.

- (3) The Committee recommends that serious consideration be given to adopting the "wage loss concept" to permanent partial disability as enacted in Florida in 1979. The Florida system to this date has proven to be quite beneficial both to the injured worker and the employer. It removes litigation from the Workers' Compensation system (which was the original intent in establishing Workers' Compensation laws in the early part of this century).

The "wage loss concept" has reduced Workers' Compensation rates in Florida, but maintains the integrity of delivering proper compensation to an injured employee. The states of Washington, Colorado, and California are among those that are considering this concept now and, of course, Oregon has considered it during the past two sessions when it was embodied in the Chrest Bill. It appears to the Committee that if this type of a program is embraced in the State of Oregon, we could further mitigate our Workers' Compensation cost problems while preserving the integrity and equity of benefits for the injured workers.

c. Administrative Procedures

The Committee feels that several areas of administrative procedures could be corrected or changed to benefit the system.

- (1) A revision of the scope of review in Workers' Compensation cases, perhaps a "substantial evidence" approach rather than a "de novo" review at the Court of Appeals level.
- (2) Expanding carrier closure of claims cases involving permanent partial disability.
- (3) Permitting compromise and release.

d. Funding

- (1) In some jurisdictions, employee contributions are required for portions of the Workers' Compensation benefits (i.e. Washington state employees pay one-half of medical costs.)

UNEMPLOYMENT INSURANCE

In general, Oregon's approach to unemployment insurance does not differ much from the majority of other states. The costs, administrative procedures, and employer responsibilities are not perceived as deterrents to business and industrial development. On the other hand, Oregon's unemployment insurance law in many respects could be used as a model to attract out-of-state firms contemplating operations in the state.

For example, at least 14 other states are in debt to the federal government for loans to pay benefits, while Oregon's unemployment insurance trust fund

is solvent in spite of our state's high unemployment rate. Accordingly, there is stability and predictability in our taxing structure for the program. Oregon law contains stringent disqualifications for persons involved in labor disputes. Due to changes in the law by the 1981 Legislature, persons who voluntarily quit or have been discharged with good cause can no longer collect benefits automatically after eight weeks. Additionally, Oregon has a strong and effective fraud control program which returns thousands of dollars to the trust fund every year.

Simply defined, unemployment insurance is a program of income maintenance for temporarily jobless workers whose unemployment is not of their own making. Its main function is to replace part of the unemployed person's lost wages and to tide the individual over until he/she finds a new job or is recalled to the old one. It is not intended to be a welfare program for the permanently unemployed, nor is it intended to subsidize the voluntary unemployed.

In some areas, however, the law has departed from the original concept of insurance and may be drifting into the welfare arena, or at least towards a salary supplement program. A good example is the payment of unemployment benefits to "secondary wage earners". This practice, coupled with no seasonality restrictions in the Oregon law, constitutes an annual drain on our trust funds.

Secondly, there is room for improving the funding and administrative procedures. It is in these two areas that we feel the law can be strengthened.

a. Seasonal Employment

There are a significant number of individuals in the Willamette Valley who work during the summer and early fall months in the packing and canning industry. Routinely, every year they establish eligibility by working 18 weeks and after the season they, just as routinely, apply for unemployment insurance and get it. Many, if not most of these individuals are secondary wage earners in their families. They are not the primary wage earner and are only working part-time to supplement the family income. We question whether the unemployment insurance system should accommodate this predictable labor pattern.

Although it does not generally involve secondary wage earners, a similar seasonal pattern of employment in the logging and construction industries can be documented. There is normally ten months of relatively steady employment and then two months of "vacation" with unemployment insurance benefits year after year. Again, it is questionable whether the system should accommodate this type of labor pattern. It does, however, and is extremely costly.

It is suggested that the Oregon law be modified to limit payments to workers involved in seasonal employment. One approach might be to limit payments to seasonal workers on the basis of the historical labor pattern of that particular person or industry. Specifically, benefits paid to an individual in any quarter of the individual's benefit year should not exceed the total wages paid to the individual during the corresponding quarter of the individual's wage base year.

b. Funding and Administration

One other area that should be looked at carefully is the funding for employment services and the unemployment insurance program. Currently, employers pay a tax (FUTA) to IRS for the administrative costs, both state and federal. Employers pay another tax through their state legislative structures, but indirectly into the federal budget, for the payment of jobless benefits. Thus, we have employers paying two taxes into two dedicated funds which reside in the federal budget as surplus or deficit. However, neither Congress nor the states' legislatures can make benefit adjustments to both funds based on the split of legislative taxing authority.

The States' employers pay for the system. The states should control the administration of the system through state legislative action with direct employer input to state legislators. Only then will the direction of a state's program meet the needs of any particular state. Governor Atiyeh suggests three major changes in the funding system to bring control back to the states:

- (1) Congress should eliminate that part of FUTA which funds state administration. States would then have the flexibility to use their unemployment insurance trust fund accounts for administration of the program as well as payment of benefits. The states could determine tax levels commensurate with their individual needs; levels of benefits, greater enforcement or expanded job placement activities.
- (2) These same state trust funds should be removed from the federal unified budget, where they give a false impression of surplus or deficit. This can be accomplished by Presidential Order.
- (3) Federal law should be revised to provide only minimal conformity requirements to address national goals, maintain order in the system, and protect interstate workers.

WAGE AND HOUR LEGISLATION

In this section, we will examine the impact of minimum wage laws and the State's "Little" Davis Bacon Act.

a. Minimum Wage Law

Oregon's current minimum wage rate is \$3.10 per hour. At present, 20 states have minimum wage rates lower than Oregon's rate, two have the same rate, 19 have a higher rate and eight have no minimum wage rate at all. The Federal minimum wage rate is currently \$3.35 per hour. It is the conclusion of this subcommittee that the pervasive coverage of the higher federal statute, coupled with the relative comparability of Oregon's rate, makes it unlikely that Oregon's minimum wage law significantly deters the attraction of business to Oregon.

It must, however, be noted that minimum wage laws have a high degree of visibility to business. Action by the Oregon Legislature to

move Oregon's rates out of their current middle-of-the-road posture into a forerunner's position would signal the wrong message to business. The Oregon Legislature is to be commended for its passage of progressive sub-minimum wage provisions for student learners and handicapped persons.

b. The "Little" Davis Bacon Act

Oregon's "little" Davis Bacon Act requires the payment of prevailing wages and fringe benefits to workers who are employed on contracted public works projects. Its counterpart, the federal Davis Bacon Act, requires the same payments to workers employed in the construction of federal buildings and projects. Currently, all but 12 states have some form of "little" Davis Bacon legislation.

"Prevailing Wage" laws have been the subject of considerable criticism for much of their long history. Recently, however, the fervor to repeal the federal act has reached a high pitch. It has been the subject of numerous studies by both governmental agencies and outside researchers. Their findings have led to the uniform conclusion that prevailing wage laws are a highly inflationary vehicle which has outlived any possible purpose they may have once had and are, in fact, producing results which are the exact opposite of those intended by their originators. While the laws were intended to preserve local wage rates from roving contractors who would employ workers for less and thereby displace local employees, it is now resulting in the importation of higher metropolitan wage rates and thus adding significantly to the cost of public construction projects. Largely, as a matter of government convenience, the highest union rate embodied in statewide or regional labor agreement becomes the minimum wage rate even though it bears little relation to the true rate prevailing in a given area. The Economics of the Davis Bacon Act, Gould and Bittlingmayer; "Davis Bacon Act," General Accounting Office; "The Effect of the Davis Bacon Act on Construction Costs in Non-Metropolitan Areas of the United States," Oregon State University, Fraundorf, Farrell and Mason; "The Economics of the Davis Bacon Act", University of Chicago, Gujarati; Davis Bacon Act, Thiebolt; American Enterprise Institute are among the important studies which have all concluded that the effect of the Davis Bacon Act is higher than necessary labor and construction costs.

The same inequities which have led the press to describe the federal Davis Bacon Act as a fat, depression era relic which preserves artificially high wage rates in governmental construction jobs at a tremendous cost to the taxpayer, also apply to Oregon's little Davis Bacon Act.

Certainly, the effects of Oregon's Act on the attraction of industry to the state are less direct than its effects on the taxpayer. It does, however, appear that the introduction of inflated wage and benefit levels to localities may, through competition for qualified employees, drive labor costs up for both non-construction employers and construction employers not directly involved by attracting workers away from those jobs thus forcing employers to pay higher wages to retain their employees. Moreover, concerns over the inflated costs of providing

governmental service buildings and facilities may tend to discourage the efforts of municipalities and other governmental entities to actively solicit new businesses because of the high cost of providing public facilities to accommodate the resultant growth.

c. Repeal of Oregon's Davis Bacon Act

While it is not a strong likelihood that business will perceive these indirect effects and choose not to locate in Oregon because of them it is a strong likelihood that repeal of the "little" Davis Bacon will contribute to the creation of a fair and favorable climate for business in Oregon. The inequities inherent in present prevailing legislation are becoming increasingly visible to the public through attacks on the legislation by the press. Dissatisfaction with prevailing wage legislation is steadily increasing. The case for repeal is overwhelming. Inasmuch as prevailing wage laws are viewed very negatively by business, if Oregon were to join several other states in repealing its "little" Davis Bacon, we could significantly enhance our business image. Short of repealing the State's prevailing wage law, administratively the State could significantly alter the negative and inflationary impact. This could be accomplished by determining the "true" prevailing wage rates within the state instead of accepting the highest as its minimum. This change alone would substantially reduce labor costs on state and municipal projects; and at the same time, reduce the pressure on other business and industry to raise its wages in attempting to retain their employees.

CIVIL RIGHTS

There is a significant overlap of protections under Oregon's Fair Employment Practice Laws and their federal counterparts. Under both federal and state law, employers are prohibited from discriminating on the basis of race, color, national origin, sex, age, religion, and physical and mental handicaps. In addition to Oregon, at least forty other states have similar statutes.

a. Fair Employment Practices

The protection of employees against discrimination is a national standard. Although Oregon recognizes a greater number of protected classes than are recognized under federal law or the laws in other states, the most important of those classes are also protected in other jurisdictions as well. Prospective employers are not likely to consider Oregon's Civil Rights statutes to be a deterrent to locating in Oregon and, therefore, little, if anything, could be done in this area to improve our State's competitive posture.

b. Comparable Worth

The Oregon Legislature showed extreme wisdom last session in its total rejection of the concept of comparable worth. The passage of comparable worth legislation would have a devastating effect on the State's ability to attract new business not to mention the penalties it would impose on the State's current employers. The

issue of comparable worth is perhaps the most highly controversial subject in the area of employment discrimination today. It has, as its basic tenet, the notion that men and women should receive not only equal pay for equal work and equal pay for comparable work, but also equal pay for work of comparable value. Proponents of the comparable worth doctrine urge its use to dissolve disparities in wage rates between totally different jobs populated predominately by women and by men. As a practical matter, passage of comparable worth legislation necessitates substitution of the government's subjective judgment of the value of an employee for the objective determination of wage rates by an employer and the labor market. Attempts to pass comparable worth regulations within the framework established by Title VII have failed largely because of difficulties encountered in trying to draft legislation sufficient to give employers notice of what is needed to comply. Additionally, comparable worth, in its purest form, is predicated upon a total disregard for market forces. This is true because it is market forces that have perpetuated the very wage disparities that proponents are seeking to dissolve. Presumably, passage of comparable worth legislation would enable a secretary (predominantly female) to force comparison of the value of her job to that of a truck driver (predominantly male) employed by the same company without regard to what the going rate is for either job. Comparable worth is an extremely complicated doctrine with limitless application. It strikes fear in the hearts of employers. The passage of such legislation for either the public or private sectors in the state would seriously impair efforts to attract business to the state.

OCCUPATIONAL SAFETY AND HEALTH

Oregon's approach to occupational safety and health is both reasonable and positive. There is no harassment of business, yet the state competently and effectively administers the law, investigates employers with higher than normal accident frequencies, and generally remains responsible to its individual and business citizens.

Most employers viewed the broad entrance by the Federal Government into the field of occupational safety and health with considerable apprehension. Accordingly, the employer community supported the preparation of a state plan and actively lobbied during the 1973 Oregon Legislative Session for the successful passage of the Oregon Safe Employment Act. The vast majority of the state's employers felt that they could work with our state agency in a more effective and constructive manner than they could with a less responsive federal program.

Today, we strongly endorse the continued administration of this important area of industrial law at the state level. Our only recommendation is that the state not carry its standards beyond those required at the federal level.

SUMMARY AND CONCLUSION

In short, the status of Labor Laws in Oregon does not place the state at a competitive disadvantage when competing for new prospective industry.

We have made great strides in the last three legislative sessions which has done much to improve the business climate in the state. What needs to be done now is to actively communicate inside and outside the state, the reasonableness and equity of our major labor legislation.

Secondly, we need to act affirmatively on recommendations such as those we have proposed so as to continue the progressive trend that will ultimately put Oregon in a leadership position. It will, however, take both active selling and positive action to further enhance our competitive position.

LAND USE PLANNING SUBCOMMITTEE
Problems, Premises, and Effects on Job-Producing Investment

INFLEXIBILITY

Statement of the Problem:

The state's land use planning process is inflexible and unresponsive to the needs of the private sector in encouraging job-creating investments.

Premises:

- A. Plans are approved on the basis of what economic development is assumed to be "needed" by the community. Forecasts of industrial and commercial land needs are often mathematically determined on the basis of past trends and population projections. The plans are not based on what is "needed" by business and industry to locate.
- B. The needs of industry to locate are extremely diverse. Site preferences vary in terms of location, services, size, type, design, access, price, etc. The sites necessary to accommodate development cannot be categorized into a few basic types. In addition, other market factors determine site location, including proximity to resources, markets or other operations, labor pool, wages, community size and amenities, complimentary or competing industries, etc.
- C. Since industrial development follows market forces, not community needs, simply zoning enough industrial land to meet a community's needs will not make that economic development occur. Because the market ultimately determines site location, in one area all the land thought to be "needed" might lie idle, while in another area the demand for additional sites will far exceed what was assumed to be needed and was designated in the plan. Plans that are inflexible and unresponsive to the diverse needs of industry are an obstacle to job-producing economic development.

Effects on Job-Producing Investment:

1. The inflexibility of the goals and resulting plans limits the number of alternative sites from which an industry can choose to locate or expand. With fewer sites to choose from, there is less likelihood of finding a site

that meets all of the other locational factors needed by that industry. The less flexibility in alternative sites to choose from, the less the likelihood is that industry will find a suitable site.

2. Plans that lock up a few designated sites with features attractive to a few particular types of industry severely limit potential economic development. Many good job-producing enterprises may be lost while waiting for just the right industry that will fit the designated site. Furthermore, locking up specially designated sites creates an artificial monopoly that can diminish that site's attractiveness to potential industry.
3. In seeking increased economic development, local governments cannot freely balance among the competing interests that are of importance to the local community. Since plans must be based on justified "needs," not local desires, even if local officials wanted to accommodate more industry, or provide more flexibility, they would be unable to do so under the state's requirements.

Local officials are hampered in attracting and retaining industry. Even when a project is strongly supported locally, the local officials cannot guarantee ultimate approval if any land use action is required to secure the site.

4. The sites (and areas) that are best suited for economic development based on market factors are not necessarily where that site can be "justified" or is "needed" under planning standards.

For new development, the competition for economic development projects is fierce, the margin slim and time frames short. If industry cannot get the "best suited" site in Oregon, it will get it somewhere else where such sites are more readily made available for development. The private sector will not compromise optimum location to accommodate a land use plan so long as there are economic alternatives available in other states.

As for expanding industries, at some point the disincentives for expanding in Oregon (a less than optimum site, or the time, expense and risk involved in obtaining approvals on the optimum site) can outweigh the advantages of continuing to invest in the state. If expansions are made despite the disadvantages, increased costs will ultimately affect the economy of operations and, ultimately, jobs.

5. Plans that are not responsive to change will be totally ineffective in accommodating economic development.

Industries, evolve as resource bases, technologies and markets change. The locational factors important to an industry today are constantly changing with the many variables of the market. Inflexible land use requirements cannot accommodate these changing economic needs.

6. Plans are only as good as the assumptions upon which they are based. Since economic development in the private sector depends on so many diverse and changing variables, it is risky to draw superficial conclusions for the purposes of land use planning. The less flexibility in the planning process, the greater is the risk if those assumptions prove to be inaccurate. By clinging to faulty assumptions, the inflexible requirements can prevent the job-producing economic development that they were intended to encourage.

TECHNICAL ASPECTS

Statement of the Problem:

The state's land use system is technically complex. The procedural requirements overshadow the merits of a development. The technical justification of a project (substantial evidence and findings) has taken on more importance than the actual impacts or value of the project. The land use planning system is not well-integrated with other state laws, being inconsistent with some and duplicative of others. Both substantive and procedural requirements of the land use planning system are ambiguous. While stated generally, they are interpreted very specifically on a case-by-case basis.

Premises:

- A. Basic procedural requirements are necessary to assure due process of law. However, excessive requirements impose unnecessary delays and costs that create a disservice to the parties and to the public without adding any significant due process protections. These unnecessary technical requirements are a significant disincentive to economic development and are the major source of delay in the process.
- B. Policies and requirements in land use planning develop case-by-case, based on specific fact situations. Lacking a clear articulation of objective standards, there is uncertainty over how the ambiguous requirements will be applied in the next specific fact situation.
- C. The complexity and ambiguity of the process is further complicated by its relationship to other state laws. Where there are inconsistencies or duplications with other state programs, the costs and uncertainty of the process are further increased.

Effects on Job-Producing Investment:

1. Business and industry will not invest where it cannot quantify the risks. The state's land use planning process contains so many variables (technical requirements with ambiguous standards) that the likelihood of success, ultimate conditions of approval, and the end costs cannot

be determined in advance with any certainty. Rather than take a chance on the unknown, business and industry will locate where the costs and risks, if any, can be reasonably projected in advance.

2. The multiplicity and complexity of requirements in justifying development costs time and money. All other factors being equal, if this time and expense can be avoided by locating elsewhere, it will be. If, on the other hand, the commitment is made to expend that time and money, it is diverted from productive to nonproductive use. Either way, economic development in this state is discouraged.
3. Because of the technical complexity and many procedural requirements for justifying a project under the land use planning process, projects are easily challenged, delayed, and stopped on technical grounds that bear no relationship to the merits of the project.

On appeal, the reviewing body is not to "substitute its judgment" for that of the local government. However, because the technical requirements for approving a project are so numerous, complex, and ambiguous, the reviewing body has many opportunities to reverse the local government's approval because of perceived technical imperfections. Yet it is seldom shown what (or whose) substantial interest would be served by achieving technical perfection (more evidence on a point or differently-worded findings).

4. The requirements of the land use process are generally not related to the scale or impacts of the project. Whether large or small, great impacts or slight, for a given area, activity or type of action the technical requirements are essentially the same. This places a particularly onerous burden in developing smaller projects where the costs and risks simply cannot be absorbed. Smaller scale economic development is discouraged.
5. When major investment risks are no longer within the investor's control, investment will not continue. If the future use of the land (and therefore its value and utility) become uncertain due to land use planning restrictions, investment will not continue under unknown risks.
6. Lenders who rely upon real property as collateral also take a risk of having the value of that collateral significantly diminished due to land use planning restrictions. This uncertainty can discourage lending on certain lands and thereby inhibit economic development.

PRESERVATION BIAS

Statement of the Problem:

The land use planning program is preservation biased, in the law and in the administration of the law. The appeals system favors the preservation of the status quo at the expense of economic development.

Premises:

- A. The majority of the state goals address the preservation of lands in a way that limits economic development. The preservation elements have received the most attention in the administration of the program to the detriment of economic considerations.
- B. The preservation of resource lands is maximized. (The maximum quantity of certain lands must be preserved with little regard for whether the lands are productive or are "needed.") Job-producing development is minimized. (The minimum housing, commercial, industrial development "needed" for the community is the maximum allowed, regardless of whether more may be desirable).
- C. Taken together, the inflexibility, technical requirements and preservation bias of the process is advantageous to delaying or stopping job-producing development projects, regardless of the merits of the project or its real impact on the objectors.

Effects on
Job-Producing
Investment:

1. Urban growth boundaries are drawn to contain a minimum amount of developable land. Significant economic development outside of boundaries is all but impossible. The amount of land and alternative sites for economic development is limited.
2. The preservation of agricultural lands bears little relationship to the productivity of the land. This absolute preservation of marginal or nonproductive lands precludes a more economically productive use of the land.
3. While forest lands must be conserved, the intensive management of commercial forest lands is not given priority over non-productive forest uses. In many instances, commercial management of forest lands is considered a conflicting use with other resource values and must be specially justified. Limits or uncertainty in forest management affecting supply affect the continued investment of job-producing forest products industries.
4. Since the process favors maximum preservation, the preservation of land in restrictive zones generally requires very little justification, evidence or findings. However, any departure from preservation, usually for development or higher economic use, must be extensively justified. Thus lands can be easily removed from potential economic (job-producing) use, but are extremely difficult to restore to economic use.
5. The land use decision-making and appeals system favors opponents to economic development. The burden is on the applicant for a project to fully justify it with respect to every criteria applying to it. Objectors need only bring into question one technical deficiency

(usually in "substantial" evidence or "adequate" findings) on one criterion to reverse the project's local approval.

Access ("standing") to appeal local decisions is very broad. An objector can raise virtually any technical reason for reversing an approval, regardless of whether it relates to how that person has actually been affected by the decision, or to the argument the person used to establish standing to bring the appeal. The process allows spurious appeals and appeals for the purposes of delay.

There is no liability placed on the objectors to pay the increased costs of such delays if the appeal is unsuccessful.

The appeals process poses a significant uncalculable risk for the potential developer. Because land use planning requirements are complex and ambiguous, and the burden is on the applicant to meet all of them, the potential for appeal is great. Again, time and money are added to the costs of development. Potentially meritorious development is denied on superfluous technical requirements. Attempting job-producing economic development projects is discouraged from the beginning because of the unknown risks that lie ahead.

STATE AND LOCAL REGULATIONS SUBCOMMITTEE

It was not the intention of this subcommittee, nor is it the intention of this report, to deal with specific regulatory agencies addressed by other subcommittees of the task force.

REGULATORY FLEXIBILITY

Oregon has become famous for its business-chilling red tape. Multiple duplicating and overlapping regulations have escalated the costs of doing business and of business investments.

Oregon's lack of regulatory flexibility has diminished its attractiveness to businesses from outside the state. It has also discouraged the expansion and growth of Oregon businesses.

The Governor should evaluate the positive effects of Chapter 755, Oregon Laws of 1981, which in part is based on The Federal Regulatory Flexibility Act to:

1. Assure that state agencies are in the process of establishing procedures and time frames for the required review, and

2. Determine if the scope of the Act should be broadened to include businesses larger than 50 employees, but still within federal definitions of small business to increase the scope of regulatory flexibility.

ONE-STOP PERMIT

The one-stop permit process has not been utilized and apparently does not work.

The one-stop permit process does not provide any real time advantages because of the procedural requirements contained in the law and the failure of the law to limit the jurisdiction of the agencies involved.

However, the one-stop format offers an opportunity for simplifying, accelerating, and coordinating the permit issuance process.

More importantly, a viable one-stop permit process would increase Oregon's attractiveness to outside industries.

The Governor should study changing the one-stop permit law along the following lines:

1. That ORS 447.800 to 447.865 relating to Oregon's "one-stop" permit process be removed from that chapter (which also related to the plumbing code and building standards for accessibility of the handicapped) and placed in its own chapter in Title 36, Public Health and Safety. Such a change would increase the visibility and accessibility of the law.
2. The provisions of ORS 447.825 through 447.865, which relate to consolidated hearings by affected permit issuing agencies, should be modified to accomplish the following:
 - (a) The Executive Department or Department of Economic Development should be the only agency that an applicant should have to deal with. Therefore, the law would provide that once an applicant meets the threshold for utilization of the "one-stop" process all permits would be issued by the Executive Department or D.E.D., utilizing the law, rules, and personnel of the affected agencies.
 - (b) ORS 447.820 (7) and (8), pertaining to applications for the issuance of necessary permits should be amended to provide that application forms are to be returned to the Executive Department and not to an individual issuing agency. The Executive Department would provide the agency with the applications specific to it.
 - (c) The law should provide the procedural requirements for permit issuance, contested cases, etc.
 - (d) Every agency which requires any approval prior to construction or operation of a project should have its law amended

to specifically provide that when an application is made through the "one-stop" process that agency has no further jurisdiction over the permit issuance and the procedural requirements of the "one-stop" agency are to be used.

- (e) Study should also be undertaken as to whether local governments should also be made subject to the state "one-stop" permit process.
- (f) Finally, studies should be undertaken to see if greater inter-governmental coordination between issuing agencies can take place. Such coordination could possibly decrease delays because it would reduce conflicts between agencies.

PERMIT DELAYS

The subcommittee did not have the time nor the resources to review the most pressing problem of Oregon's State and Local Regulations - the cost of permit delays.

Unquestionably, there appears to be permit delay at all levels of state and local governments. The primary cause of these delays appears to be that some agencies do not start the permit application process until they have received all the information the agency deems appropriate from the applicant.

It appears to the subcommittee that most legislation which calls for a permit to be issued on a certain time line commences that time line at submission of the application. These requirements, though, appear to be honored by the agency only in the breach.

The Governor should study this area and possibly suggest legislation or ruling that time lines commence at submission of application by applicant, or at a time that more nearly complies with legislative intent. Furthermore, these time lines should be extended only by agreement of applicant and agency.

BUILDING CODES

Oregon's building codes are overly restrictive. The restrictions placed on residential, commercial, and industrial construction are deterring construction.

Hence, reform of code restrictions, state and local, should enhance construction employment and plant installation in Oregon.

The Governor should investigate methods to reduce code restrictions on residential, commercial, and industrial construction. Suggested recommendations are:

1. That conditional permitting be created in the State of Oregon.

2. Oregon's building code (UBC) and many local planning codes are proving overly restrictive. Where excessive restrictions are placed on building, commercial and industrial construction, construction is deterred.
3. That particular attention be given to providing code flexibility in commercial and industrial siting regulations.

SYSTEM DEVELOPMENT CHARGES

System Development Charges (SDCs) are drastically adding to the costs of residential and building investment in Oregon. These costs, in turn, create an imbalance in Oregon's ability to compete with other areas for job producing industries.

Oftentimes, these SDCs are not assessed for present improvement, in which case the added cost of the SDC is not reflected by an increase in the investment's value.

Moreover, the assessing bodies oftentimes do not establish that the improvement the SDC is assessed for will directly benefit the property it is assessed against.

The Governor should study methods to reduce up-front investment costs due to SDCs. Four possible solutions are:

1. System development charges should be either waived or deferred during bad economic times to spur development and reduce costs.
2. In some instances, formation of local improvement districts may be a better alternative than the imposition of a systems development charge.
3. In any event it would seem that systems development charges could be bonded and deferred payments made under the Bancroft bonding system, and in addition bancrofting should be made applicable to a wider range of public improvements.
4. Finally, improvements for which SDCs are levied should be limited to those with a direct or immediate benefit to the property they are assessed against.

ARCHITECTURAL REGULATION

Architectural rules and regulations by state and local government agencies (such as local design review boards) are exceeding legitimate regulation. Increasingly, such regulations are being promulgated with the objective of esthetic control.

Besides substantially infringing freedom of expression, such esthetic regulations are increasing the costs of plant installation in Oregon. In turn, these costs diminish Oregon's attractiveness to businesses from outside the state.

The Governor should explore methods to modify architectural regulations and esthetic controls. Two possible solutions might be to:

1. Establish workable guidelines limiting state and local architectural review; or in the alternative,
2. Establish an expeditious civil remedy for infringement of architectural expression.

TAXATION SUBCOMMITTEE

Oregon's tax structure, with heavy reliance on the income tax and transfers from income tax collections to property taxpayers, is not conducive to economic development because it penalizes the most productive individuals. In tax vernacular, this means "progressivity" -- the more you earn, the greater proportion of that income is taken through taxation. Oregon has the most "progressive" tax system in the nation. At lower income levels Oregon's tax burden is one of the lowest, at higher income levels, Oregon's tax burden is one of the highest.

Both state and local level government spending in the past 10-15 years have exceeded the combination of both inflation and population growth. The 6% property tax limitation has not been an effective deterrent to excessive government growth.

The transfer of income tax dollars to alleviate individual property taxes has not served to hold down the growth of property tax levies. In fact, the opposite has occurred. Total levies grew by 41% over the first two years under the 30% homeowner tax relief program.

The Legislature has not reduced personal income tax rates to account for inflation over the past several years and the result has been a 25% increase in income tax burden borne by Oregonians.

The split property tax roll between residential and business property adopted by the 1979 Legislature has damaged our jobs climate.

Oregon's corporate income tax collections are 9th highest in the nation. It is too high and results in a diminished ability of business to expand and create jobs.

Recommended Tax Structure Changes

The subcommittee recommends the following changes in Oregon's state and local tax structure:

1. State personal and corporate income tax should be cut in half and property taxes should be reduced by one-third. In place of these reduced taxes, a general retail sales tax of approximately 4 to 5% should be adopted. The revenue generated by a sales tax must be

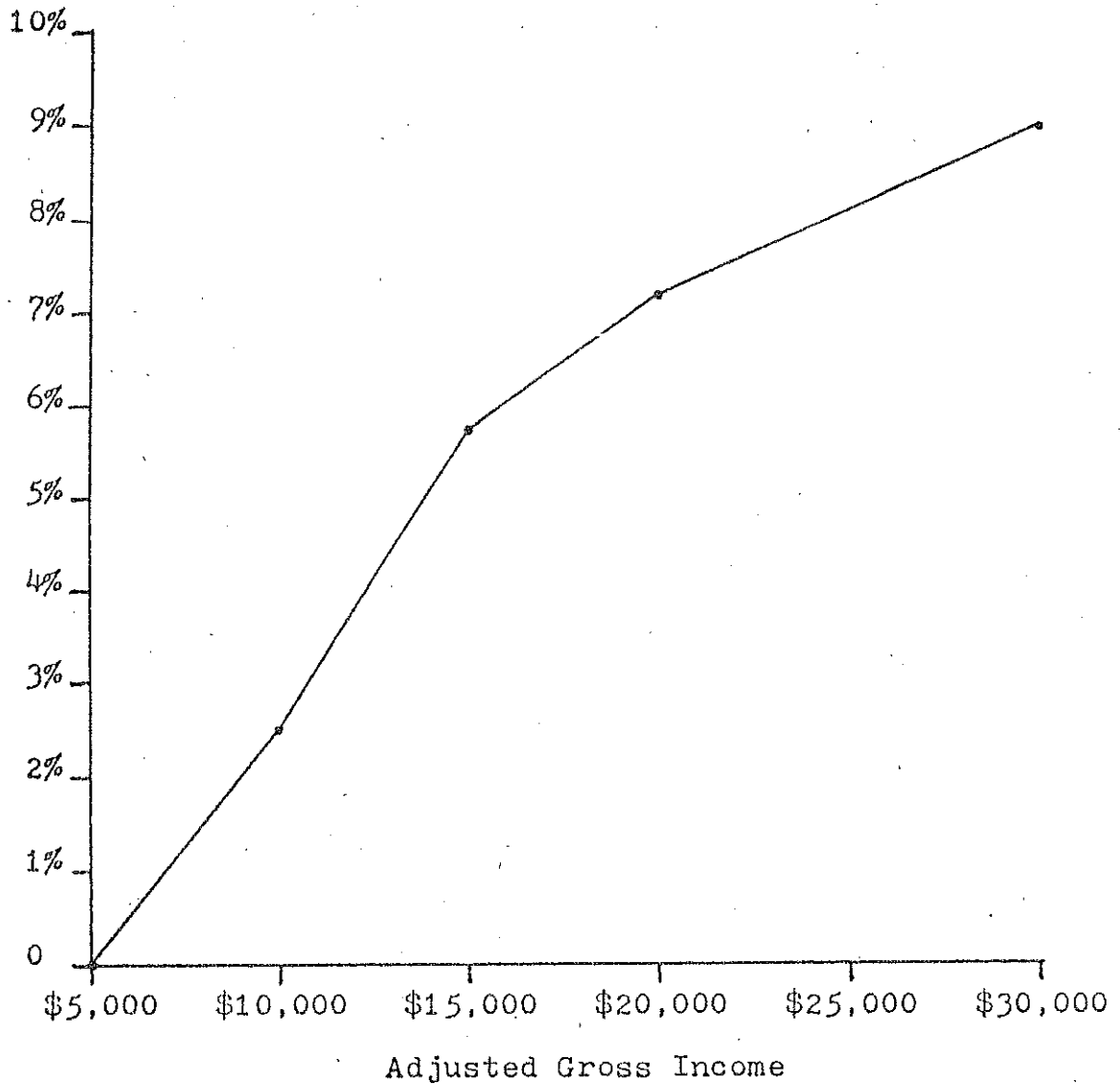
used entirely to offset the reductions in the income taxes and the property tax. The sales tax law must provide for a collection offset for retailers to cover their collection expenses.

2. The personal income tax should be reduced by widening the brackets and reducing the top rate. Provisions should then be made for adjustments in the income tax rates or brackets to eliminate the effects of inflation on personal incomes.
3. A constitutional expenditure limitation on the state and all units of local governments in Oregon should be placed on the ballot for approval by the voters. Procedures to ensure a more accurate reflection of voter attitude on property tax levies should be adopted. Possible alternatives include a vote by mail requirement, a minimum voter turnout requirement or a super majority approval requirement.
4. The 30% property tax relief program should be eliminated and the basis of property taxation should be returned to 100% of market value as it was in 1979.

OREGON STATE AND LOCAL TAX BURDEN

AS PERCENT OF INCOME—1982

(Joint Return—four exemptions)



Source: Income tax - Legislative
Revenue Office
Property tax - Associated
Oregon Industries.

Study by Western Kentucky University

DISTRIBUTION OF MAJOR STATE-LOCAL TAX BURDENS RELATIVE TO FAMILY INCOME SIZE - 1976

(Tax Burdens as Percentages of Income)
COMPARISON BY DEGREE OF REGRESSIVITY

State	Adjusted Gross Income, Family of Four, 1976						Index of Regressivity
	\$ 7,500	\$10,000	\$15,000	\$17,500	\$25,000	\$50,000	
All States	9.8%	9.1%	7.9%	7.9%	7.6%	7.5%	1.31
Alabama	9.3	8.4	7.0	7.0	6.7	6.0	1.55
Arizona	10.6	9.5	7.7	7.6	7.4	7.1	1.49
Arkansas	8.4	7.7	6.6	6.6	6.6	7.1	1.18
California	10.5	9.0	8.7	8.6	8.6	10.3	1.07
Colorado	9.6	8.9	7.2	7.3	7.3	7.1	1.35
Connecticut	15.2	12.9	10.5	9.8	8.3	6.3	2.41
Delaware	10.1	9.7	8.0	9.3	9.8	11.3	0.89
Florida	6.4	5.4	4.4	4.0	3.4	2.5	2.56
Georgia	9.5	8.6	7.5	7.5	7.5	7.6	1.25
Idaho	7.6	7.5	7.1	7.4	7.0	8.3	0.92
Illinois	10.7	9.6	8.4	8.0	7.2	6.1	1.75
Indiana	11.3	10.2	8.8	8.3	7.4	6.2	1.85
Iowa	11.6	10.8	9.0	9.1	8.8	8.6	1.35
Kansas	9.3	8.5	7.1	7.0	6.6	6.5	1.45
Kentucky	11.5	11.1	9.5	9.5	9.2	8.5	1.35
Louisiana	5.1	4.9	4.4	4.2	3.7	3.4	1.50
Maine	11.8	10.3	8.9	8.7	8.6	9.7	1.22
Maryland	12.8	12.7	10.8	10.9	10.7	10.4	1.23
Massachusetts	17.5	16.0	14.2	13.7	12.7	11.4	1.54
Michigan	11.5	11.6	9.6	9.6	9.3	9.6	1.20
Minnesota	6.3	9.3	8.5	9.1	10.1	11.4	0.553
Mississippi	9.4	8.3	6.4	7.0	6.6	6.2	1.52
Missouri	10.9	9.8	8.6	8.5	8.2	7.6	1.43
Montana	8.4	8.1	6.4	6.6	6.9	6.9	1.22
Nebraska	10.2	9.4	8.8	8.5	7.9	8.1	1.26
Nevada	7.3	6.1	5.0	4.6	3.9	2.9	2.52
New Hampshire	11.3	9.6	8.0	7.5	6.5	5.1	2.22
New Jersey	14.8	13.3	11.6	11.1	10.0	8.7	1.70
New Mexico	6.1	5.7	5.5	5.6	5.7	6.8	0.90
New York	13.0	12.5	11.2	11.5	12.1	15.8	0.82
North Carolina	9.6	9.2	7.9	8.1	8.2	8.3	1.16
North Dakota	8.0	7.3	6.4	6.7	7.3	7.5	1.07
Ohio	9.4	8.5	7.7	7.5	7.2	7.0	1.34
Oklahoma	7.2	6.3	5.3	5.3	5.4	6.0	1.20
OREGON	5.5	7.2	7.8	8.7	9.0	10.0	0.550
Pennsylvania	14.8	13.6	12.3	11.9	11.1	9.9	1.49
Rhode Island	14.9	13.4	11.9	11.3	10.2	9.7	1.54
South Carolina	9.0	8.1	7.0	7.1	7.4	7.8	1.15
South Dakota	10.4	8.9	7.4	6.9	5.9	4.5	2.31
Tennessee	7.8	6.4	5.4	5.0	4.2	3.1	2.52
Texas	7.2	6.1	4.9	4.5	3.7	2.7	2.67
Utah	9.0	8.3	7.1	7.2	7.2	6.7	1.34
Vermont	7.7	8.5	9.5	10.1	9.9	10.6	0.73
Virginia	9.3	8.5	7.4	7.1	7.1	7.0	1.33
Washington	8.1	6.8	5.3	4.9	4.6	2.8	2.89
West Virginia	6.5	5.6	4.6	4.5	4.3	4.6	1.41
Wisconsin	12.6	14.1	13.8	13.0	13.2	13.3	0.95
Wyoming	7.6	6.2	5.0	4.6	3.8	2.3	2.64

INCOME AND PROPERTY TAX COLLECTIONS
PER \$1,000 OF PERSONAL INCOME
1980

<u>State</u>	<u>Amount</u>	<u>Rank</u>
Alaska	\$101.09	1
Massachusetts	98.31	2
New York	90.70	3
OREGON	82.97	4
Montana	81.67	5
Wisconsin	78.08	6
Vermont	76.30	7
Minnesota	71.80	8
Rhode Island	68.99	9
Michigan	66.41	10
New Jersey	65.45	11
Maine	65.02	12
Iowa	64.84	13
Nebraska	63.27	14
Utah	61.81	15
Delaware	61.78	16
Arizona	60.25	17
Maryland	59.75	18
Hawaii	59.56	19
Wyoming	57.44	20
New Hampshire	57.44	21
California	56.76	22
Colorado	55.88	23
Illinois	55.36	24
Kansas	54.85	25
Idaho	54.44	26
Virginia	52.96	27
North Carolina	52.74	28
Georgia	50.18	29
Connecticut	49.83	30
South Carolina	47.96	31
South Dakota	47.11	32
Pennsylvania	46.11	33
Ohio	43.57	34
North Dakota	42.33	35
Missouri	41.37	36
Indiana	41.18	37
Arkansas	41.06	38
Kentucky	38.44	39
West Virginia	37.50	40
Texas	33.84	41
Mississippi	33.63	42
Oklahoma	33.32	43
Washington	31.94	44
Florida	28.85	45
Nevada	27.68	46
Oklahoma	26.77	47
New Mexico	24.69	48
Tennessee	23.45	49
Louisiana	23.43	50

Source: Oregon Taxpayers Association

INCOME TAX LIABILITIES BY INCOME LEVEL IN OREGON:
TAXABLE YEAR 1979

Income Group (thousands)	Number of Returns	Percent of Total	Taxes Paid as Percent of Total
\$ 0- 10	431,541	42.3%	6.6%
10- 20	279,529	27.4	21.8
20- 30	181,059	17.8	26.9
30- 40	74,746	7.3	17.3
40- 60	32,806	3.2	11.9
60-100	10,748	1.1	7.4
100+	4,190	0.4	8.1
Total	1,021,081	100.0	100.0

Note: In 1979;

30% of the taxpayers (those earning over \$20,000) paid 72% of the total taxes
12% of the taxpayers (those earning over \$30,000) paid 45% of the total taxes

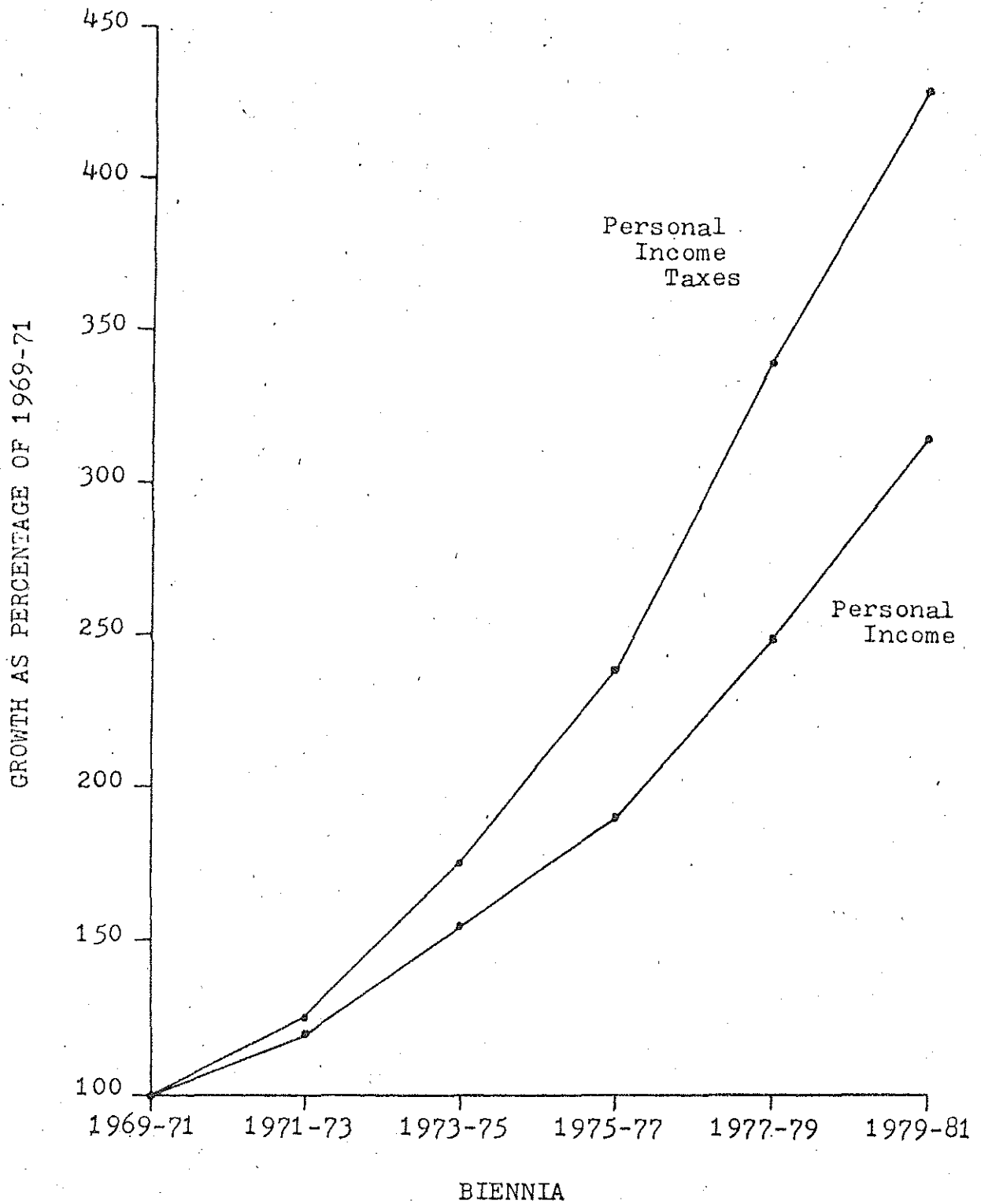
Source: Oregon Department of Revenue

OREGON PERSONAL INCOME TAXES—1979

AGI GROUP (thousands)	AVERAGE AGI	AVERAGE TAX DUE	TAX/ AGI
\$ 0- 2	\$ 1,105	\$ 4	0.4%
2- 4	2,972	37	1.3
4- 6	4,974	106	2.1
6- 8	6,979	194	2.8
8- 10	8,981	297	3.4
10- 12	10,980	388	3.6
12- 14	12,980	487	3.8
14- 16	14,995	593	4.0
16- 18	16,988	694	4.1
18- 20	18,988	792	4.2
20- 22	20,979	899	4.4
22- 24	22,981	1,017	4.5
24- 26	24,971	1,139	4.6
26- 28	26,968	2,268	4.8
28- 30	28,968	1,389	4.9
30- 32	30,972	1,518	5.0
32- 34	32,967	1,647	5.1
34- 36	34,965	1,776	5.1
36- 38	36,963	1,904	5.2
38- 40	38,950	2,047	5.3
40- 45	42,256	2,307	5.5
45- 50	47,291	2,724	5.8
50- 55	52,299	3,159	6.0
55- 60	57,405	3,608	6.3
60- 70	64,523	4,242	6.5
70- 80	74,569	5,130	6.8
80- 90	84,552	6,087	7.1
90-100	94,625	6,982	7.2
100-125	110,954	8,496	7.5
125-150	136,265	10,829	7.8
150-200	171,175	14,101	7.9
200-300	239,160	20,468	8.1
300-500	375,757	34,832	8.4
500+	932,161	90,240	8.3

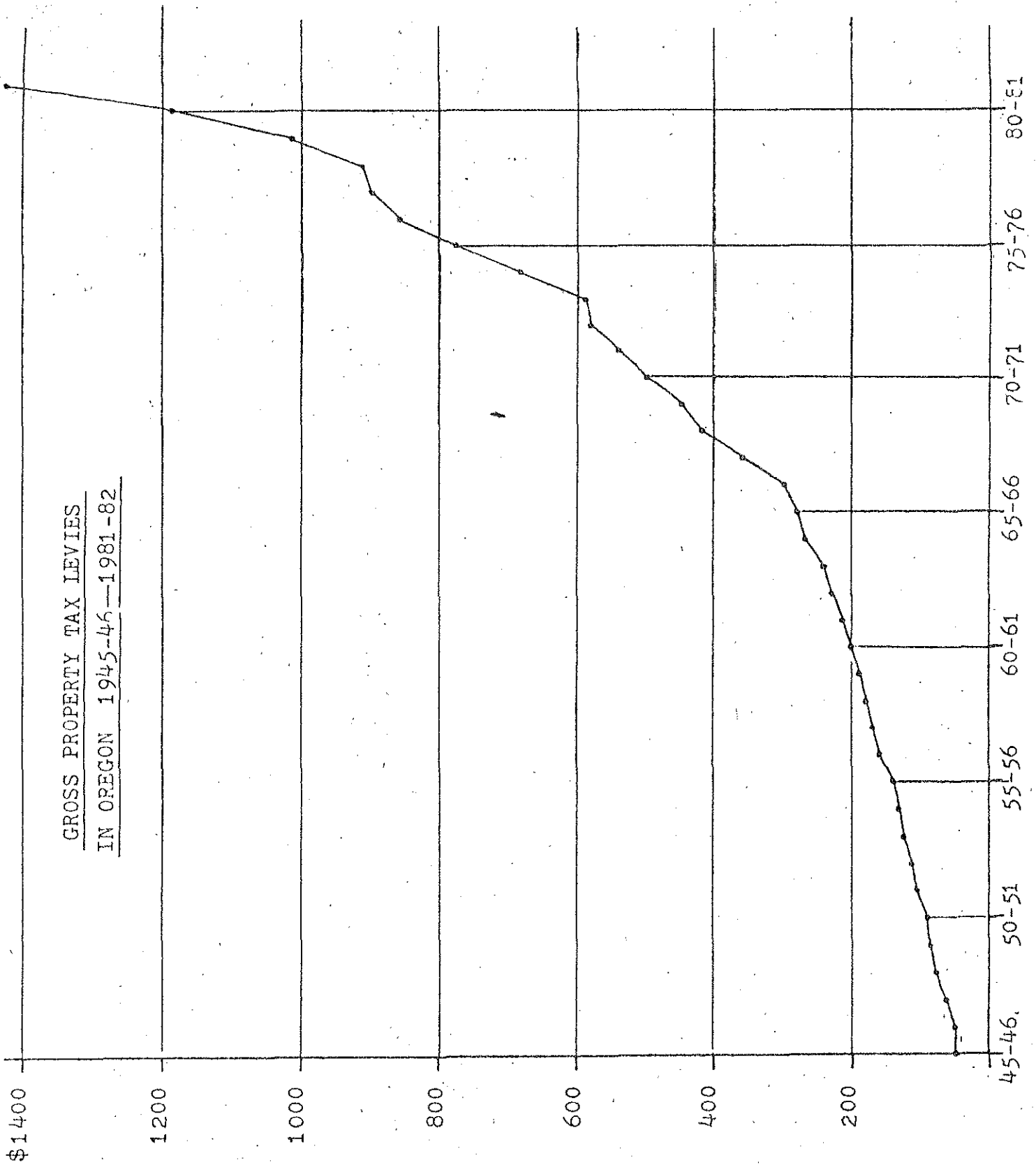
Note: AGI is Adjusted Gross Income. Source: Oregon Department of Revenue

GROWTH IN OREGON PERSONAL INCOME
VS
GROWTH IN STATE PERSONAL INCOME TAXES
(1969-71=100)



Source: Oregon Taxpayers Association

GROSS PROPERTY TAX LEVIES
IN OREGON 1945-46--1981-82



GROSS LEVIES (millions)

Source: Oregon Taxpayers Association

THESE MINUTES ARE NOT FINAL UNTIL APPROVED BY THE EQC

MINUTES OF THE ONE HUNDRED FORTY-FIRST MEETING

OF THE

OREGON ENVIRONMENTAL QUALITY COMMISSION

July 16, 1982

On Friday, July 16, 1982, the one hundred forty-first 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. James Petersen, 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, Petersen, Brill, Burgess and Bishop were present, as were several members of the Department staff.

The following items were discussed:

1. 83-85 budget preparation status: Mike Downs, Management Services Administrator, reviewed for the Commission the projected timetable and current status of the 83-85 budget for the Department.
2. Job climate report: The Director reviewed for the Commission a report describing four recommendations brought forth by the Oregon Job Climate Task Force in connection with air quality requirements in the state that apply to new and existing air pollution sources wishing to expand or locate in Oregon.
3. The Commission was asked and agreed to hear an additional unscheduled agenda item during the formal meeting. This was a request for authorization to conduct a public hearing on the Medford carbon monoxide portion of the State Implementation Plan.

FORMAL MEETING

Commissioners Richards, Petersen, Burgess, and Bishop were present for the formal meeting. Commissioner Brill was temporarily absent, arriving at the start of discussion on Item C.

AGENDA ITEM A - MINUTES OF THE JUNE 11, 1982 MEETING

It was MOVED by Commissioner Bishop, seconded by Commissioner Burgess, and carried unanimously that the Minutes be approved as submitted. Commissioner Brill was temporarily absent.

AGENDA ITEM B - MONTHLY ACTIVITY REPORTS FOR MAY, 1982

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

AGENDA ITEM C - TAX CREDITS

Terrill Henderson, corporate counsel for Time Oil Co., argued against the proposed denial of Time Oil's tax credit applications T-1142 and T-1172 and presented written testimony.

It was MOVED by Commissioner Petersen, seconded by Commissioner Bishop, and passed that the Director's Recommendation be approved but granting tax credits to Time Oil Co. in the 20% range. [Commissioner Brill was present; Commissioner Burgess voted no.]

PUBLIC FORUM:

John Charles, Oregon Environmental Council, was concerned about spraying of the pesticide "Sevin" in Tillamook Bay. He asked the Department to assert some jurisdiction on the issue and require the filing of a water quality permit application or some similar action.

Jim Johnson, Oregon City Commissioner, requested the appointment of a Health Effects Advisory Panel, consisting of doctors and pollution scientists, to address the health effects of potential dangers from garbage burners. The Commission declined to insert themselves into the permitting process at this point.

AGENDA ITEM E - REQUEST FOR AUTHORIZATION TO CONDUCT PUBLIC HEARINGS ON:
AMENDMENTS TO RULES GOVERNING ON-SITE SEWAGE DISPOSAL;
FEES FOR MULTNOMAH COUNTY, OAR 340-72-070, AND FEES FOR
JACKSON COUNTY, OAR 340-72-080

Agenda Item E is a request for authorization to conduct public hearings on the question of amending rules governing on-site fees to be charged by Jackson County and amending fee rules for Multnomah County.

Director's Recommendation

Based on the summation, it is recommended that the Commission authorize public hearings to take testimony on the question of amending rules governing on-site fees to be charged by Jackson County OAR 340-72-080, and amending fee rules for Multnomah County, OAR 340-72-070.

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

UNSCHEDULED ITEM - REQUEST FOR AUTHORIZATION TO CONDUCT A PUBLIC HEARING ON THE MEDFORD CARBON MONOXIDE PORTION OF THE STATE IMPLEMENTATION PLAN

Director's Recommendation

Based upon the summation, it is recommended that the Commission authorize a public hearing to take testimony on the Medford carbon monoxide portion of the State Implementation Plan as soon as it is finalized by Jackson County.

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

AGENDA ITEM F - MR. JOHN MULLIVAN - APPEAL OF SUBSURFACE VARIANCE DENIAL

In a letter dated July 8, 1982, the appellant's attorney, Mr. Mark P. O'Donnell, requested that this matter be set over to the next regular EQC meeting, August 27, 1982.

It was MOVED by Commissioner Burgess, seconded by Commissioner Bishop, and passed unanimously that this matter be set over to the next meeting.

AGENDA ITEM H - STIPULATED COMPLIANCE ORDERS FOR WATER POLLUTION SOURCES-- STATUS REPORT AND PROPOSED ACTION

At the last Commission meeting, the question was raised as to the status of the outstanding Stipulated Consent Orders in the Water Pollution Control Program. Agenda Item H presents a summary of the status of those orders. The consent Order has been a valuable tool in achieving compliance and most of them have achieved their goal. Of the 35 orders, only seven require additional follow-up.

Director's Recommendation

Based upon the findings in the summation, it is recommended that the Commission direct the staff to negotiate new compliance schedules as appropriate, not contingent on federal grants, for Coquille, Cannon Beach, Astoria, Happy Valley, Newport, and Silverton, and return to the Commission for their approval at the October meeting.

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

AGENDA ITEM I - REQUEST BY THE TOWN OF BUTTE FALLS FOR A VARIANCE FROM RULES PROHIBITING OPEN BURNING DUMPS, OAR 340-61-040(2)

The town of Butte Falls in rural Jackson County has requested a variance to allow continued open burning of solid waste. The town has operated a disposal site for many years but could not previously apply for a permit or a variance since they did not have legal control of the property. Recently, the town obtained a lease and the Department has drafted a permit which will ultimately lead to upgrading or replacement of the site. A variance is now required to allow interim operation.

Director's Recommendation

Based upon the findings in the summation, it is recommended that the Commission grant a variance from OAR 340-61-040(2), until July 1, 1985 to the town of Butte Falls. Such a variance to be conditioned upon the submission of progress reports in July 1983 and July 1984.

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

AGENDA ITEM J - INFORMATIONAL REPORT: ACCEPTANCE OF WASTE REDUCTION PROGRAMS (LINCOLN COUNTY - METRO - YAMHILL COUNTY)

Senate Bill 925, passed by the 1979 Legislature, requires local governments to prepare waste reduction plans and implement programs under certain conditions. Several plans have been submitted and three accepted by the Department. This informational item reports on the status of the programs and the direction staff would like to proceed.

Director's Recommendation

It is recommended that the Commission concur with staff's intention to prepare rule amendments clarifying the rules and requiring annual reporting on accepted waste reduction programs. It is further recommended that the Commission concur in the direction the Department has taken regarding acceptance of waste reduction programs.

Jim Johnson, Oregonians for Clean Air, complained that METRO provides no assistance in source separation and waste recycling problems to outlying areas, such as Oregon City. He noted that their solid waste program consisted almost entirely of flow control of solid waste instead of any control over volume of that waste stream.

John Charles, Oregon Environmental Council, noted his objections to the staff recommendation contained in the staff report and described several inconsistencies he claimed are listed in the Director's June 3, 1982, letter to METRO's Executive Director, Rick Gustafson. He suggested delaying acceptance of the Solid Waste Plan until the August 27 EQC meeting.

It was MOVED by Commissioner Bishop, seconded by Commissioner Burgess, and carried unanimously that the Director's Recommendations regarding rulemaking preparation be approved; to invite METRO to meet with the Commission to further define Conditions 4, 5 and 7 from the Director's June 3 letter; and to defer concurrence in the direction the staff has taken in the acceptance of the Plan.

AGENDA ITEM K - REQUEST FOR THE COMMISSION TO (1) ADOPT REVISIONS TO ADMINISTRATIVE RULES 340-53-005 THROUGH 53-035, DEVELOPMENT AND MANAGEMENT OF THE STATEWIDE SEWERAGE WORKS CONSTRUCTION GRANT PRIORITY LIST; AND (2) APPROVE THE FY83 CONSTRUCTION GRANT PRIORITY LIST DEVELOPED IN ACCORDANCE WITH THE AFOREMENTIONED RULES

This item is the request that the Commission adopt several revisions to the administrative rules governing the management of the sewage works construction grants program and the proposed priority list for federal fiscal year 1983. The report on a public hearing held on June 3, 1982, on these subjects is included in the item.

There are a few changes proposed to the Administrative Rules: the most notable is the creation of new special funds reserved for specific purposes required by the 1981 Clean Water Act Amendments. The FY83 priority list itself is basically a continuation of the FY82 list. There were a few new projects entered on the list and only a few priority rating changes.

Despite the lack of FY82 appropriations during FY82, we have been able to recover as carryover from prior years enough funds to complete several high-priority projects that will eliminate public health hazards. (Projects in Albany and Medford are now under construction and two others, in Sheridan and Silverton, are expected to be funded before September 30, 1982.)

Director's Recommendation

Based upon the summation, the Director recommends that the Commission adopt the Administrative Rules regarding the development and management of the statewide priority list, OAR 340-53-005 through 035 as revised, and the FY83 Construction Grants Priority List.

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

AGENDA ITEMS M AND N - PROPOSED ADOPTION OF:

- 1) THE CARBON MONOXIDE CONTROL STRATEGY FOR THE PORTLAND-VANCOUVER INTERSTATE AQMA (OREGON PORTION) AS A REVISION TO THE STATE IMPLEMENTATION PLAN; AND
- 2) THE OZONE CONTROL STRATEGY FOR THE PORTLAND-VANCOUVER INTERSTATE AQMA (OREGON PORTION) AS A REVISION TO THE STATE IMPLEMENTATION PLAN

Agenda Item M concerns adoption of the ozone control strategy for the

Portland metropolitan area. The control strategy would be a revision to the State Implementation Plan and demonstrates attainment of the federal ozone standard by 1987. The majority of testimony from the public hearing supported adoption of the plan. The control strategy needs to be immediately adopted to avoid potential imposition of federal sanctions codified into the Federal Clean Air Act.

Director's Recommendation

Based on the summation, the Director recommends that the EQC adopt the Portland-Vancouver AQMA (Oregon portion) ozone attainment strategy and direct the Department to forward it to EPA as a revision to the State Implementation Plan.

Agenda Item N concerns adoption of the carbon monoxide control strategy for the Portland metropolitan area which would also be a revision to the State Implementation Plan. Attainment of the CO standard is projected by 1985. No adverse comments were received at the public hearing. The control strategy needs to be immediately adopted to avoid possible federal economic sanctions.

Director's Recommendation

Based on the summation, the Director recommends that the EQC adopt the carbon monoxide attainment strategy for the Portland-Vancouver AQMA (Oregon portion) and direct the Department to forward it to EPA as a revision of the State Implementation Plan.

It was MOVED by Commissioner Bishop, seconded by Commissioner Burgess, and passed unanimously that the Director's Recommendations for both Item M and Item N be approved.

AGENDA ITEM O - PROPOSED ADOPTION OF AMENDMENTS TO NOISE CONTROL REGULATIONS FOR THE SALE OF NEW SCHOOL BUSES, OAR 340-35-025

General Motors Corporation has petitioned the Commission to amend its noise standards for the sale of new school buses to reset the effective date for 80-decibel school buses to 1986. Thus, school buses would revert to the 83-decibel standard until 1986.

As school buses are built on medium-duty truck chassis that are controlled under pre-emptive federal standards, GM argues the Oregon school bus standard should reflect the federal schedule due to their common engine and chassis.

GM has evaluated the cost to reduce noise from the current school bus model that cannot be offered for sale under the 80-decibel standard. This model, powered by a naturally-aspirated diesel engine, would require an additional \$1,000 of noise control package, and added maintenance would cost \$200 to \$400 per year.

Staff review of school bus noise emission standards in other states has found that most have adopted schedules identical to the EPA truck schedule or are in the process of making such amendments.

Our recommendation is to reset the 80-decibel effective date for school buses to 1986 as requested by the petitioner.

Director's Recommendation

Based upon the summation, it is recommended that the Commission adopt rule amendments for the sale of new school buses as proposed by the petitioner to make them consistent with federal and other state's rules as described in Attachment A hereto as a permanent rule to become effective upon its prompt filing with the Secretary of State.

Keith Cherne, General Motors, answered questions and claimed that GM had intentions of meeting the 80-decibel level by the January 1986 deadline.

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

AGENDA ITEM P - PROPOSED ADOPTION OF AMENDMENTS TO THE MOTOR VEHICLE
EMISSION CONTROL TEST CRITERIA METHODS AND STANDARDS
OAR 340-24-300 THROUGH 24-350

Agenda Item P requests the amendment of the inspection program rules. At the April 16, 1982, EQC meeting, authorization was given for a public hearing and the hearing was held June 2, 1982. Based on the comments received, the proposed rule revisions were finalized. The Commission is now being asked to adopt revisions to the inspection program rules. The proposed amendments would:

- 1) Delete the definition for "non-complying imported vehicle."
- 2) Increase the time that the steady state raised rpm portion of the test cycle is maintained.
- 3) Allow a key off-restart retest provision for 1981 Ford vehicles that initially fail the emission test.
- 4) Amend the engine exchange policy to preclude all pre-1970 vehicles.
- 5) Make minor language changes in the data procedures and correctly cite a specific statute.

Director's Recommendation

Based upon the summation, it is recommended that the proposed rule amendments as listed in Attachment 3 be adopted.

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

AGENDA ITEM Q - INFORMATIONAL REPORT: REVIEW OF FY83 STATE/EPA AGREEMENT
AND OPPORTUNITY FOR PUBLIC COMMENT

Each year, the Department and EPA negotiate an agreement whereby EPA provides basic program grant support in return for commitments from the Department to perform planned work on environmental priorities of the state and federal government.

The Commission is asked at this time to provide an opportunity for comment on the draft State/EPA Agreement. They are also asked to provide staff their comments on the policy implications of the draft agreement.

Director's Recommendation

It is recommended that the Commission:

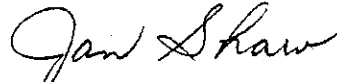
- 1) Provide opportunity for public comment at today's meeting on the draft State/EPA Agreement; and,
- 2) Provide staff its comments on the policy implications of the draft agreement.

Jim Johnson, Oregon City Commissioner, suggested that the Solid Waste goal listed on Page 28 of the draft Agreement should read "...solid waste disposal, waste reduction and recycling." [Underlined portion is suggested language.]

The Commission accepted the report.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Jan Shaw
Commission Assistant

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 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.

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.

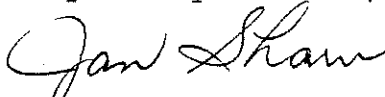
Director's Recommendation

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

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

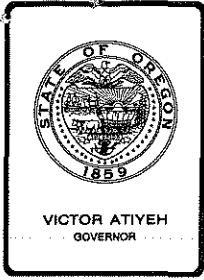
Stan Biles summarized the results of the meeting and indicated that staff would follow up on those proposals tentatively approved by the Commission. Additional legislative suggestions from Commission members or the staff were encouraged. The Commission asked that the Director prioritize the final recommended 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



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, July 16, 1982, EQC Meeting
May, 1982 Program Activity Report

Discussion

Attached is the May, 1982 Program Activity Report.

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

Water Quality and Solid Waste facility plans and specifications approvals or disapprovals and issuance, denials, modifications and revocations of 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

May, 1982

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DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

AQ, WQ, SW Divisions	May, 1982
(Reporting Unit)	(Month and Year)

SUMMARY OF PLAN ACTIONS

	Plans Received		Plans Approved		Plans Disapproved		Plans Pending
	Month	FY	Month	FY	Month	FY	
<u>Air</u>							
Direct Sources	5	70	7	90	0	0	26
Small Gasoline Storage Tanks Vapor Controls	0	0	0	0	0	0	0
TOTAL	5	70	7	90	0	0	26
 <u>Water</u>							
Municipal	16	241	7	204	0	0	31
Industrial	6	51	3	50	0	0	16
TOTAL	22	292	10	254	0	0	47
 <u>Solid Waste</u>							
Gen. Refuse	3	37	2	32	0	1	13
Demolition	0	7	0	7	0	0	3
Industrial	2	6	1	12	0	1	4
Sludge	0	3	0	3	0	0	0
TOTAL	5	53	3	54	0	2	20
 <u>Hazardous Wastes</u>							
	-	-	-	-	-	-	-
 GRAND TOTAL							
	32	415	20	398	0	2	93

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

COUNTY	NUMBER	SOURCE	PROCESS DESCRIPTION	DATE OF ACTION	ACTION
CLACKAMAS	623	OREGON PORTLAND CEMENT	EXTEND KILN 4 STACK 50 FT.	05/24/82	APPROVED
JACKSON	718	EARNEST ORCHARDS & PACK	OVERTREE SPRINKLER SYSTEM	05/11/82	APPROVED
MALHEUR	787	ONTARIO RENDERING CO	EXIST. WATER SCRUBBER INSTAL	04/26/82	APPROVED
MULTNOMAH	809	ESCO CORPORATION PLANT 1	ADDTL HOODING & CONT. SYS.	05/04/82	APPROVED
JACKSON	823	BOISE CASCADE CORP	REPL EXIST MECH CONVEY SYS	05/14/82	APPROVED
LINN	824	WILLAMETTE INDUSTRIES	RECIRCULATION CHAMBER	05/07/82	APPROVED
PORT.SOURCE	826	WESTERN SURFACING, INC.	SPRAY CHMBR, CYC WASH & FAN	04/26/82	APPROVED
TOTAL NUMBER QUICK LOOK REPORT LINES			7		

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
LANE	635	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
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 SCRUBBER	07/16/81	RQST AD INFO	RO
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	810	PRECISION CAST PARTS	FOUNDRY EXPANSION	01/08/82	RECEIVED	RO
MULTNOMAH	816	CONTINENTAL CAN CO USA	WASTE SOLVENT FLASH VAPORIZE	02/22/82	RECEIVED	RO
LANE	820	WEYERHAEUSER CO. PPRBRD M	2ND STAGE BLOW HEAT CONDENSER	03/16/82	RECEIVED	RO
LINN	822	TELEDYHE WAH CHANG	ELECTROSTATIC PRECIPITATOR	03/16/82	RECEIVED	RO
UMATILLA	821	TRUMBULL ORCHARDS	WIND MACHINE	03/17/82	RECEIVED	PO
LANE	825	WESTRIDGE PLYWOOD CO	WET SCRUBBER FOR VENEER DRY	04/01/82	RECEIVED	PO
LANE	827	KINGSFORD CORPORATION	ROTARY DRYER	04/27/82	RECEIVED	PO
CLATSOP	828	CROWN ZELLERBACH COMPANY	BAGHOUSE INSTAL	04/28/82	RECEIVED	RO
MULTNOMAH	831	ESCO CORPORATION PLANT 3	SAND RECL DUST COLL UPGRADE	04/28/82	RECEIVED	RO
MULTNOMAH	830	WESTERN PACIFIC CNST MTLs	REPLACE CONE & ROLL CRUSHERS	05/06/82	RECEIVED	RO
UMATILLA	829	BOISE CASCADE	BULK LOADOUT W/BAGHOUSE	05/17/82	RECEIVED	RO
TOTAL NUMBER QUICK LOOK REPORT LINES				26		

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Air Quality Division
(Reporting Unit)

May, 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	3	31	3	23	17		
Existing	0	15	1	14	15		
Renewals	10	108	3	85	74		
Modifications	<u>1</u>	<u>20</u>	<u>1</u>	<u>35</u>	<u>11</u>		
Total	14	174	8	157	117	1877	1909
<u>Indirect Sources</u>							
New	2	12	1	11	4		
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	2	15	1	14	4	201	205
<u>GRAND TOTALS</u>	16	189	9	171	121	2078	2114

Number of
Pending Permits

Comments

12	To be drafted by Northwest Region
4	To be drafted by Willamette Valley Region
4	To be drafted by Southwest Region
3	To be drafted by Central Region
1	To be drafted by Eastern Region
23	To be drafted by Program Planning Division
32	To be drafted by Program Operations
17	Awaiting Public Notice
<u>21</u>	Awaiting the end of the 30-day period
117	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 APPL. PSEL
POLK	H R JONES VENEER INC	27	3004 05/05/82	PERMIT ISSUED	05/10/82	MOD
COOS	DAVENPORT CONCRETE	06	0384 02/22/82	PERMIT ISSUED	05/12/82	EXT
MULTNOMAH	OLYMPIC PIPE LINE CO.	26	3072 12/21/81	PERMIT ISSUED	05/12/82	NEW
WASCO	THE DALLAS GENERAL HOSPIT	37	0021 02/09/82	PERMIT ISSUED	05/12/82	RNW
YAMHILL	CRABTREE ROCK CO	36	3001 02/09/82	PERMIT ISSUED	05/12/82	RNW Y
PORT.SOURCE	TIDEWATER CONTRACTORS INC	37	0227 02/19/82	PERMIT ISSUED	05/12/82	RNW
PORT.SOURCE	CARSON CRUSHING CO	37	0285 02/22/82	PERMIT ISSUED	05/12/82	NEW Y
PORT.SOURCE	AMEADA MINING & CONST CO. B	37	0286 02/17/82	PERMIT ISSUED	05/12/82	NEW Y
TOTAL NUMBER QUICK LOOK REPORT LINES				8		

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Air Quality Division
(Reporting Unit)

May, 1982
(Month and Year)

PERMIT ACTIONS COMPLETED

Indirect Source

* County	* Name of Source/Project	* Date of	* Action	*
*	* /Site and Type of Same	* Action	*	*
*	*	*	*	*
Marion	Village East Shopping Center 995 Spaces File No. 24-8203	5/14/82	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

TITLE DEFINITION

PSEL - Plant Site Emission Limit
Y - Yes
Blank - No

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

COUNTY	SOURCE	PERMIT NUMBER	APPL. RECEIVED	STATUS	DATE ACHIEVED	TYPE
CLACKAMAS	OSU VETERINARY DIAG LAB	02	2524 11/25/82	PMT DRFTD-NPN	03/24/82	RNW
CLACKAMAS	SALVAGE SMELTERS	03	2562 01/07/82	PMT DRFTD-NPN	03/24/82	RNW
CLACKAMAS	RETROCLITAH SEF. DISTRICT	03	2657 05/03/81	APPL SUB- PRSDA	/	NEW
COLUMBIA	NIEDESMAYER-MARTIN CO.	05	2579 12/19/80	APPL SUB- PO	/	NEW
COOS	TEPA INC.	06	0100 03/26/82	APPL SUB- RO	/	RNW
DESCHUTES	WILLAMETTE INDUSTRIES	07	0002 01/03/82	APPL SUB- PO	/	RNW
DESCHUTES	KAYWOOD INDUSTRIES	09	0010 05/04/82	APPL SUB- PO	/	RNW
HOOD RIVER	CASCADE LOCKS LUMBER CO.	14	0005 01/13/82	APPL SUB- PO	/	RNW
JACKSON	WEDFORD CORP.	15	0014 09/11/81	APPL SUB- PO	10/15/81	MOD
JACKSON	DOWN RIVER FOREST PRODUCT	15	0027 07/22/82	APPL SUB- RO	/	RNW
JACKSON	MINNESOTA MFG 3 MFG	15	0029 11/15/81	APPL SUB- PRSDA	/	RNW Y
JACKSON	REICHHOLD CHEMICALS	15	0041 04/11/79	PUB NOT ISSUEDP	03/01/81	RNW Y
JACKSON	WEDFORD CORP.	15	0048 04/09/81	PMT DRFTD-NPN	03/29/82	RNW Y
JACKSON	WHITE CITY DRY KILN INC.	15	0053 04/26/82	APPL SUB- PO	/	RNW
JACKSON	GRANGE COOP SUPPLY ASSN.	15	0166 08/22/81	APPL SUB- PO	/	NEW
JACKSON	HARK OIL COMPANY	15	0171 09/10/81	APPL SUB- PO	/	NEW
JOSEPHINE	MILLED REDWOOD CO.	17	0023 01/13/82	APPL SUB- RO	/	RNW Y
KLANATH	MEYERHAEUSER COMPANY	18	0013 05/30/81	PMT DRFTD-NPN	05/20/82	RNW
LAKE	LOUISIANA PACIFIC CORP	19	0002 10/27/81	PUB NOT ISSUEDP	05/03/82	RNW Y
LINN	GREYET	22	0328 04/01/82	PMT DRFTD-NPN	04/12/82	MOD
LINN	R. VEAL & SON	22	1506 11/15/81	APPL SUB- RO	/	RNW
LINN	WILLAMETTE INDUSTRIES	22	5203 12/09/81	PUB NOT ISSUEDP	04/01/82	RNW
LINN	LYONS VENEER	22	6008 09/11/81	PUB NOT ISSUEDP	10/16/81	NEW
LINN	BOISE CASCADE CORP	22	7003 05/01/82	APPL SUB- RO	/	RNW
MARION	NATIONAL WOOD INDUSTRIES	24	0023 01/29/82	PUB NOT ISSUEDP	05/03/82	RNW Y
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	PUB NOT ISSUEDP	05/03/82	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	2784 09/27/81	APPL SUB- PO	/	NEW
MARION	UNION OIL OF CALIFORNIA	24	5234 10/23/81	APPL SUB- PRSDA	/	NEW
MARION	MERRITT TRUAX OIL CO	24	5323 08/14/81	APPL SUB- PO	/	RNW
MARION	SALEM MEMORIAL HOSPITAL	24	5404 12/22/81	PUB NOT ISSUEDP	05/03/82	RNW
MARION	OREGON STATE DEAF SCHOOL	24	5503 06/30/81	PUB NOT ISSUEDP	05/03/82	RNW
MARION	WEST COAST BEEF SEED	24	5742 05/21/82	APPL SUB- RO	/	RNW
MARION	OVERHEAD DOOR CORPORATION	24	5821 11/25/81	APPL SUB- RO	/	RNW
MARION	STAYTON CANNING	24	7057 10/22/81	PUB NOT ISSUEDP	04/01/82	RNW
MULTNOMAH	TIME OIL CO.	25	1686 03/29/82	APPL SUB- RO	/	NEW Y
MULTNOMAH	TRUMPULL ASPHALT	26	1315 05/04/82	APPL SUB- PO	/	RNW
MULTNOMAH	OREGON STEEL MILLS	26	1355 08/23/81	APPL SUB- PRSDA	/	MOD Y
MULTNOMAH	OWENS-ILLINOIS	25	1376 06/10/81	PUB NOT ISSUEDP	10/02/81	RNW
MULTNOMAH	SAKREBE OF PACIFIC NA. IN	26	1247 01/22/82	APPL SUB- RO	/	EXT
MULTNOMAH	PORTLAND PROVISION CORP	25	1950 05/01/82	PMT DRFTD-NPN	05/11/82	RNW
MULTNOMAH	KAISER CEMENT CORP	25	1995 02/18/82	PUB NOT ISSUEDP	05/03/82	NEW
MULTNOMAH	CARGILL CO INC	25	2009 07/08/81	PUB NOT ISSUEDP	04/01/82	RNW
MULTNOMAH	UNION OIL OF CALIFORNIA	25	2026 02/03/82	PMT DRFTD-NPN	03/01/82	EXT
MULTNOMAH	CHEVRON USA, INC.	25	2027 05/02/82	APPL SUB- PRSDA	/	MOD Y

DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION

MONTHLY ACTIVITY REPORT
DIRECT SOURCES
PERMITS PENDING

COUNTY	SOURCE	PERMIT NUMBER	APPL. RECEIVED	STATUS	DATE ACHIEVED	TYPE APPL. PSEL
MULTNOMAH	SHELL OIL COMPANY	26	2029	01/27/82	APPL SUB- PP3DA	/ / NEW Y
MULTNOMAH	MOBIL OIL CORP	26	2029	02/17/81	PMT DRFTD-NPN	01/13/82 MOD Y
MULTNOMAH	ATLANTIC RICHFIELD CO.	26	2030	05/04/82	APPL SUB- PP3DA	/ / MOD
MULTNOMAH	OWENS-CORNING FIBERGLAS	26	2044	03/02/82	APPL SUB- PO	/ / RNW
MULTNOMAH	FREIGHTLINER CORP	26	2197	12/21/81	APPL SUB- PP3DA	/ / MOD Y
MULTNOMAH	CONTINENTAL CAN CO USA	26	2332	10/19/81	APPL SUB- PP3DA	/ / EXT Y
MULTNOMAH	PORTLAND WILLAMETTE CO	26	2433	03/03/82	APPL SUB- PP3DA	/ / MOD
MULTNOMAH	VOLNEY FELT MILLS	26	2472	12/30/81	APPL SUB- PO	/ / RNW
MULTNOMAH	PORTLAND WIRE & IRON WKS	26	2436	06/01/81	APPL SUB- PP3DA	/ / EXT
MULTNOMAH	W R GRACE & CO CONSTR DIV	26	2530	11/20/81	PMT DRFTD-NPN	01/18/82 MOD
MULTNOMAH	REIMANN AND MCKENNEY INC	26	2572	09/13/81	APPL SUB- PP3DA	/ / RNW
MULTNOMAH	SINGHAM-WILLAMETTE CO	26	2749	10/20/81	APPL SUB- PP3DA	/ / MOD
MULTNOMAH	CROWN BELLERBACH PKG DIV	26	2777	09/16/81	PMT DRFTD-NPN	04/15/82 MOD
MULTNOMAH	COLONIAL MORTUARY INC	26	2903	05/12/82	PMT DRFTD-NPN	05/13/82 RNW
MULTNOMAH	FMC CORP MARINE AND RAIL	26	2944	01/13/82	APPL SUB- PP3DA	/ / EXT
MULTNOMAH	WILLAMETTE WESTERN CORP	26	2955	04/19/82	APPL SUB- PO	/ / RNW
MULTNOMAH	PORTLAND TERMINALS, INC.	26	2956	12/21/81	APPL SUB- PP3DA	/ / RNW
MULTNOMAH	THE ARBOR	26	2984	05/12/82	APPL SUB- PO	/ / RNW
MULTNOMAH	SIMPSON TIMBER CO	26	3009	04/29/82	APPL SUB- PP3DA	/ / NEW
MULTNOMAH	BIRKENWALD SYSTEMS INC	26	3030	09/22/81	APPL SUB- PP3DA	/ / EXT
MULTNOMAH	MEYERS DRUM COMPANY	26	3035	10/27/81	APPL SUB- PP3DA	/ / EXT
MULTNOMAH	AMCOAT	26	3036	06/29/81	APPL SUB- PP3DA	/ / EXT
MULTNOMAH	WAGNER MINING EQUIPMENT	26	3039	07/09/81	APPL SUB- PO	/ / EXT
MULTNOMAH	MARTIN MARIETTA ALUMINUM	26	3049	09/09/80	PUB NOT ISSUEDP	10/02/81 NEW
MULTNOMAH	GRESHAM COOPERATIVE	26	3073	10/01/81	APPL SUB- PO	/ / NEW
MULTNOMAH	CARSON OIL CO	26	3079	11/13/81	APPL SUB- PO	/ / EXT
MULTNOMAH	MEYERS DRUM COMPANY	26	3093	10/27/81	APPL SUB- PP3DA	/ / EXT
POLK	MT FIR LUMBER CO	27	4090	02/23/82	PUB NOT ISSUEDP	04/01/82 RNW Y
POLK	AGRIPAC INC	27	5009	12/07/81	PUB NOT ISSUEDP	04/01/82 RNW
UNION	PEACOCK LUMBER CO.	31	0005	01/27/82	APPL SUB- PO	/ / RNW
UNION	HOFF-RONDE VALLEY LUMBER	31	0013	12/14/81	PMT DRFTD-NPN	04/01/82 RNW Y
WASCO	JH BAXTER & CO	33	0003	01/13/82	PUB NCT ISSUEDP	05/03/82 RNW
WASHINGTON	OREGON ROSES, INC	34	2633	11/16/81	APPL SUB- PO	/ / RNW
WASHINGTON	TEKTRONIX INC	34	2639	03/03/82	APPL SUB- PO	/ / MOD Y
WASHINGTON	OREGON ROSES	34	2641	11/03/81	APPL SUB- PO	/ / RNW
WASHINGTON	J PETERKORF & CO	34	2644	01/13/82	PMT DRFTD-NPN	05/14/82 RNW
WASHINGTON	COAST VENDING MACHINE CO.	34	2645	03/16/82	PMT DRFTD-NPN	05/21/82 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	09/13/81	APPL SUB- PP3DA	/ / EXT
WASHINGTON	LEAR BIESLER PEERLESS DIV	34	2670	09/10/81	APPL SUB- PP3DA	/ / EXT Y
WASHINGTON	PACIFIC FIREPLACE FURNISH	34	2674	06/03/81	APPL SUB- PP3DA	/ / EXT Y
YAMHILL	C.C. MEISEL CO INC	36	5038	10/07/81	PMT DRFTD-NPN	11/30/81 RNW
PORT.SOURCE	WILDISH MEDFORD CO.	37	0010	07/03/82	APPL SUB- PO	/ / RNW Y
PORT.SOURCE	CUSTOM ROCK & PAVING	37	0012	05/10/82	APPL SUB- PO	/ / RNW
PORT.SOURCE	BAKER RED-MIX, INC.	37	0020	11/13/81	APPL SUB- PO	/ / RNW
PORT.SOURCE	DESCHUTES READY MIX S & G	37	0026	01/13/82	APPL SUB- PO	/ / RNW

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DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION

MONTHLY ACTIVITY REPORT
DIRECT SOURCES
PERMITS PENDING

COUNTY	SOURCE	PERMIT NUMBER	APPL. RECEIVED	STATUS	DATE ACHIEVED	TYPE APPL.	PSEL
PORT. SOURCE	TILLAMOOK CHTY RD DP	37	0034 10/27/81	APPL SUB- PO	/ /	RNW	
PORT. SOURCE	WESTERN SURFACING, INC.	37	0047 12/16/81	PUB NOT ISSUEDP	05/03/82	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	NORCAP CONSTRUCTION CO	37	0096 05/21/82	APPL SUB- PO	/ /	RNW	
PORT. SOURCE	PETER KIEWIT SON'S CO	37	0095 10/12/81	PUB NOT ISSUEDP	02/15/82	RNW	Y
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	
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	0193 11/30/81	APPL SUB- PO	/ /	RNW	
PORT. SOURCE	EUGON CORP	37	0192 05/01/82	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	Y
PORT. SOURCE	R.L. COATS	37	0207 01/13/82	APPL SUB- PO	/ /	RNW	
PORT. SOURCE	DESCHUTES READY MIX S. S. G	37	0220 01/13/82	APPL SUB- PO	/ /	RNW	
PORT. SOURCE	DON OBBIET, INC.	37	0232 05/04/82	APPL SUB- PO	/ /	RNW	Y
PORT. SOURCE	WILDISH MEDFORD S & S CO.	37	0250 10/22/81	PUB NOT ISSUEDP	01/04/82	RNW	
PORT. SOURCE	SOUTHERN OREGON CONCRETE	37	0284 01/13/82	APPL SUB- PO	/ /	NEW	
PORT. SOURCE	ROCKLINE INC OVERLAY DIV	37	0287 04/29/82	APPL SUB- PO	/ /	NEW	
PORT. SOURCE	BRACELIN AND YEAGER ASPH	37	0289 05/10/82	APPL SUB- PO	/ /	NEW	
TOTAL NUMBER QUICK LOOK REPORT LINES				117			

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Air Quality Division
(Reporting Unit)

May, 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	* and Status
*	*	*	*	*

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
Multnomah	Sunset Highway - Vista Ridge Tunnel to Sylvan Intch.	05/21/82		Application Received
Washington	Grace Community 598 Spaces File No. 34-8205	05/27/82		Application Received

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division
(Reporting Unit)

May, 1982
(Month and Year)

PLAN ACTIONS COMPLETED - 10

* County	* Name of Source/Project * /Site and Type of Same	* Date of * Action	* Action	*
<u>MUNICIPAL WASTE SOURCES (7)</u>				
Deschutes	Burton's Inn & Motel	4-29-82	P.A.	
Wasco	Rajneesh	5-7-82	P.A.	
Douglas	Woodcrest, 1st Addition Tri-City Sanitary District	5-10-82	P.A.	
Tillamook	Beaver Grocery & Deli Beaver	5-12-82	Handwritten comments to Tillamook Co.	
Clackamas	Canby Phase I STP Expansion	5-24-82	P.A.	
Lane	Woahink Mobile Home Resort Large On-Site Sewage System Florence	5-25-82	P.A.	
Deschutes	Sunriver WTP Expansion	6-1-82	P.A.	

MAR.3 (5/79) WG1239

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division
(Reporting Unit)

May, 1982
(Month and Year)

PLAN ACTIONS COMPLETED 10

* County	* Name of Source/Project * /Site and Type of Same	* Date of * Action	* Action	*
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INDUSTRIAL WASTE SOURCES 3

Umatilla	Pendleton Grain Growers Pesticide Waste Water Evaporation Pond	5-12-82	Approved	
Polk	Randolph Smith Manure Control System	5-18-82	Approved	
Washington	Tektronix, Forest Grove Metals Pretreatment System	6-4-82	Approved	

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division
(Reporting Unit)

May, 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	1 /2	2 /17	0 /1	4 /13	1 /12		
Existing	0 /0	0 /0	0 /0	0 /0	0 /0		
Renewals	7 /2	59 /23	2 /2	44 /19	34 /6		
Modifications	0 /1	3 /1	0 /1	7 /2	1 /0		
Total	8 /5	64 /41	2 /4	55 /34	36 /18	238/107	239/119
<u>Industrial</u>							
New	1 /1	6 /7	0 /0	5 /16	3 /14		
Existing	0 /0	0 /0	0 /0	0 /0	0 /1		
Renewals	3 /2	59 /26	4 /2	31 /23	40 /18		
Modifications	1 /0	15 /0	1 /0	16 /2	2 /0		
Total	5 /3	80 /33	5 /2	52 /41	45 /33	369/177	372/192
<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>	13 /8	146/74	7 /6	109/75	82 /51	660/303	665/330

* NPDES Permits
** State Permits

15 General Permits Issued - May 1982.
238 General Permits Issued - Fiscal Year.

MAR.5W (8/79) WG1215

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division (Reporting Unit)	May, 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 - NPDES PERMITS (6)

Linn	Halsey Pulp Co.	5-3-82	Permit Renewed
Jackson	City of Medford STP	5-20-82	Permit Renewed
Clackamas	Government Camp S.D. STP	5-20-82	Permit Renewed
Lane	International Paper Vaughn Branch	5-20-82	Permit Renewed
Josephine	George & Harvey Smith Placer Mine	5-20-82	Permit Renewed
Multnomah	Texaco, Inc. Portland Terminal	5-20-82	Permit Renewed

MUNICIPAL AND INDUSTRIAL SOURCES - STATE PERMITS (5)

Lane	Westridge Plywood Westfir	5-3-82	Permit Renewed
Wasco	Rajneesh Neo Sannyas International Commune, STP Antelope Area	5-3-82	Permit Issued
Yamhill	Knudsen - Erath Winery	5-20-82	Permit Renewed
Coos	Ore. Dept. of Trans. Parks & Rec. Div. Bullards Beach State Park, STP	5-20-82	Permit Renewed
Washington	Laurelwood Adventist Academy STP	5-20-82	Permit Renewed

MUNICIPAL AND INDUSTRIAL SOURCES - MODIFICATIONS (2)

Wasco	Sportsman's Park #3 and #4 Tygh Valley	4-28-82	Addendum #1
Linn	Champion International Lebanon	4-30-82	Changed Sch. B, 1a Condition 1 by Letter

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division
(Reporting Unit)

May, 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 (15)

Cooling Water Permit 0100-J, File 32539 (6)

Linn	Harold Berra Albany	4-29-82	Issued General Permit
Hood River	Stadelman Fruit, Inc. Hood River	4-30-82	Issued General Permits for Odel and Hood River Plants
Marion	Green Veneer, Inc. Mill City	5-19-82	Transferred to General Permit
Benton	Greg Merten Corvallis	5-21-82	Issued General Permit
Clackamas	Crown Zellerbach Estacada	5-26-82	Transferred to General Permit

Log Pond Permit 0400-J, File 32544 (4)

Lane	Seneca Sawmill Eugene	5-18-82	Transferred to General Permit
Marion	Green Veneer, Inc. Mill City	5-19-82	Transferred to General Permit
Clackamas	Crown Zellerbach Estacada	5-21-82	Transferred to General Permit
Josephine	Southern Oregon Plywood Grants Pass	5-26-82	Transferred to General Permit

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

Homedale Idaho	Ellis Matherly (Operates in Owyhee River)	4-30-82	Issued General Permit
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Seafood Processing Permit 0900-J, File 32585 (3)

Coos	Oregon Aqua Foods, Inc. Coos Bay	4-30-82	Issued General Permit
Coos	Anadromous Inc. Coos Bay Operations	5-18-82	Issued General Permit

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division
(Reporting Unit)

May, 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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Seafood Processing Permit 0900-J, File 32585 Cont'd.

Douglas	Reedsport Seafood, Inc. Reedsport	5-21-82	Transferred to General Permit	
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Gravel Mining Permit 1000, File 32565 (1)

Columbia	Scappoose Sand & Gravel Scappoose	5-10-82	Issued General Permit	
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DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Solid Waste Division
(Reporting Unit)

May 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	2	21	1	13	5		
Existing	1	3	-	5	1		
Renewals	1	84	4	77	12		
Modifications	-	11	1	25	-		
Total	4	119	6	120	18	167	167
<u>Demolition</u>							
New	-	4	1	9	1		
Existing	-	2	-	-	-		
Renewals	-	5	-	7	-		
Modifications	-	2	-	4	-		
Total	-	13	1	20	1	22	22
<u>Industrial</u>							
New	1	19	3	20	3		
Existing	-	7	-	-	-		
Renewals	1	41	5	52	8		
Modifications	-	4	-	5	-		
Total	2	71	8	77	11	104	104
<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	53	810	53	810	-		
Authorizations	-	-	-	-	-		
Renewals	-	-	-	-	-		
Modifications	-	-	-	-	-		
Total	53	810	53	810	-	1	1
<u>GRAND TOTALS</u>	59	1025	68	1041	31	309	309

SC513.A
MAR.5S (4/79)

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Solid Waste Division
(Reporting Unit)

May 1982
(Month and Year)

PERMIT ACTIONS COMPLETED

* County	* Name of Source/Project	* Date of	* Action	*
*	* /Site and Type of Same	* Action	*	*
*	*	*	*	*
Tillamook	L & H Dairy New Wood Waste Site	5/14/82	Letter Authorization Issued	
Clackamas	Publishers Paper Molalla Pit Existing Site	5/17/82	Permit Renewed	
Douglas	C & D Lumber Existing Site	5/17/82	Permit Renewed	
Malheur	Adrian Landfill Existing Site	5/17/82	Permit Renewed	
Baker	Unity Landfill New Site	5/19/82	Permit Issued	
Deschutes	Negus Landfill Existing Site	5/19/82	Permit Renewed	
Douglas	P & M Lumber Co. New Site	5/19/82	Permit Issued	
Jackson	Medford Corp. Existing Site	5/19/82	Permit Renewed	
Jackson	S. Stage Landfill Existing Site	5/19/82	Permit Renewed	
Josephine	Mark Axtell New Demolition Waste Site	5/19/82	Permit Issued	
Linn	Ron Norris New Wood Waste Site	5/19/82	Permit Issued	
Multnomah	ESCO Corp. Existing Site	5/19/82	Permit Renewed	
Lane	Westfir Land Co. Existing Wood Waste Site	5/20/82	Permit Renewed	

SC513.D
MAR.6 (5/79)

* County	* Name of Source/Project	* Date of	* Action	*
*	* /Site and Type of Same	* Action	*	*
*	*	*	*	*
Wasco	N. Wasco Landfill Existing Site	5/20/82	Permit Amended	
Lincoln	Agate Beach Landfill Existing Site	5/24/82	Permit Renewed	

SC513.D
MAR.6 (5/79)

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Solid Waste Division
(Reporting Unit)

May 1982
(Month and Year)

HAZARDOUS WASTE DISPOSAL REQUESTS

CHEM-SECURITY SYSTEMS, INC., GILLIAM CO.

WASTE DESCRIPTION

* * * * *	* * * * *	* * * * *	* * * * *	* * * * *	* * * * *
* Date *	Type	Source	Present	Quantity Future	* * * * *
* * * * *	* * * * *	* * * * *	* * * * *	* * * * *	* * * * *

DISPOSAL REQUESTS GRANTED (53)

OREGON (17)

5/3	PCB transformers	Govt. facil.	6 units	0
5/4	Mixed insecticide	Pest. formul.	0	5000 lb.
5/6	Cadmium-contaminated soil and debris	Aerospace co.	300 cu.ft.	0
5/10	Mixed ink solvent	Printing ind.	2200 lb.	2200 lb.
5/10	PCB coupling device	Elec. utility	0	30 units
5/14	8% caustic solution	Galvanizing	5000 gal.	5000 gal.
5/26	PCB transformers	Paper co.	0	2800 gal.
5/26	Contaminated transformers	Paper co.	0	130 gal.
5/26	PCB-contaminated solids	Paper co.	0	7 drums
5/27	PCB oil	Indus. park	0	3 drums
5/27	PCB-contaminated oil	Indus. park	0	11 drums
5/27	Contaminated waste oil	Indus. park	0	18 drums
5/27	Heavy metals-contaminated filter cartridges	Electronic co.	0	4 drums
5/27	Methylene chloride	Electronic co.	0	12 drums

SC513.E
MAR.15 (1/82)

* * *	* Date *	* Type *	* Source *	* Present *	* Quantity * Future *	* *
	5/27	Solder stripping solution with lead, tin & fluorides	Electronic co.	0	6 drums	
	6/1	PCB capacitors	Smelting co.	0	50 cu.ft.	
	6/1	PCB-contaminated materials	Smelting co.	0	1 drum	
WASHINGTON (23)						
	5/3	Calcium fluoride salt	Resrch. facil.	0	2000 tons	
	5/6	Old paint and thinner	Paint manuf.	150 gal.	300 gal.	
	5/6	Cleaning liquid - 20% NaOH, 8% TCP, water	Paper co.	0	15,900 gal.	
	5/10	PCB transformers/capacitors	Elec. utility	0	16 units	
	5/10	PCB liquid	Steel mill	2 drums	4 drums	
	5/10	Noxtane 55-1, PCP	Wood treat.	0	3800 gal.	
	5/10	PCB-contaminated solids	Paper co.	0	9 drums	
	5/18	Acid copper plating dragout	Electronic co.	0	550 gal.	
	5/18	Tin/lead plating dragout	Electronic co.	0	250 gal.	
	5/18	Cuposit stripping solution (80-90% HNO ₃)	Electronic co.	0	550 gal.	
	5/18	Copper plating dragout	Electronic co.	0	550 gal.	
	5/18	Spent copper etch solution	Electronic co.	0	50 drums	
	5/18	Copper sulfate crystals	Electronic co.	0	10 drums	
	5/11	Paints, solvents, oils, etc.	Warehouse fire	645 drums	0	
	5/18	Pickling acid solution	Acid pickling	0	70,000 gal.	

SC513.E
MAR.15 (1/82)

* * *	* Date *	* Type *	* Source *	* Present *	* Quantity # Future *	* *
	5/25	PCB transformers	Elec. utility	0	750 cu.ft.	
	5/25	PCB capacitors	Elec. utility	0	1000 cu.ft.	
	5/25	PCB capacitors	Al. smelting	440 cu.ft.	220 cu.ft.	
	5/25	Weed killer (Chem-Hoe)	Pest. formul.	0	630 gal.	
	5/25	Belt press sludge (mostly lime, oil & grease)	Waste treatment	0	300 tons	
	5/26	Cyanide plating cake	Aerospace	20 drums	50 drums	
	6/1	Various previously authorized wastes such as alkaline cleaner, coal tar, etc.		(This request was submitted only to reflect the change in the disposal procedures)		
	6/4	Various pesticides	Resrch. facil.	0	8 drums	
OTHER STATES (13)						
	5/6	PCB transformers (ID)	Smelting co.	25,000 gal.	0	
	5/6	Cadmium-contaminated material/mercury-conta- minated sludge (ID)	Smelting co.	3000 tons	0	
	5/6	Pelletized vanadium pentoxide (ID)	Smelting co.	300 tons	0	
	5/6	Heat exchangers conta- minated with mercury (ID)	Smelting co.	200 tons	0	
	5/10	PCB transformers (ID)	Elec. utility	0	15 units	
	5/10	PCB materials	Elec. utility	0	20 drums	
	5/4	25% caustic sln. (B.C.)	Transpor. co.	1500 gal.	5400 gal.	
	5/13	Mixed pesticides (Alberta)	Govt. agency	15 drums	15 drums	
	5/13	Electroplating chemicals (B.C.)	Electronic co.	66 drums	10,000 gal.	
	6/1	Phenolic resin sludge (B.C.)	Resin plant	90 drums	400 drums	

SC513.E
MAR.15 (1/82)

* * Date *	* Type *	* Source *	* Present *	* <u>Quantity</u> * Future *	* *
6/1	Paint sludge (B.C.)	Auto shop	240 gal.	6 drums	
6/1	Paint sludge (B.C.)	Auto painting	240 gal.	200 gal.	
6/4	Ink sludge (B.C.)	Printing co.	108 cu.ft.	648 cu.ft.	

SC513.E
MAR.15 (1/82)

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Noise Control Program
(Reporting Unit)

May, 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	1	37	2	15	99	100
Airports	0	0	1	12	1	1
Total	1	37	3	27	100	101

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Noise Control Program

May, 1982

(Reporting Unit)

(Month and Year)

FINAL NOISE CONTROL ACTIONS COMPLETED

County	Name of Source and Location	Date	Action
DESCHUTES	THE CITADEL AIRPORT	05/82	BOUNDARY APPROVED
CLACKAMAS	GAGE INDUSTRIES	05/82	IN COMPLIANCE
MULTNOMAH	KOLDKIST-BEVERAGE ICE COMPANY	05/82	IN COMPLIANCE

CIVIL PENALTY ASSESSMENTS

DEPARTMENT OF ENVIRONMENTAL QUALITY
1982

CIVIL PENALTIES ASSESSED DURING MONTH OF MAY, 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>
Bowers Excavating and Fencing, Inc. Klamath Falls, Oregon	SW-CR-82-34 Used sewage pumping equipment to pump chemical wastes; disposal of such at unauthorized site.	5-4-82	\$1,000	Filed hearing request and answer on 5-24-82.
Michael & Susan Collatt dba/Dexter Septic- Rooter Service Coos Bay, Oregon	WQ-SWR-82-36 Employee pumped holding tank wastes into public waters.	5-13-82	\$ 500	Paid on 5-24-82.
Wilhelm Truck Leasing, Co. Portland, Oregon	AQOB-NWR-82-43 Open burned demoli- tion (land cleanup) waste.	5-13-82	\$ 50	Paid on 6-1-82.
Dexter Fairbank III Portland, Oregon	AQOB-NWR-82-46 Open burned demoli- tion (cardboard and lumber scraps) waste at home remodeling project.	5-26-82	\$ 50	Awaiting response to notice.
William Kinnear dba/ Kinnear Specialties Co. and Jack Gordon Portland, Oregon	AQOB-NWR-82-48 Open burned demolition (land cleanup) waste.	5-26-82	\$ 50	Awaiting response to notice.

<u>ACTIONS</u>	<u>LAST MONTH</u>	<u>PRESENT</u>
Preliminary Issues	3	2
Discovery	0	0
Settlement Action	0	0
Hearing to be scheduled	7	4
Hearing scheduled	3	2
HO's Decision Due	2	2
Briefing	0	1
Inactive	2	2

SUBTOTAL of cases before hearings officer. 17 13

HO's Decision Out/Option for EQC Appeal	3	1
Appealed to EQC	1	1
EQC Appeal Complete/Option for Court Review	0	0
Court Review Option Pending or Taken	0	0
Case Closed	5	5

TOTAL Cases 26 20

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

Hrngrs 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

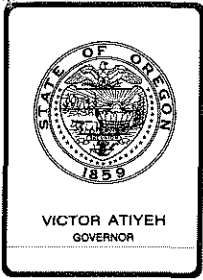
WVR Willamette Valley Region

WQ Water Quality Division

May 1982

DEQ/EQC Contested Case Log

Pet/Resp Name	Hrng Rqst	Hrng Rfrrl	DEQ Atty	Hrng Date	Resp Code	Case Type & No.	Case Status
POWELL, Ronald	11/77	11/77	RLH	01/23/80	Prtys	\$10,000 Fld Brn 12-AQ-MWR-77-241	<u>Stipulated settlement proposal to be drafted for presentation to EQC.</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	No further appeal taken.
MEDFORD CORPORATION	02/25/80	02/29/80		05/16/80	Resp	07-AQ-SWR-80-Request for Declaratory Ruling	Hearing Officer's order of dismissal issued 4/15/82.
MORRIS, Robert	11/10/80	11/14/80	RLH		Prtys	31-SB-CR-80 Permit-revocation	Hearing Officer's order of dismissal issued 4/19/82.
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-SB-NWR-80-197 Permit-revocation	Dismissed by stipulated order May 12, 1982.
GERRY, James H., et al	02/09/81	02/12/81			Prtys	07-SB-CR-81 Request for Declaratory Ruling	Hearing Officer's order of dismissal issued 4/27/82.
PULLEN, Arthur W. dba/Lakes Mobile Home Park	07/15/81	07/15/81	RLH		Hrgs	16-WQ-CR-81-60	To be scheduled.
WESTERN SURFACING, INC.	09/09/81	09/09/81	EMB	06/22/82	Prtys	18-AQ-NWR-81-79	<u>Penalty mitigated by stipulation to \$500. Case closed.</u>
FRANK, Victor	09/23/81	09/23/81	LMS	06/08/82	Prtys	19-AQ-FB-81-05 FB civil penalty of \$1,000	<u>Post hearing argument scheduled 6/29/82.</u>
GREEN, Douglas	09/28/81	10/07/81	LMS	04/13/82	Hrgs	20-AQ-FB-81-03 FB Civil Penalty of \$1,000	<u>Decision drafted.</u>
GATES, Clifford	10/06/81		LMS		Hrgs	21-SS-SWR-81-90	To be scheduled.
LANGDON, George	10/13/81		VAK	06/01/82	Prtys	22-AQ-FB-81-04	<u>Respondent paid penalty. Hearing cancelled. Case closed.</u>
SPERLING, Wendell dba/Sperling Farms	11/25/81	11/25/81	LMS		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	06/29/82	Prtys	26-AQ-FB-81-18 FB Civil Penalty of \$1,500.	<u>Hearing scheduled.</u>
OLD MILL MARINA		03/04/82	LMS		Hrgs	27-AQOB-NWR-82-01 Open Burning Civil Penalty	To be scheduled.
PULLEN, Arthur	03/16/82		RLH		Prtys	28-WQ-CR-82-16	Preliminary issues.
ANDERSON, Douglas	04/03/82		VAK	06/24/82	Prtys	29-AQOB-NWR-82-23	<u>Hearing 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, July 16, 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:

Appl. No.	Applicant	Facility
T-1232	Hearin Forest Products, Inc.	Asphalt paving
T-1489	Roseburg Paving, Inc.	Venturi wet scrubber
T-1502	Premier Manufacturing Co.	Bag filter dust collection system
T-1505	ESCO Corporation	Baghouse
T-1513	International Paper Co.	Suspended solids removal system
T-1515	Reynolds Metals Co.	Baghouse
T-1517	Gilsonite, Inc.	Baghouse
T-1518	International Paper Co.	Asphalt pad and curbing
T-1519	Columbia Steel Casting Co., Inc.	Baghouse
T-1521	International Paper Co.	Electrostatic precipitator
T-1527	Weyerhaeuser Company	Black liquor surge tank liner
T-1535	U & R Express, Inc.	Runoff separation system
T-1536	Mike's Exxon Products, Inc.	Vapor recovery system
T-1538	Olumpic Pipe Line Company	Floating roofs to control vapor loss

2. Deny Pollution Control Facility Certificates to Time Oil Company, applications T-1142 and T-1172 (see attached review reports). This item was postponed from the last meeting.
3. Revoke Pollution Control Facility Certificates 737 issued to Weyerhaeuser Company and 1214 issued to Tektronix, because the certified facilities are no longer in service (see attached review reports).

William H. Young

CASplettstaszer
229-6484
6/24/82

Attachments



Contains
Recycled
Materials

DEQ-46

PROPOSED JULY 1982 TOTALS

Air Quality	\$ 2,363,240
Water Quality	27,598
Solid/Hazardous Waste	572,636
Noise	-0-
	<u>\$ 2,963,474</u>

CALENDAR YEAR TOTALS TO DATE

Air Quality	\$ 5,843,331
Water Quality	42,850,695
Solid/Hazardous Waste	85,685
Noise	40,216
	<u>\$49,019,927</u>

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Hearin Forest Products, Inc.
P.O. Box 25387
Portland, OR 97225

The applicant owns and operates a kiln and planing mill at 3290 West First Street, Eugene, Oregon.

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

2. Description of Claimed Facility

The facility described in this application consists of 26,000 square feet of asphalt paving.

Plans and specifications were reviewed and approved by Lane Regional Air Pollution Authority.

Request for Preliminary Certification for Tax Credit was made on May 24, 1979 and approved on October 9, 1979.

Construction was initiated on the claimed facility on June 5, 1979, completed on July 3, 1979, and the facility was placed into operation on July 3, 1979.

Facility Cost: \$33,870.00 (Accountant's Certification was provided).

3. Evaluation of Application

The applicant has paved approximately 26,000 square feet of the plant grounds at this planing mill and kiln. An inspection by Lane Regional Air Pollution Authority (LRAPA) revealed that the areas paved are those used exclusively by lumber moving equipment. The entire area is eligible for tax credit consideration in accordance with the paving project guidelines; the facility is located in a particulate AQMA which has a dust control element in the EQC approved attainment strategy and the area paved is heavily travelled.

Prior to paving, these areas were sources of fugitive dust emissions from this and other plants. LRAPA has indicated that a substantial reduction of fugitive emissions has resulted from the project and that they support the 50% tax benefit requested by the applicant.

Economic benefits estimated by Hearin Forest Products include reduced equipment maintenance, elimination of the oiling and smoothing which costs \$900.00 annually. Since the benefits estimated by the company are \$2,000 less than the annual cost to maintain the paving, there is no return on investment in the paving. Therefore, since the claimed 50% is within the guidelines on cost allocation, 40% or more but less than 60% of the facility 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 40% or more but less than 60%.

5. Director's Recommendation

Based upon the findings in the Summation, it is recommended that a Pollution Control Facility Certificate bearing the cost of \$33,870.00 with 40% or more but less than 60% allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1232.

F.A. Skirvin:a
(503) 229-6414
June 10, 1982
AA2211 (1)

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Roseburg Paving Inc.
P.O. Box 1427
Roseburg, OR 97470

The applicant owns and operates an asphalt paving plant at Roseburg, Oregon.

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

2. Description of Claimed Facility

The facility described in this application is a Venturi type wet scrubber on a new asphalt paving plant which replaced an old plant.

Request for Preliminary Certification for Tax Credit was made on March 9, 1979, and approved on March 30, 1979.

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

Facility Cost: \$84,884 (Accountant's Certification was provided).

3. Evaluation of Application

The applicant installed a new asphaltic concrete plant to replace an old plant. The emissions are controlled by a commercially made Venturi wet scrubber which passed a source test to verify compliance with the New Source Performance Standard for asphalt plants.

The cost of the control system is:

Model VS40 Venturi system	\$66,211
with pump	
Electrical equipment	6,500
Knock-out box - additional cost to accommodate the pollution control equipment	5,500
Freight	3,227
Installation	<u>3,446</u>
Total	\$84,884

Since this equipment serves no other purpose than pollution control, 80 percent or more of the cost is allocated to pollution control.

The application was received on January 21, 1982, additional information was received on June 14, 1982, and the application was considered complete on June 14, 1982.

4. Summation

- a. Facility was constructed in accordance with the requirements of ORS 468.175, regarding preliminary certification.
- b. Facility was constructed on or after January 1, 1967, as required by ORS 468.165(1)(a).
- c. Facility is designed for and is being operated to a substantial extent for the purpose of preventing, controlling, or reducing air pollution.
- d. The facility is necessary to satisfy the intents and purposes of ORS Chapter 468, and the rules adopted under that chapter.
- e. The portion of the facility cost that is properly allocable to pollution control is 80 percent or more.

5. Director's Recommendation

Based upon the findings in the Summation, it is recommended that a Pollution Control Facility Certificate bearing the cost of \$84,884 with 80 percent or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1489.

F. A. Skirvin:b
(503) 229-6414
June 18, 1982
AB1070

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Premier Manufacturing Co.
William Blacklaw - President
4434 S.E. 25th Ave.
Portland, OR 97202

The applicant owns and operates a truck/trailer coupling equipment manufacturing plant at 4434 S.E. 25th Ave., 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 a bag filter dust collection system.

Request for Preliminary Certification for Tax Credit was made on November 10, 1981, and approved on January 11, 1982.

Construction was initiated on the claimed facility on January 13, 1982, completed on January 15, 1982, and the facility was placed into operation on January 15, 1982.

Facility Cost: \$13,593.95. (Copies of invoices, cancelled checks, etc., were provided).

3. Evaluation of Application

The applicant has installed a C.P. Inc. pulse jet baghouse replacing a cyclone to control smoke and fine particulate emissions from various grinding operations. The facility which was not required by the Department was installed to reduce complaints received by Premier Manufacturing Company, to prevent deposition of the fine particulate material on employees' vehicles and to reduce opacity below violation levels.

The installation has been inspected by the Department and has been found to be operating in compliance with Department regulations. In addition, no further complaints have been received by the company.

All material collected by the facility is disposed of at a landfill. Therefore, there is no return on the investment in the facility and in accordance with the guidelines on cost allocation, 80% or more of the facility 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 \$13,593.95 with 80% or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1502.

F.A. Skirvin:a
(503) 229-6414
June 17, 1982
AA2234 (1)

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

ESCO Corporation
Manufacturing Division
2141 N.W. 25th Avenue
Portland, OR 97223

The applicant owns and operates a steel foundry located at 2141 N.W. 25th Avenue, 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 a baghouse installation to control emissions from the modernized molding facility.

Request for Preliminary Certification for Tax Credit was made on March 12, 1980, and approved on April 22, 1980.

Construction was initiated on the claimed facility on May 1, 1980, completed on August 30, 1980, and the facility was placed into operation on August 30, 1980.

Facility Cost: \$172,220.63 (Accountant's Certification was provided).

3. Evaluation of Application

The applicant has installed a dust collection system employing a Type 7, Zone 96, Fuller plenum pulse baghouse to control silica dust emissions on the modernized molding facility at the new mold dump station and over the casting vibrator transfer conveyors. This installation was required with the modernization of the facility because of a change in the handling of poured molds.

The installation has been inspected by the Department and has been found to be operating in compliance with Department regulations and permit conditions.

Since all material collected is disposed of at the Sauvie Island landfill and there is no other benefit to the applicant other than

pollution control there is no rate of return on the investment in the facility. Therefore, in accordance with the guidelines on cost allocation, 80% or more of the facility 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 \$172,220.63 with 80% or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1505.

F.A. Skirvin:a
(503) 229-6414
June 17, 1982
AA2235 (1)

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

International Paper Company
Industrial Packaging
P.O. Box 854
Gardiner, OR 97441

The applicant owns and operates a pulp and paper mill at Gardiner, 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 system to remove suspended solids from the paper mill whitewater system. Major components consist of the following:

Foundation	-	\$ 29,813.59
Equipment (Saveall, Saveall Chest Addition and Saveall Chute Downspout)	-	191,254.89
Floors, walls, etc.	-	2,125.00
Piping	-	44,355.60
Electrical	-	99,947.16
Instruments and controls	-	4,928.10
Steel	-	7,120.74
Sundry	-	21,144.76
Labor, etc.	-	<u>171,946.44</u>
Total	-	\$572,636.28

Request for Preliminary Certification for Tax Credit was made on July 24, 1978, and approved on August 30, 1978.

Construction was initiated on the claimed facility on September 9, 1979, completed on February 1, 1980, and the facility was placed into operation on February 1, 1980.

Facility Cost: \$572,636.28 (Accountant's Certification was provided).

3. Evaluation of Application

The claimed facility filters fines and fiber from the paper machine whitewater system. Prior to installation, 1,400 tons of fines and fiber were lost to the process and were either discharged or

landfilled. The reclaimed fiber enters the process which produces various grades of unbleached linerboard.

Value of the reclaimed fiber is \$166,434 annually.

The Department would not recommend approval of this application under current policy (effective December 31, 1980). However, this facility was commenced before adoption of the present policy and is therefore eligible for consideration.

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; through the production, processing, or use of materials which have useful chemical or physical properties;
 - (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. The facility is necessary to satisfy the intents and purposes of ORS Chapter 459, and the rules adopted under that chapter.
- d. 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 \$572,636.28 with 100 percent allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1513.

R. L. Brown:c
SC533
(503) 229-5157
June 18, 1982

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Reynolds Metals Company
Troutdale Reduction
6601 Broad Street
Richmond, Virginia 23261

The applicant owns and operates a primary aluminum reduction mill on N.E. Sun Dial Road at Troutdale, Oregon.

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

2. Description of Claimed Facility

The facility described in this application consists of a baghouse installation.

Request for Preliminary Certification for Tax Credit was made on September 26, 1977, and approved on September 27, 1977.

Construction was initiated on the claimed facility on August 5, 1980, completed on April 24, 1981, and the facility was placed into operation on February 19, 1981.

Facility Cost: \$167,937.81 (Accountant's Certification was provided).

3. Evaluation of Application

The applicant has installed a 30,000 scfm baghouse installation to control emissions from the Green Mill dust collection system. This installation replaces an electrostatic precipitator installation which had periodic violations of opacity due to rapping. All carbon material collected by the baghouse as well as the previous electrostatic precipitator is returned to a process stream.

The baghouse installation has been inspected by Department personnel and has been found to be operating in compliance with Department regulations and permit conditions. Elimination of the periodic violations of opacity has also been verified.

The additional small amount of carbon collected by the baghouse installation is estimated to be worth \$391.00. Since the total annual

operating expenses of \$28,550, before taxes, excluding depreciation, exceed the additional annual income of \$391, there is no return on the investment in the facility. Therefore, in accordance with the guidelines on cost allocation, 80% or more of the claimed facility 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 \$167,937.81 with 80% or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1515.

F.A. Skirvin:a
(503) 229-6414
June 22, 1982
AA2250 (1)

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Gilsonite, Inc.
2946 N.E. Columbia
P.O. Box 11242
Portland, OR 97211

The applicant owns and operates a roofing compound plant at 2946 N.E. Columbia Blvd., Portland, Oregon.

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

2. Description of Claimed Facility

The facility described in this application consists of a baghouse installation.

Request for Preliminary Certification for Tax Credit was made on January 22, 1981, and approved on January 30, 1981.

Construction was initiated on the claimed facility on February 17, 1981, completed on February 20, 1981, and the facility was placed into operation on February 20, 1981.

Facility Cost: \$10,022.14 (Complete Documentation by Copies of Invoices Was Provided)

3. Evaluation of Application

The applicant has installed a C.P. Inc. Model 49-8, "C" style, pulse jet baghouse replacing an existing cyclone and an existing bag filter dust collector to meet the NESHAPS criteria for asbestos and OSHA requirements. The previous bag filter system consisted of four large exposed bags and lacked the proper instrumentation and controls necessary to meet DEQ and OSHA requirements.

The facility has been inspected by Department personnel and has been found to be operating in compliance with Department regulations. The material collected monthly consists of 5 to 10 pounds of asbestos dust and 10 to 40 pounds of calcium carbonate. This material is disposed of by adding to the standard asphalt products.

The annual value of the material collected varies from \$12.00 to \$48.00 depending upon production rate. The annual operating expenses before taxes, excluding depreciation, is approximately \$310.00. Since the annual operating expenses exceed the value of the material recovered, there is no return on the investment in the facility. Therefore, in accordance with the guidelines on cost allocation, 80% or more of the facility 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 \$10,022.14 with 80% or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1517.

F.A. Skirvin:a
(503) 229-6414
June 23, 1982
AA2256 (1)

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

International Paper Company
Industrial Packaging
P.O. Box 854
Gardiner, OR 97441

The applicant owns operates a kraft pulp and paper mill at Gardiner.

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 16,000 square foot asphalt pad with concrete curbing and a 2 foot wide by 76 foot long concrete collection trench.

Request for Preliminary Certification for Tax Credit was made January 6, 1978, and approved August 30, 1978. Construction was initiated on the claimed facility March 1, 1979, completed April 1, 1979, and the facility was placed into operation October 1979.

Facility Cost: \$20,067.15 (Accountant's Certification was provided).

The Accountant's certified facility cost was \$24,633.95. After discussion with the applicant, it was agreed that several items should be deleted and the facility cost should be reduced to \$20,067.15.

3. Evaluation of Application

Prior to installation of the claimed facility, lime mud slurry from the pulp mills recausticizing area occasionally spilled over to the sewer system. The mud has a very high pH and is also quite high in suspended solids. Spilled mud is now collected in the curbed area and periodically fed back into the recausticizing process. The collection system has eliminated the spikes of high pH previously experienced and has reduced the quantity of suspended solids in the sewer. Since lime mud is reclaimed for the process, there is a net annual profit of \$8,138.33. This computes to a factor of internal rate of return of 2.466, which equates to a return on investment of 40 percent. Table I in the Department's Tax Credit Guidance Handbook shows this corresponds to a percent of actual cost allocable to pollution control of less than 20 percent.

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 less than 20 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 \$20,067.15 with less than 20 percent allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1518.

CKA:1
WL1623
(503) 229-5325
May 7, 1982

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Columbia Steel Casting Co., Inc.
10425 N. Bloss Ave.
Portland, OR 97203

The applicant owns and operates a steel foundry at 10425 N. Bloss Avenue, Portland, Oregon.

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

2. Description of Claimed Facility

The facility described in this application consists of a baghouse.

Request for Preliminary Certification for Tax Credit was made on September 25, 1979, and approved on November 28, 1979.

Construction was initiated on the claimed facility on April 15, 1980, completed on February 20, 1981, and the facility was placed into operation on February 28, 1981

Facility Cost: \$90,297.17 (Accountant's Certification was provided).

3. Evaluation of Application

The applicant has installed a Fuller 3 Zone Model 96 bag type plenum dust collector to control emissions from the sand storage and sand preparation areas of the new and existing shakeout.

The claimed facility has been inspected by Department personnel and has been found to be operating in compliance with Department regulations and permit conditions. Source test results indicate an average emission rate of 0.006 gr/scf (0.984 #/hr).

Material collected is conveyed from the collector hopper to a truck mounted mixer and mixed with water prior to disposal at the on-site company operated landfill.

The annual operating expenses before taxes, excluding depreciation, are \$29,500.00. Since there is no income from the facility there is no return on the investment in the facility. Therefore, in accordance with the guidelines on cost allocation, 80% or more of the facility 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 \$90,297.17 with 80% or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1519.

F.A. Skirvin:a
(503) 229-6414
June 23, 1982
AA2255 (1)

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

International Paper Company
Industrial Packaging Group
P.O. Box 854
Gardiner, OR 97441

The applicant owns and operates a pulp and paper mill utilizing the Kraft process at Gardiner, Oregon.

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

2. Description of Claimed Facility

The facility described in this application consists of an electrostatic precipitator system modification and sluice tank.

Request for Preliminary Certification for Tax Credit was made on January 17, 1978, and approved on November 13, 1978.

Construction was initiated on the claimed facility on October 25, 1979, completed on March 1, 1980, and the facility was placed into operation on March 1, 1980.

Facility Cost: \$1,723,524.13 (Accountant's Certification was provided).

3. Evaluation of Application

The applicant has modified the existing electrostatic precipitator system by adding a new double chamber section with penthouse, transformer-rectifiers, dry scrapers with drives, rapper, heaters, ducting and sluice hoppers. In addition, a new sluice tank with pumps and controls were also added. These changes were required to control emissions from two recovery furnaces, one of which had replaced an obsolete third unit.

The installation has been inspected by the Department and source tests have verified compliance with Department regulations and their air contaminant discharge permit requirements.

The salt cake collected is recovered back into the system. The annual value of this material is \$28,540.87. The annual operating expenses before taxes, excluding depreciation, is \$56,752.47. A breakdown of these expenses is as follows:

Labor	\$12,318.80
Utilities	33,789.69
Maintenance	7,524.40
Insurance	3,119.58

Since the annual operating expenses exceed the value of the salt cake collected, there is no return on the investment in the facility. Therefore, in accordance with the guidelines on cost allocation, 80% or more of the facility 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 \$1,723,524.13 with 80% or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1521.

F.A. Skirvin:a
(503) 229-6414
June 22, 1982
AA2253 (1)

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 pulp and paper mill utilizing the Kraft process at Springfield, Oregon.

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

2. Description of Claimed Facility

The facility described in this application consists of a stainless steel black liquor surge tank liner.

Request for Preliminary Certification for Tax Credit was made on May 19, 1980, and approved on June 26, 1980.

Construction was initiated on the claimed facility in May 1980, completed on June 27, 1980, and the facility was placed into operation on June 27, 1980.

Facility Cost: \$47,652 (Accountant's Certification was provided).

3. Evaluation of Application

The applicant has installed a stainless steel liner in the black liquor surge tank. This facility was required to correct a corrosion problem caused by frequent intermittent wetting of the inside surface of the tank. This frequent surface wiping caused the tank to leak resulting in shutdown. The lining assures continued use of the surge tank providing a controlled flow through the black liquor oxidation system which is necessary to meet TRS emission limits from the No. 3 recovery furnace.

The installation has been inspected by Department personnel and has been found to be operating in compliance with Department regulations and permit conditions. Routine TRS monitoring of the No. 3 recovery furnace has verified that TRS emissions from the No. 3 recovery furnace are within permit limits.

The facility cost of \$47,652 represents the difference in cost for a stainless steel liner and the repair cost of the existing mill steel liner as noted below:

Cost of stainless steel liner	\$71,952
Repair cost of existing liner	<u>24,300</u>
Facility Cost	\$47,652

Since there is no income derived from the claimed facility there is no return on the investment in the facility. Therefore, in accordance with the guidelines on cost allocation, 80% or more of the claimed facility 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 \$47,652 with 80% or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1527.

F.A. Skirvin:a
(503) 229-6414
June 22, 1982
AA2254 (1)

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

U & R Express, Inc.
P. O. Box 2369
White City, OR 97503

The applicant leases and operates a truck parking and maintenance yard 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 is a system to separate petroleum products from the parking lot yard runoff. The facility consists of:

- a. A rock base and a 25'x35'x3' concrete tank farm;
- b. 275 feet of concrete curbing; and
- c. Two 1200 gallon sumps.

Request for Preliminary Certification for Tax Credit was made September 9, 1981, and approved December 31, 1981. Construction was initiated on the claimed facility October 1981, completed November 1981, and the facility was placed into operation November 1981.

Facility Cost: \$7,532.00

3. Evaluation of Application

Prior to installation of the claimed facilities, petroleum products which had been spilled in the yard in the past years contaminated the yard runoff and entered a nearby drainage culvert. The concrete tank farm was installed to contain leaks and spills from a 10,000 gallon fuel storage tank. The 275 feet of curbing was installed to direct yard runoff to the two 1200 gallon sumps which serve as oil/water separators. Oils which are released from the rocked yard during rainy periods now flow to the 1200 gallon sumps where oils are skimmed and barreled. The barreled wastes are periodically hauled to an oil recycling plant for disposal. No income is generated 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 \$7,532.00 with 80 percent or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1535.

CKA:g
(503) 229-5325
June 8, 1982

WG1246

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Mike's Exxon Products, Inc.
4655 S.W. Hall Blvd.
Beaverton, OR 97005

The applicant owns and operates an Exxon gas station at 4655 S.W. Hall Blvd., Beaverton, Oregon.

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

2. Description of Claimed Facility

The facility described in this application is the installation of 4 gasoline vapor recovery fill tubes in buried gasoline storage tanks.

Request for Preliminary Certification for Tax Credit was made on 5-11-79, and approved on 12-26-79.

Construction was initiated on the claimed facility on 2-25-81, completed on 2-29-81, and the facility was placed into operation on 2-29-81.

Facility Cost: \$1,850 (Paid invoice was provided).

3. Evaluation of Application

Gasoline vapor recovery fill tubes were installed in four buried gasoline storage tanks. The fill tubes are in compliance with Department rules for the control of volatile organic compounds, VOC.

Because the tanks had submerged fill tubes (as opposed to splash fill) prior to the installation of the vapor recovery tubes, the applicant does not receive a return on investment due to the control of the gasoline vapors. Eighty percent or more of the cost is therefore 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 \$1,850 with 80% or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1536.

F.A. Skirvin:a
(503) 229-6414
June 17, 1982
AA2236 (1)

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Olympic Pipe Line Company
P.O. Box 236
Renton, WA 98057

The applicant owns and operates a petroleum products pipe line terminal at 9420 N.W. St. Helens Road, Portland, Oregon.

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

2. Description of Claimed Facility

The facility described in this application is two internal floating roofs which control vapor loss from two 2,000 barrow cone roof above ground storage tanks.

Request for Preliminary Certification for Tax Credit was made on August 3, 1981, and approved on August 7, 1981.

Construction was initiated on the claimed facility on March 25, 1982, completed on April 16, 1982, and the facility was placed into operation on April 19, 1982.

Facility Cost: \$17,391.50 (Complete documentation by copies of invoices was provided.)

3. Evaluation of Application

The same pipe line is used to transport both gasoline and fuel oil. This necessitates dumping "interfaces" into storage tanks at the Portland terminal when switching product. The interface material is 50 percent gasoline and 50 percent fuel oil and amounts to 400 to 800 barrels per switch every seven days. The interface is blended and sold as regular gasoline. The claimed facility, two internal floating roofs, controls the vapor loss from the stored interface product in compliance with the Volatile Organic Compounds, VOC, rules.

The reduction in vapor loss from the fuel oil in the interface is considered insignificant. The reduction in gasoline vapor loss is 7.6 tons per year. At 88 cents per gallon for pipe line regular gasoline in April 1981, this is worth \$2,157 per year. The rate of return on investment is 9 percent when calculated per the Department's guidance manual. The percent of cost allocable to pollution control is 60 percent or more but less than 80 percent.

The application was received on June 10, 1982, additional information was received on June 16, 1982, and the application was considered complete on June 16, 1982.

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 60 percent or more but less than 80 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 \$17,391.50 with 60 percent or more but less than 80 percent allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1538.

F. A. Skirvin:b
(503) 229-6414
June 18, 1982
AB1072

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

Revocation of Pollution Control Facility Certificate

1. Certificate Issued to:

Weyerhaeuser Company
P. O. Box 275
Springfield, Oregon 97477

The Certificate was issued for a water pollution control facility.

2. Summation

On October 15, 1976, the Environmental Quality Commission issued Pollution Control Facility Certificate 737 to Weyerhaeuser Company for a 100,000 gallon covered lagoon and related equipment at their plant in Cottage Grove.

By letter dated April 16, 1982, Weyerhaeuser informed the Department that the equipment certified in Certificate 737 was no longer in use.

3. Director's Recommendation

Pursuant to ORS 307.072(10), it is recommended that the Commission revoke Pollution Control Facility Certificate 737, issued in the amount of \$56,032, as the facility is no longer in service.

CASplettstaszer
229-6484
6/23/82

Attachments



A *LSP*
Weyerhaeuser Company

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

April 16, 1982

DEPARTMENT OF ENVIRONMENTAL QUALITY
Management Services Division
P.O. Box 1760
Portland OR 97207

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
R E C E I V E D
APR 19 1982

WATER QUALITY CONTROL

RE: Pollution Control Facility Certificate No. 737

I have recently been informed by our Environmental Engineer in Cottage Grove that the recirculation system for veneer dryer washdown water is no longer in use. The need for this pollution control facility has been eliminated by the introduction of a high pressure cleaning system (Industrial Water Demon), which does not produce large quantities of caustic waste water.

If you require further specific information, please contact Dan Morgan at 942-1254.

Andy Olsen

A.D. Olsen
Property Accountant

ADO: jap

cc: D.M. Morgan - Cottage Grove
J.P. Dodson - CH 2E29
G.L. Shearer

Management Services Div.
Dept. of Environmental Quality

R E C E I V E D
JUN 14 1982

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

Certificate No. 737

Date of Issue 10/15/76

Application No. T-812

POLLUTION CONTROL FACILITY CERTIFICATE

Issued To: Weyerhaeuser Company Wood Products Division P. O. Box 275 Springfield, Oregon 97477	Location of Pollution Control Facility:- Cottage Grove, Oregon Lane County
As: <input type="checkbox"/> Lessee <input checked="" type="checkbox"/> Owner	
Description of Pollution Control Facility: 100,000 gallon, covered lagoon, pumps, piping, related controls for recirculating the veneer dryer washdown.	
Type of Pollution Control Facility: <input type="checkbox"/> Air <input checked="" type="checkbox"/> Water <input type="checkbox"/> Solid Waste	
Date Pollution Control Facility was completed: <u>November 1974</u> Placed into operation: <u>November 1974</u>	
Actual Cost of Pollution Control Facility: <u>\$ 56,032</u>	
Percent of actual cost properly allocable to pollution control: <u>100%</u>	

In accordance with the provisions of ORS 468.155 et seq., it is hereby certified that the facility described herein and in the application referenced above is a "Pollution Control Facility" within the definition of ORS 468.155 and that the air and water or solid waste facility was erected, constructed or installed on or after January 1, 1967, or January 1, 1973 respectively, and on or before December 31, 1980, 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 solid waste pollution, and that the facility is necessary to satisfy the intents and purposes of ORS Chapters 459, 468 and the regulations thereunder.

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

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

Signed

Title Chairman

Approved by the Environmental Quality Commission on
the 15th day of October, 19 76

State of Oregon
Department of Environmental Quality

Revocation of Pollution Control Facility Certificate

1. Certificate Issued to:

Tektronix, Inc.
P. O. Box 500
Beaverton, OR 97077

The Certificate was issued for a water pollution control facility.

2. Summation

On March 13, 1981, the Environmental Quality Commission issued Pollution Control Facility Certificate 1214 to Tektronix, Inc. for a reverse osmosis filtration system for filtering copper rinses at their plant in Beaverton.

By letter dated June 4, 1982, Tektronix informed the Department that the equipment certified in Certificate 1214 was no longer in use.

3. Director's Recommendation

Pursuant to ORS 307.072(10), it is recommended that the Commission revoke Pollution Control Facility Certificate 1214 issued in the amount of \$30,874.53, as the facility is no longer in use.

CASplettstaszer
229-6484
6/23/82

Attachments

Tektronix
COMMITTED TO EXCELLENCE



Tektronix, Inc.
P.O. Box 500
Beaverton, Oregon 97077

Phone: (503) 644-0161
TWX: 910-467-8708

June 4, 1982

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
RECEIVED
JUN 8 1982

Dept. of Environmental Quality
Water Quality Division
P.O. Box 1760
Portland, OR 97207

WATER QUALITY CONTROL

ATTENTION: Larry Patterson Re: Baker Bros. Filtration System
Tax Relief App. No. T-1329
Certificate No. 1214

Dear Mr. Patterson:

The above referenced system which was certified for pollution tax credit on 3-13-81 has been removed from our industrial waste treatment plant and is no longer in use.

Sincerely,

Patti Heard

Patti Heard
Corp. Environmental Management

PH/mb

cc: Don Tackley
Dave Shea

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

Certificate No. 1214

Date of Issue 3/13/81

Application No. T-1329

POLLUTION CONTROL FACILITY CERTIFICATE

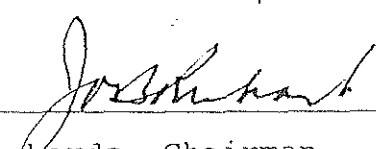
Issued To: Tektronix, Inc. P. O. Box 500 Beaverton, Oregon 97077	Location of Pollution Control Facility: Tektronix Industrial Park Beaverton, Oregon
As: <input type="checkbox"/> Lessee <input checked="" type="checkbox"/> Owner	
Description of Pollution Control Facility: The claimed facility consists of a reverse osmosis filtration system for filtering copper rinses.	
Type of Pollution Control Facility: <input type="checkbox"/> Air <input type="checkbox"/> Noise <input checked="" type="checkbox"/> Water <input type="checkbox"/> Solid Waste <input type="checkbox"/> Hazardous Waste <input type="checkbox"/> Used Oil	
Date Pollution Control Facility was completed: <u>8/34/79</u>	Placed into operation: <u>8/34/79</u>
Actual Cost of Pollution Control Facility: <u>\$ 30,874.53</u>	
Percent of actual cost properly allocable to pollution control: <u>80% or more</u>	

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:

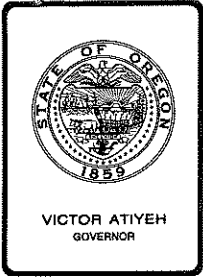
1. The facility shall be continuously operated at maximum efficiency for the designed purpose of preventing, controlling, and reducing the type of pollution as indicated above.
2. The Department of Environmental Quality shall be immediately notified of any proposed change in use or method of operation 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 13th day of March, 1981



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, July 16, 1982, EQC Meeting

Request for Authorization to Conduct Public Hearings on Amendments to Rules Governing On-Site Sewage Disposal; Fees for Multnomah county, OAR 340-72-070, and Fees for Jackson County, OAR 340-72-080

Background and Problem Statement

ORS 454.745(4) provides that the Commission at the request of the Director or any Contract County may by rule increase fees above the maximum levels established in Subsection (1) of ORS 454.745. Fee increases permitted by the Commission shall be based upon actual costs for efficiently conducted minimum services as developed by the Director or Contract County. In addition, ORS 454.745(4) provides that a Contract County, with approval of the Commission, may adopt fee schedules for services related to this program that are not specifically listed in the statute.

Jackson County has requested that some of the County's fees be increased above the maximum now established in ORS 454.745. With increasing program costs, the county feels that an increase is necessary in order to maintain an adequate level of service and to make their program more self-supporting. Jackson County has developed fee information upon which the proposal is based. That information is contained in Attachment A.

Multnomah County has requested a rule amendment that would provide for a double fee where work is commenced on a system without first obtaining the proper permit. There is precedent for double fees in this situation. The Department of Commerce rules provide for double fees where building and plumbing permits are not obtained prior to start of work.

Alternatives and Evaluation

Alternatives are:

1. Continue fees for Jackson County at the present maximums established in ORS 454.745.
2. Increase maximum fees above present levels as requested by Jackson County.

3. Deny Multnomah County's request for a double fee rule.
4. Approve Multnomah County's request for a double fee rule.

In evaluating the two alternatives for Jackson County, the latter appears more appropriate. Program costs for Contract Counties and the Department have increased dramatically since present fees were established. In many cases, cost increases are a result of numerous inspection visits required for alternative system construction control. There is a general need to generate additional revenue to maintain an efficient level of program services. In addition, many programs are now required to be self-supporting due to the economic situation.

Multnomah County believes that the requirement of a double permit fee for failure to obtain proper permits, prior to commencing work on a system, will deter such practices and avoid the time and expense for legal abatement of such conduct.

Summation

1. The Commission may by rule establish fees for a Contract County or increase maximum on-site fees established in ORS 454.745 at the request of the Director or any Contract County.
2. Jackson County has requested that some of the maximum fee levels established in ORS 454.745 be increased for that county.
3. Multnomah County has requested establishment of a double permit fee for failure to obtain a permit prior to commencing work on a system.

Director's Recommendation

Based upon the summation, it is recommended that the Commission authorize public hearings to take testimony on the question of amending rules governing on-site fees to be charged by Jackson County OAR 340-72-080, and amending fee rules for Multnomah County, OAR 340-72-070.

Bill

William H. Young

Attachments: 6

- "A" Jackson County's Analysis of Subsurface Fees
- "B" Multnomah County Memorandum Requesting EQC Action
- "C" Public Hearing Notice
- "D" Statement of Need
- "E" Proposed Rule for Jackson County
- "F" Proposed Rule for Multnomah County

DEPARTMENT OF PLANNING & DEVELOPMENT

June 11, 1982

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

RECEIVED

JUN 14 1982

OFFICE OF THE DIRECTOR

Environmental Quality Commission
c/o William H. Young, Director
Department of Environmental Quality
P. O. Box 1760
Portland OR 97207

RE: Proposed Fee Increases for the Jackson County On-Site Sewage Disposal System Program

Dear Mr. Young:

In accordance with ORS 454.745 and OAR 340-71-140, I am submitting for EQC consideration a proposed fee schedule for the Jackson County On-Site Sewage Disposal Program. Commission review will be required because the proposed fees, in many cases, exceed the maximums presently established by the EQC. The intent of this new fee schedule is to bring the Jackson County septic program closer to a self-supporting position.

Jackson County assumed responsibility for the septic program in 1974. Since that time, the costs of running the program have been offset by a combination of income from application fees and contributions from the county general fund. Until recently, general fund monies have provided approximately 50 percent of the Sanitation Division budget, exclusive of general administrative costs. This degree of county subsidy resulted from a belief by the Board of Commissioners that lower fees would encourage voluntary compliance with the septic system regulations. They also feel the county as a whole benefits from a properly conducted septic program in such areas as improved public health, enhanced water quality, and the prevention and abatement of nuisances. Currently, however, Jackson County is experiencing a fiscal crisis brought on by a depressed local economy and severe reductions in O & C timber receipts. This has forced a move toward greater fee support for this and many other county programs. Responding to this problem, the Board of Commissioners adopted, in November, 1981, a fee schedule designed to offset about 75 percent of the Sanitation Division budget, again, exclusive of general administrative costs. The proposed fee increases outlined herein would provide about 96 percent fee support of the division budget during an average year.

RECEIVED

Mr. Young
Proposed Fee Increases
June 11, 1982
Page Two

As in many other areas of Oregon, Jackson County is experiencing a sharp decline in building activity, particularly of single family dwellings. This had led to a similar decline in application rates for septic system services. There is every reason to believe that these trends will continue throughout the next year. As a result, there have been a series of personnel cuts in the septic system program. One field sanitarian was eliminated from the current budget and another sanitarian has been reassigned to other duties within the Planning Department. The budget for fiscal year 1982-83 includes a further cut of one field staff position. Additional staff reductions may become necessary depending upon application rates. Also, the amount of fees received will be closely monitored to ensure that fee income does not exceed costs of running the program.

The proposed fee schedule is based largely on an analysis of our program to determine the amount of staff time required to perform each service. Responding to an application typically requires time in the field (by the sanitarian) and time in the office (both by the sanitarian and by the clerical support staff). Our field sanitarians work a 40-hour week (10 hours a day, four days a week). Thus, a work year is:

52 weeks x 40 hours/ week = 2,080 hours, or
52 weeks x 4 days/week = 208 days.

However, certain deductions must be made from the above figures. Thus,

Vacation leave:	3 weeks @ 40 hours/week	= 120 hours (12 days)/year
Holidays:	9 days @ 8 hours/day	= 72 hours (9 days)/year
Sick leave:	6 days @ 10 hours/day	= 60 hours (6 days)/year
Conferences/misc. training:	3 days @ 10 hours/day	= <u>30 hours (3 days)/year</u>
		Total = 282 hours (30 days)/year

Therefore, net work days/year = 208 - 30 = 178
net work hours/year = 2,080 - 282 = 1798

Field sanitarians are assigned to office coverage on a rotating basis. This allows them to catch up on paperwork and provide technical assistance to the public after regular office hours. Sanitarians spend an average of three days per month (36 days/year) providing office coverage; the number of days each has available for field work is 178 - 36 = 142.

However, each day available for field work is not spent entirely in the field. Office hours consume two and one-half hours, coffee breaks another one-half hour, and miscellaneous activities one-half hour.

Mr. Young
Proposed Fee Increases
June 11, 1982
Page Three

Thus,

Office hours:	2½ hours/day x 142 days	= 355 hours/year
Coffee breaks:	½ hour/day x 142 days	= 71 hours/year
Miscellaneous:	½ hour/day x 142 days	= <u>71 hours/year</u>
	Total	= 497 hours/year

So, the total number of nonfield hours per year per sanitarian is

Hours not worked (vacation, sick leave, etc.)	= 282
Office coverage (36 days @ 10 hours/day)	= 360
Office hours, coffee breaks, miscellaneous	= <u>497</u>
Total	= 1,139 hours

And, the number of field hours available to each sanitarian per year is

2,080 total hours
- <u>1,139</u> nonfield hours
941 hours/year

This shows that each sanitarian spends about 45 percent of his time in the field. To put it another way, for each hour the sanitarian works in the field, he spends 1.2 hours away from the field.

The cost of maintaining a sanitarian in the field is the sum of his or her base salary plus adjustments for nonfield time, division overhead, department overhead, and county overhead. The current average wage of a field sanitarian in Jackson County is \$12.40/hour. This must be multiplied by 2.2 to compensate for nonfield time.

Division overhead includes employee benefits, secretarial and counter staff support, motor pool expenses, office supplies and equipment, postage, training, building utilities, and supervisory costs. These add up to 50.0 percent of the 1982-83 budget; multiplying the sanitarian's hourly pay by 2.0 is necessary to compensate for this overhead.

Department overhead includes administrative and clerical support, telephone service, data and word processing, certain office and postage expenses, and outlay for travel and training. These add another 14.6 percent to the costs of providing septic program services.

County overhead is for such items as general and administrative expenses, utilities, postage, data processing, centralized purchasing, and janitorial service. These increase our program costs by another 12.1 percent. If anything, department and county overhead expenses are understated since depreciation and building lease costs are not included. Therefore, a single hour of a sanitarian's time in the field costs Jackson County

Mr. Young
 Proposed Fee Increases
 June 11, 1982
 Page Four

Salary	Nonfield Time	Division Overhead	Department Overhead	County Overhead
\$12.40	x 2.2	x 2.0	x 1.146	x 1.121 = \$70.09

Most of the applications received by the Sanitation Division are for site evaluations, new construction permits, authorization notices, and repairs or alterations of existing systems. Together they comprise over 90 percent of the septic program workload. Following is a list of these various types of applications along with the average amount of field time required by each. Also shown is our current fee and the proposed fee.

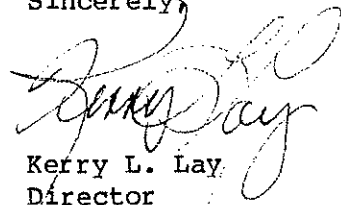
Application	Amount of Field Time required (hrs)	Current Fee	Proposed Fee
Site Evaluation (including re-evaluations)	2.2	\$135	\$175
Preliminary Site Inspection	1.0	50	75
Alteration Permit	2.0	50	50
Repair Permit	3.0	25	40
Authorization Notice	0.8	25	40
New Construction Permit			
Standard System	1.2	50	80
Aerobic System	3.0	90	130
Capping Fill	3.0	90	130
Evapotranspiration Absorption (ETA)	3.0	90	130
Gray Water Waste Disposal			
Sump	1.0	50	80
Holding Tank	1.5	90	100
Pressure Distribution	3.0	90	130
Redundant	2.5	90	110
Sand Filter	3.5	130	150
Seepage Trench	1.2	50	80
Steep Slope	1.2	50	80
Tile Dewatering	3.0	90	130

The proposed fees do not correlate precisely with the amount of field time required. This is because fees for certain services (especially repair and alteration permits) are kept low to encourage applications. Also, we perform certain services which are not fee supported, such as complaint investigations, health hazard surveys, and water table investigations. The proposed fees include an adjustment factor to partially offset the costs of providing nonfee-supported services.

Mr. Young
Proposed Fee Increases
June 11, 1982
Page Five

A complete listing of Jackson County's proposed fee schedule is attached. If you have any questions, please feel free to call me or my Supervising Sanitarian, Brad Prior, at 776-7554.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kerry Lay", written over a faint, illegible typed name.

Kerry L. Lay
Director

KLL:mkf
Attachment

Proposed Fee Schedule

ON-SITE SEWAGE DISPOSAL SYSTEMS	PROPOSED FEES
(a) New Site Evaluation	
(A) Single Family Dwelling:	
(i) First Lot	\$175
(ii) Each Additional Lot Evaluated During Initial Visit	\$160
(B) Commercial Facility System	
(i) For First 1,000 Gallons Projected Daily Sewage Flow	\$175
(ii) Plus For Each 500 Gallons or Part Thereof Above 1,000 Gallons	\$ 40
(b) Preliminary Site Inspection	\$ 75
<p>This fee will be credited to the site evaluation fee if application for a site evaluation on the same property is made within 90 days.</p>	
(c) Construction Installation Permit:	
(A) For First 1,000 Gallons Projected Daily Sewage Flow:	
(i) Standard On-Site System	\$ 80
(ii) Alternative System:	
Aerobic System	\$130
Capping Fill	\$130
Cesspool	\$ 50
Evapotranspiration-Absorption	\$130
Gray Water Waste Disposal Sump	\$ 80
Holding Tank	\$100
Pressure Distribution	\$130
Redundant	\$110
Sand Filter	\$150
Seepage Pit	\$ 50
Seepage Trench	\$ 80
Steep Slope	\$ 80
Tile Dewatering	\$130
(B) For systems with projected daily sewage flows greater than 1,000 gallons, the construction installation permit fee shall be equal to the fee required in (c) (A), above, plus \$10 for each 500 gallons or part thereof above 1,000 gallons.	

Note: Fees for construction permist for systems with projected daily sewage flows greater than 5,000 gallons shall be in accordance with the fee schedule for WPCF permits.

(C) Construction-Installation Permit Renewal:

- (i) If Field Visit Required \$ 50
- (ii) No Field Visit Required \$ 10

NOTE: Renewal of a permit may be granted to the original permittee if an application for permit renewal is filed prior to the original permit expiration date.

(d) Alteration Permit \$ 50

(e) Repair Permit:

- (A) Single Family Dwelling \$ 40
- (B) Commercial Facility . . . The appropriate fee identified in (c)(A) and (B) applies.

(f) Authorization Notice:

- If Field Visit Required \$ 40
- No Field Visit Required \$ 0

(g) Annual Evaluation of Alternative System
(Where Required) \$ 25

(h) Annual Evaluation of Large System (2,501 to 5,000 GPD) \$ 50

(i) Annual Evaluation of Temporary Mobile Home \$ 25

(j) Rural Area Variance to Standard Subsurface Rules

(A) Site Evaluation \$175

NOTE: In the event there is on file a site evaluation report for that parcel that is less than ninety days old, the site evaluation fee shall be waived.

(B) Construction Installation Permit . . . The appropriate fee identified in (c) applies.

(k) Sewage Disposal Service:

Pumper truck Inspection, Each Business Licensed \$ 25

**MULTNOMAH COUNTY OREGON**

ENVIRONMENTAL SERVICES/PERMIT SECTION
2115 SE MORRISON STREET
PORTLAND, OREGON 97214

DONALD E. CLARK
COUNTY EXECUTIVE

Inspection (503) 248-5272 Sewage 248-3671
Building 248-3047 Right-of-Way Use 248-3582
Plumbing 248-3668

May 14, 1982

MEMORANDUM

TO: JACK OSBORNE, SUPERVISOR
FROM: HARDING CHINN, MULTNOMAH COUNTY SANITARIAN (HC)
SUBJECT: ADDENDUM TO MULTNOMAH COUNTY FEE SCHECULE (340-72-070)

JUSTIFICATION:

Under current rules there are no penalties involved when a person obtains his permit after construction has begun on any on-site sewage disposal system. Multnomah County believes that the requirement of a double permit fee for such abuses may deter this practice in the future and avoid the time and expense for legal abatement of such conduct.

The inclusion of a double fee penalty is consistent with both the State Building and Plumbing Administrative Rules which already have a double fee inclusion.

I submit the following rule for approval by the E.Q.C. as part of the Multnomah County Fee Schedule (340-72-070).

"Any person commencing work in violation of para (1) as described in Administrative Rule 340-71-160, if subsequently permitted to obtain a permit, shall pay double the fee fixed by this Section".

HC/bm

BEFORE THE ENVIRONMENTAL QUALITY COMMISSION
OF THE STATE OF OREGON

In the Matter of the Adoption of)	Notice of Public Hearing
Rule 340-72-080, and Amending)	on Adoption of Rule
Rule 340-72-070, Establishing a)	340-72-080 and Amending Rule
Fee Schedule for On-Site)	340-72-070 On-Site Fees
Sewage Disposal Permits and)	for Jackson and Multnomah
Services in Jackson County and)	Counties
Multnomah Counties)	

1. On August 2, 1982, at 10 a.m., a public hearing will be held at the following locations, to consider adoption by the Environmental Quality Commission of proposed rule 340-72-080, establishing a fee schedule for on-site sewage disposal permits and activities for Jackson County, and amending rule 340-72-070, Fees for Multnomah County.

Second Floor Conference Room
Park Place Building
201 West Main St.
Medford, Oregon

EPA Conference Room
Second Floor, Yeon Building
522 S.W. Fifth Ave.
Portland, Oregon

2. Jackson County has proposed a new fee schedule for the on-site sewage disposal program to the Environmental Quality Commission. The proposed rule provides for a general increase of fees over those presently charged by Jackson County to reflect increased costs of program operation and to make the program more self-supporting.
3. The main issue to be considered at the Medford hearing is whether the proposed fees reflect actual costs for efficiently conducted required program services, as developed by Jackson County.
4. Multnomah County has requested that their fee schedule be amended to provide for double permit fees for failure to obtain proper permits prior to commencing work on sewage disposal systems.
5. The main issue to be considered at the Portland hearing is whether it is in the best interests of the public and the County to have a double fee for violation of permit requirements.
6. Any interested person may provide oral or written testimony at the hearings or written testimony to Sherman Olson, Department of Environmental Quality, P.O. Box 1760, Portland, Oregon 97207, by August 3, 1982.
7. Citation of Statutory Authority, Statement of Need, Principal Documents Relied upon, and Statement of Fiscal Impact, are filed with the Secretary of State.
8. Land Use Consistency: This activity has been defined as "not affecting land use."

9. Department of Environmental Quality staff will be designated to preside over and conduct the hearings.
10. Copies of the proposed Jackson County fee schedule and Multnomah County fee schedule amendment can be obtained by writing the Department of Environmental Quality, P.O. Box 1760, Portland, Oregon 97207, Attention Mr. Sherman Olson.

Dated: July 15, 1982

William H. Young, Director
Department of Environmental Quality

XL1722.A

BEFORE THE ENVIRONMENTAL QUALITY COMMISSION
OF THE STATE OF OREGON

In the Matter of the Adoption) Statutory Authority,
of Rule 340-72-080 and Amending) Statement of Need,
Rule 340-72-070, Establishing) Principal Documents Relied Upon,
a Fee Schedule for On-Site) and Statement of Fiscal Impact
Sewage Disposal Permits and)
Services in Jackson and)
Multnomah Counties)

1. Citation of Statutory Authority: ORS 454.625, which authorizes the Environmental Quality Commission to adopt rules pertaining to on-site sewage disposal and ORS 454.745 which establishes fees to be charged for on-site sewage disposal permits and services.
2. Need for Rule: Jackson County has experienced an increase in costs for providing services, issuing permits and general administration of the on-site sewage disposal program. In order to maintain the present level of service and to make the program more self-supporting, a general fee increase is necessary. The proposed fee increase will support approximately 90 percent of the on-site sewage disposal program.

Under current rules there are no penalties when a person obtains a permit after starting construction of a sewage system, a violation of rules. Multnomah County believes that the requirement for a double permit fee for such abuses may deter this practice.

3. Documents relied upon in proposal of the rule:

- a. Letter from Kerry L. Lay, Administrator, Jackson County Department of Planning & Development to the Environmental Quality Commission, dated June 11, 1982

The above letter is available for public inspection at Jackson County Department of Planning & Development, 32 W. Sixth St., Medford, during regular business hours, 8 a.m. to 5 p.m., Monday through Friday.

- b. Memorandum from Harding Chinn, Multnomah County Sanitarian, to Jack Osborne of the Department of Environmental Quality, dated May 14, 1982.

The above memorandum is available for public inspection at Multnomah County Department of Environmental Services, 2115 S.E. Morrison, Portland, during the hours listed above.

4. Fiscal and Economic Impacts: Some fees are increased. The direct monetary impact will fall upon individual applicants for permits or services. A positive impact will be seen by increased County Revenues which will offset General Fund monies in the county's budget. There is no expected economic impact on small businesses.

Dated: July 15, 1982

William H. Young, Director
Department of Environmental Quality

XL1722.A

Amend OAR 340 Division 72 by adding a new rule as follows:

340-72-080 JACKSON COUNTY FEE SCHEDULE

ON-SITE SEWAGE
DISPOSAL SYSTEMS

(1) New Site Evaluation

(a) Single Family Dwelling:

(A) First Lot \$175

(B) Each Additional Lot Evaluated During Initial Visit . . \$160

(b) Commercial Facility System

(A) For First 1,000 Gallons Projected Daily Sewage Flow. . \$175

(B) Plus For Each 500 Gallons or Part Thereof Above
1,000 Gallons. \$ 40

(2) Preliminary Site Inspection \$ 75

This fee will be credited to the site evaluation fee if application for a site evaluation on the same property is made within 90 days.

(3) Construction Installation Permit:

(a) For First 1,000 Gallons Projected Daily Sewage Flow:

(A) Standard On-Site System \$ 80

(B) Alternative System:

Aerobic System	\$130
Capping Fill	\$130
Evapotranspiration-Absorption.	\$130
Gray Water Waste Disposal Sump	\$ 80
Holding Tank	\$100
Pressure Distribution.	\$130
Redundant	\$110
Sand Filter	\$150
Seepage Trench	\$ 80
Steep Slope	\$ 80
Tile Dewatering.	\$130

(b) For systems with projected daily sewage flows greater than 1,000 gallons, the construction installation permit fee shall be equal to the fee required in subsection (3)(a) of this rule, plus \$10 for each 500 gallons or part thereof above 1,000 gallons.

NOTE: Fees for construction permits for systems with projected daily sewage flows greater than 5,000 gallons shall be in accordance with the fee schedule for WPCF permits.

(c) Construction-Installation Permit Renewal:

- (A) If Field Visit Required \$ 50
- (B) No Field Visit Required \$ 10

NOTE: Renewal of a permit may be granted to the original permittee if an application for permit renewal is filed prior to the original permit expiration date.

(4) Alteration Permit \$ 50

(5) Repair Permit:

- (a) Single Family Dwelling \$ 40
- (b) Commercial Facility . . . The appropriate fee identified in subsections (3)(a) and (b) of this rule apply.

(6) Authorization Notice:

- If Field Visit Required \$ 40
- No Field Visit Required \$ 0

(7) Annual Evaluation of Alternative System (Where Required) \$ 25

(8) Annual Evaluation of Large System (2,501 to 5,000 GPD) \$ 50

(9) Annual Evaluation of Temporary Mobile Home \$ 25

(10) Rural Area Variance to Standard Subsurface Rules

(a) Site Evaluation \$175

NOTE: In the event there is on file a site evaluation report for that parcel that is less than ninety days old, the site evaluation fee shall be waived.

(b) Construction Installation Permit . . . The appropriate fee identified in Section (3) of this rule applies.

(11) Sewage Disposal Service:

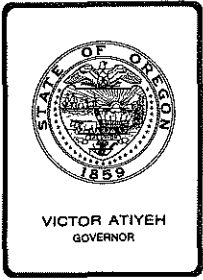
Pumper Truck Inspection, Each Business Licensed \$ 25

PROPOSED RULE AMENDMENT

Amend OAR 340-72-070 by adding a new section (14) to read as follows:

"(14) Any person commencing work in violation of section
340-71-160(1), if subsequently permitted to obtain a permit,
shall pay double the fee established in this rule."

XG1284



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, July 16, 1982, EQC Meeting

Mr. John Mullivan - Appeal of Subsurface Variance Denial

Background

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

On December 11, 1981, a 11,250 square foot lot identified as tax lot 4700, in section 20 BD, township 2 north, range 10 west, Tillamook County, was evaluated for on-site sewage disposal by Ms. Kimberley Swift, Tillamook County Sanitarian. She characterized the property as having rapidly draining dune sands over a permanent groundwater aquifer. Because of the small lot size, rapidly drained soils, and permanent groundwater, she determined the property could be approved for a split waste system, using a gray-water seepage bed and a Department of Commerce approved non-discharging toilet. A full waste load system using either a sand filter or pressurized system could not be approved because the design flow would exceed the maximum loading rate ratio of 450 gallons per 1/2 acre per day allowed by rule.

An application from Mr. Mullivan for variance from the on-site sewage disposal rules was received by the Department on January 23, 1982, found to be complete, and was assigned to Mr. Gregory Baesler, variance officer. Mr. Mullivan was notified of the assignment and provided a summary of the questions upon which the decision would be based (Attachment "B"). On February 26, 1982, Mr. Baesler examined the proposed site and held a public information type hearing. He found the property to be located on a fore-dune and deflation plain of Nedonna Beach, with a soil profile consisting of rapidly draining unconsolidated dune sands overlaying a permanently perched water table. The City of Rockaway provides water to this area from two wells located approximately 1900 feet northeast of this property. The Rockaway wells draw stored groundwater from the Nedonna Beach aquifer. Mr. Mullivan proposed that a pressurized system (seepage bed), to treat and dispose of the full waste load from a three-bedroom home, would not result in an observable decrease in usability of the groundwater. The Oregon Department of Water Resources indicates that the groundwater gradient needs

to be established for this aquifer, and that the aquifer recharge area should not be further jeopardized by allowing the density of septic waste disposal systems to increase. After closing the hearing, Mr. Baesler evaluated the information provided by Mr. Mullivan and others. He determined that because the groundwater gradient had not been established, the impact of increased pollutant loading on the aquifer could not be made. The property was found by Tillamook County staff to be acceptable for a split waste gray water system, using a pressurized seepage bed and a Department of Commerce approved non-discharging toilet fixture. Mr. Baesler was unable to find that strict compliance with the rule limiting sewage flow loading rates in rapidly draining material was inappropriate for cause, or that the property possessed special physical conditions to render strict compliance unreasonable. Mr. Mullivan was notified of the variance denial by letter dated April 22, 1982 (Attachment "C").

On May 14, 1982, the Department received from Mr. Mullivan a letter (Attachment "D") appealing Mr. Baesler's decision, listing the following particulars:

1. The decision is not supported by substantial evidence.
2. The decision is contrary to existing law.
3. It is improperly construed implacable law.
4. The decision reflects a failure to follow a procedure applicable to the matter.

Evaluation

Pursuant to ORS 454.660, decisions of the variance officer may be appealed to the Environmental Quality Commission. Mr. Mullivan made such an appeal. The Commission must determine if strict compliance with the rule or standard is inappropriate for cause, or that special physical conditions render strict compliance to be unreasonable, burdensome, or impractical.

Upon the Department's receipt of the complete variance application, Mr. Mullivan was notified by letter of the time and location of the site visit and information gathering hearing. Information contained in the notice letter constitutes, for the record, a summary of the questions which would determine the matter. After evaluating the site and after holding an information gathering hearing to gather testimony relevant to the requested variance, Mr. Baesler was unable to determine that pollution of the Nedonna Beach aquifer would not occur if the proposed system was installed. He was unable to find that strict compliance with the Department's rule was inappropriate, or that special physical conditions render strict compliance to be unreasonable.

Summation

1. The pertinent legal authorities are summarized in Attachment "A".
2. Tillamook County staff evaluated the property for on-site sewage disposal and determined that because of the small lot size, rapidly draining soils, and presence of a permanent groundwater aquifer, the only system that can be approved for the property is a split waste system.
3. Mr. Mullivan submitted a variance application to the Department. The application was assigned to Mr. Baesler. Mr. Mullivan was notified by letter of the time and place of the site visit and hearing. He was also provided a summary of the questions which would determine the matter.
4. Mr. Baesler examined the property and conducted an information gathering hearing. After closing the hearing Mr. Baesler reviewed and evaluated the variance record. He found the testimony provided did not support a favorable decision. Although the variance request to install a full waste load system was denied, the split waste gray water system remains an option Mr. Mullivan could use.
5. Mr. Mullivan filed for appeal of the decision by letter.

Director's Recommendation

Based upon the findings in the Summation, it is recommended that the Commission adopt the findings of the variance officer as the Commission's findings and uphold the decision to deny the variance.

Bill

William H. Young

Attachments: 4
Attachment "A" Pertinent Legal Authorities
Attachment "B" Assignment Letter
Attachment "C" Variance Denial Letter
Attachment "D" Letter of Appeal

Sherman O. Olson, Jr:l
229-6443
June 24, 1982
XL1728

ATTACHMENT "A"

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 special physical conditions render strict compliance unreasonable, burdensome or impractical: ORS 454.657.
3. 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.
4. Mr. Baesler was appointed as a variance officer pursuant to the Oregon Administrative Rules: OAR 340-71-415.
6. Decisions of the variance officers to grant variances may be appealed to the Commission: ORS 454.660.

XL1728.A
6/24/82



Department of Environmental Quality

522 SOUTHWEST 5TH AVE. PORTLAND, OREGON

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

February 23, 1982

John Mullivan
3885 NW Jackson School Rd.
Hillsboro, OR 97123

Re: WQ-SSS-Variance Assignment
T.L. 4700; Sec. 20BD;
T. 2N; R. 10W, W.M.;
Tillamook County

Dear Mr. Mullivan:

The Department of Environmental Quality is in receipt of a completed application for variances from Oregon Administrative Rules governing subsurface sewage disposal, OAR Chapter 340, Division 71.

As discussed with Ms. Mullivan in a telephone conversation on February 23, 1982, a public information gathering hearing to consider your requests is being scheduled for February 26, 1982. I will meet with you at the proposed drainfield site at 9:30 a.m. to examine the test pits that you are to provide, to gather soils and topographical information relevant to your proposal. As specified on the variance application form, the test pits must be dug to a depth of five (5) feet or to bedrock. Please refer to the attached plan of your proposal for the most desirable locations to place these test pits.

Immediately after the site visit, an information gathering hearing, as provided for in OAR Chapter 340, 71-430, will be held at the Tillamook County Courthouse. You are invited to have your attorney, consultant, and any other interested person in attendance at both the site visit and the information gathering hearing.

At the time of your hearing, please be prepared to offer those facts and reasons which you feel give assurance that your requested variances, if granted, will not result in the creation of a public health hazard or cause pollution of public waters. Also be prepared to offer the reasons why you find that strict compliance with the rules would be unreasonable, burdensome, or impractical.

John Mullivan
February 23, 1982
Page 2

By receipt of a copy of this letter, Tillamook County Environmental Health Department is notified of this pending variance. It is requested that a representative from this section be in attendance at both the site visit and the hearing.

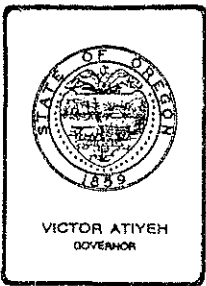
If you have any questions, please feel free to contact me at 229-5296.

Sincerely,

Gregory D. Bassler, R.S.
Environmental Analyst
Northwest Region

GDE:c
RC177
Enclosure

cc: On-Site Sewage Section, DEQ
Oregon Water Resources Department
Attn: William Bartholomew
North Coast Branch, Astoria, DEQ
Tillamook County Environmental Health Department
Attn: Kim Swift, R.S.
William H. Doak, R.S.



Department of Environmental Quality

522 S.W. 5th AVENUE, BOX 1760, PORTLAND, OREGON 97207

April 22, 1982

CERTIFIED MAIL No. 348625
Return Receipt Requested

John Mullivan
3885 N.W. Jackson School Road
Hillsboro, Oregon 97123

Re: WQ-SSS-Variance Denial
T.L. 4700; Sec. 20BD
T2N; R.10W; W.M.
Tillamook County

Dear Mr. Mullivan:

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 on February 26, 1982 and continued to April 8, 1982 for receipt of additional testimony.

Just prior to the public information gathering hearing I visited the proposed site to gather soils and topographical information relevant to your variance proposal. The subject property is located on the foredune and deflation plain of Nedonna Beach. The warranty deed describes the property as a platted lot (50x100') and also conveys the area between the lot and the Pacific Ocean. One test pit was evaluated at the time of my visit to the property. The profile consisted of rapidly draining unconsolidated dune sands overlying a permanently perched water table with no observable water to eighty-four inches. (During an earlier site evaluation by Tillamook County, the permanent water table was measured at eighty (80) inches below ground surface.) The slope of the deflation plain is approximately 5½%. Lots in the subdivision where this property is located are served with water from the city of Rockaway. The city has two (2) wells approximately 1900 feet northeast of the subject property.

Due to the rapidly draining soil characteristics, and lot size (a loading rate of four hundred fifty (450) gallons per acre per day would be exceeded), your lot was not found to be acceptable for a standard on-site system. It was, however, approved for a gray water pressurized distribution system - an alternative on-site sewage disposal system.

To overcome the site limitations, you, with the aid of your consultant, proposed to install a 20' x 30' pressurized seepage bed with one hundred lineal feet of pressure distribution pipe spaced four (4) feet apart. The seepage bed was to be installed twenty-four (24) to thirty-five (35)

John Mullivan
April 22, 1982
Page 2

inches deep. Other components incorporated into the proposal include a 1,000 gallon concrete septic tank, a 1,000 gallon dosing tank and a 1/3 h.p. pump with float controls. The proposed system was designed to serve a three (3) bedroom single family dwelling and to dispose of both black and gray water.

Variations from particular requirements of the rules or standards pertaining to on-site sewage disposal systems may be granted if it is found that strict compliance with the rule or standard is inappropriate for cause or special physical conditions render strict compliance unreasonable, burdensome or impractical.

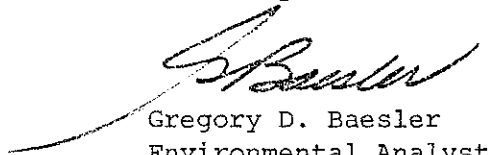
Your proposal, although well prepared, has failed to convince me that strict compliance with the rule addressing sewage flow loading rates in rapidly draining material is inappropriate for cause. Because the ground water gradient underlying the property has not been established by a hydrogeological study the impact of increased pollutant loading on the developed aquifer is unknown. The rule allowing the use of a gray water system was made to utilize properties of deficient size by decreasing the loading rates to a receiving ground water body. By installing this type of split waste system a reduction of pollutants by approximately fifty (50) percent can be realized.

Therefore, based on my evaluation of the verbal and written testimony contained in the record, I am not able to find strict compliance with the rule is inappropriate for cause, or that there are special physical conditions present which render strict compliance unreasonable. Your variance request is regretfully denied.

Pursuant to OAR 340-71-440, my decision to deny your variance request 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.

Please feel free to contact me at 229-5296 if you have questions regarding this decision.

Sincerely,



Gregory D. Baesler
Environmental Analyst
Northwest Region

GDB/emc
cc: William H, Doak
NorthCoast Branch Office, DEQ
On-Site Sewage Section, DEQ
Tillamook County Health Department

May 14, 1982

Department of Environmental Quality
522 S.W. Fifth Avenue, Box 1760
Portland, Oregon 97207

Re: WQ-SSS - Variance Denial
T.L. 4700; Sec.20BD
T2N; R.10W; W.M.
Tillamook County

Dear Mr. Young:

We wish to appeal Mr. Baesler's decision for the following reasons;

1. The decision is not supported by substantial evidence.
2. The decision is contrary to existing law.
3. It is improperly construed implacable law.
4. The decision reflects a failure to follow a procedure applicable to the matter.

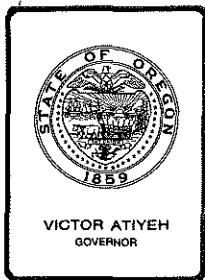
Please notify us when the appeal date is set.

Sincerely yours,

John Mullivan
3885 N.W. Jackson School Road
Hillsboro, Oregon 97123

RECEIVED
MAY 14 1982

DEPT. OF ENVIRONMENTAL QUALITY



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, July 16, 1982, EQC Meeting

Stipulated Compliance Orders for Water Pollution Sources --
Status Report and Proposed Action

Background

The Department started issuing water quality permits in 1968. From the beginning of the permitting process, compliance schedules have been an integral and important part of permits. If upgrading or new construction was needed, a schedule was negotiated with the permittee and put into the permit.

When the Federal Water Pollution Control Act was amended in 1972, it made quite an impact on the permitting procedures. National Pollutant Discharge Elimination System (NPDES) permits were required on all discharges to public waters and federal deadlines were established for meeting federal treatment standards. DEQ became the delegated agency in Oregon to issue the NPDES permits and enforce the federal standards and deadlines.

One federal requirement was that all sewage treatment plants were to have secondary treatment as defined by EPA by July 1, 1977. Sewage lagoons and trickling filter sewage treatment plants had difficulty meeting the EPA secondary treatment numerical standards as did other secondary treatment plants which were at or nearing design capacity. All of Oregon's sewage treatment plants were either using secondary treatment processes or were constructing secondary treatment facilities when the 1972 Act was passed.

Because substantial amounts of federal grants were available for constructing sewage treatment facilities, compliance schedules were written with dates which were triggered on the offer of a federal grant. For example:

The permittee shall comply with the following schedule:

- (a) Submit proper and complete facility plan report and Step II grant application by December 31, 1977.

- (b) Submit complete and biddable final plans and specifications and a proper and complete Step III grant application within ten (10) months of Step II grant offer.
- (c) Complete construction within fifteen (15) months of Step III grant offer.
- (d) Demonstrate compliance with the final effluent limitations specified in Schedule A of the permit within 30 days of completing construction.

This is often referred to as a "ratchet schedule." All dates except the first date were keyed to grant offers.

Federal Law and EPA's rules required that all construction be completed before July 1, 1977. Due to lack of adequate federal funding many projects did not meet the 1977 deadline. In fact, some are not completed yet. Since an NPDES permit could not have a schedule that went beyond July 1, 1977 statutory date, a different system for applying a compliance schedule to the permittee had to be developed.

Any permit with an expiration date beyond July 1, 1977, was written with final effluent limits as if the permittee was already in compliance. At the same time the Department negotiated a compliance schedule and an interim set of effluent limits which could be met until construction was complete. The interim effluent limits and compliance schedule were then incorporated in a Stipulated Consent Order which was signed by the Commission and the permittee. This order provided an enforceable compliance schedule and it provided the permittee with some immunity from prosecution as long as they were meeting their interim effluent limits and their compliance schedule. The same process was followed with some industries that were unable to meet EPA deadlines.

Stipulated consent orders were also used for some communities who had failing septic tanks but no sewer system and therefore no permit. It became a mechanism of establishing an enforceable compliance schedule outside of the permitting process. EPA concurred in this procedure.

Since 1977, the Commission has issued 35 stipulated consent orders to municipalities and industries in water pollution control matters. The following is a summary of their status:

Of the 35 consent orders issued, 33 have been to communities for providing or improving sewage treatment plants or treating filter backwash from water treatment plants and 2 were to industries. Of the 33 communities, 25 have completed their facilities or have them under construction so no further action on the stipulated orders will be necessary. They are:

St. Paul	Completed new sewerage system.
Winston	Completed joint system with Green S.D.
Wheeler	Connected to North Tillamook System.
Woodburn	Completed upgrading sewage treatment.
Multnomah County	Residents were ordered to connect to new sewer.
Cave Junction	Completed upgrading sewage treatment.
Corvallis	Completed upgrading sewage treatment.
Boardman	Completed upgrading sewage treatment.
Amity	Completed upgrading sewage treatment.
Jefferson	Completed upgrading sewage treatment.
La Grande	Completed upgrading sewage treatment.
Maupin	Completed upgrading sewage treatment.
Rockaway	Completed upgrading sewage treatment.
Brownsville	Completed upgrading sewage treatment.
Hood River	Completed corrections to sewage treatment.
BCVSA	Completed interceptor from Medford to White City Lagoon.
Dundee	Completed improvements to sewage treatment.
Hammond	Sewers completed with transmission line to Warrenton.
Eugene	Regional facility under construction.
Prairie City	New facility under construction.
Gold Hill	New facility under construction.
Donald	New facility under construction.
Lakeside	Completed settling ponds for filter backwash.
Forest Grove	Old filter plant taken out of service.
Grants Pass	Filter backwash diverted to log pond.

Others requiring no immediate action are:

Salem	A new consent order establishing a program for control of infiltration and bypassing was signed August 3, 1981.
Al Peirce Lumber	Facility has closed indefinitely.
Coos Head Timber	Permit was modified incorporating new schedule so consent order is no longer needed.

Problem and Evaluation Statement

Much has been accomplished through the use of stipulated consent orders. In the past a "ratchet schedule" which tied the planning and construction to the availability of federal grants was an appropriate way to write schedules. Now, with a much reduced availability of federal funds, "ratchet schedules" are no longer generally appropriate.

There are a few projects remaining on ratchet schedules where federal grants will not be available within a reasonable period of time. If problems are to be resolved, those schedules need to be renegotiated with new schedules developed, based upon some program of self-financing to get the required work done.

The remaining 7 stipulated consent orders are in need of some attention, as follows:

Seaside The original Consent Order was issued on September 28, 1977, and later amended September 22, 1978, December 20, 1978, and February 23, 1979. The Order has a ratchet schedule for upgrading their sewage treatment facilities. Construction grants will not be available in the reasonable future. The Commission has recently approved a phased construction schedule for Seaside which will allow them to upgrade their system within the financial abilities of the City without federal grants. Negotiations are underway to revise the permit and the Order to incorporate this new schedule.

Cottage Grove The Order for the City of Cottage Grove contains a ratchet schedule. The City has recently been before the Commission with a new schedule which will phase construction over a longer period of time within the capability of the City to finance it. The consent agreement remains to be changed to incorporate this new schedule.

Cannon Beach Cannon Beach is ready to proceed with a project to be funded with Innovative and Alternative Technology set aside funds. It can be constructed with 1982 funds if they are ever released by Congress because higher priority projects are not ready to proceed. However, there are projects that will be ready for 1983 funds which are higher in priority than Cannon Beach. Therefore, if Congress does not release 1982 funds but waits to release 1983 funds, Cannon Beach will not receive money. Therefore, a new schedule should be negotiated with the City to assure progress using their own financing if federal funds are not available.

Happy Valley Because of recognized failing septic tank-drainfield systems which present hazards to public health and the waters of the state, a stipulated consent order was issued to Happy Valley on June 24, 1977, requiring them to submit a facility plan by November 30, 1977, for correcting the problems by sewerage the area.

A "ratchet schedule" contingent on federal funding was put in the order. A federal grant for developing the facility plan report was awarded to them based on a lump sum engineering contract which agreed to complete the report for \$24,000 (\$18,000 federal, \$6,000 local). Because of a land use density issue which needed to be resolved before completion of the facility plan, the consent order was amended February 17, 1978. The amended order required the final facility plan and a design grant application within six months of the adoption of land use plans necessary for

the implementation of the facility plan. While significant work was done to develop alternatives, progress toward selecting an alternative has been stalled, awaiting resolution of the land use plan issues.

The Land Conservation and Development Commission has recently ordered Happy Valley to resubmit its plan based on specified urban densities. This order provides a basis for completion of the facilities plan. A new schedule for completing the facility plan and constructing facilities needs to be negotiated. Happy Valley is not likely to receive grant assistance for construction in the next several years. Grants for design are no longer available.

Astoria
(Williamsport
Sewers)

There are about 50 homesites near Astoria where septic systems are failing. Astoria was ordered to construct an interceptor line to the area so that the failing systems can be eliminated. The facility plan was to be completed by March 31, 1978, with construction on a ratchet schedule dependent on the availability of federal funds.

The facility plan has been finished but they are not high enough on the priority list to be funded in the near future. A new schedule which is not dependent on federal funds needs to be negotiated.

Newport

The City was issued a stipulated consent order April 4, 1978. A facility plan was due within 9 months of a Step I grant offer. The facility plan has been completed but not yet reviewed. The City is already taking corrective steps on their own to upgrade portions of their system. A new schedule needs to be negotiated with the City.

Coquille

The City was originally to have provided settling ponds for filter backwash water at their water filtration plant by September 1, 1976. Because the City wanted to upgrade their water filtration plant and build settling basins, a new schedule was established in a stipulated consent order. The new schedule provided for constructing a new plant and settling ponds by May 1, 1978. As of this date, settling ponds have not been constructed so the Department must either revise the schedule or take enforcement action, as appropriate. The City claims lack of funds to do the job. There are no grant funds available for water treatment plants.

Summation

1. Because of federal restrictions on putting compliance schedules in permits, stipulated consent orders were used as an enforcement mechanism for compliance schedules.
2. Since 1977, 35 water quality related stipulated consent orders have been issued by the Commission.
3. Most of these orders were for construction of municipal sewerage systems and contained schedules contingent on award of federal grants. This was deemed reasonable at the time based on the level of federal funding authorized by Congress.
4. Of the 35 orders, all have essentially met the requirements except for 7 facilities.
5. Federal grants are no longer available in sufficient amount to assure reasonable progress toward solving water quality problems. Congressional authorizations have been reduced significantly while costs have increased. Thus, the basis for schedules in the sewage works related orders has changed.
6. Revised sewerage programs for Seaside and Cottage Grove have been approved by the Commission. The stipulated consent orders need to be revised to incorporate the new schedules.
7. Coquille is not in compliance with the stipulated consent order regarding their water filtration plant backwash. The Department needs to either renegotiate the schedule or take enforcement action if appropriate.
8. If 1982 funds are not released, a new schedule needs to be negotiated with Cannon Beach for sewerage improvements.
9. New schedules not dependent on federal grants need to be negotiated with Astoria (Williamsport), Happy Valley, and Newport.

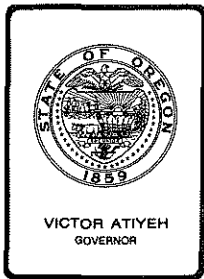
Director's Recommendation

Based on the findings in the Summation, it is recommended that the Commission direct the staff to negotiate new compliance schedules as appropriate, not contingent on federal grants, for Coquille, Cannon Beach Astoria, Happy Valley and Newport, and return to the Commission for their approval at the October meeting.

Bill

William H. Young

Charles K. Ashbaker:l
229-5315
June 25, 1982
WL1724



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 , July 16, 1982, EQC Meeting

Request by the Town of Butte Falls for a Variance from Rules Prohibiting Open-Burning Dumps, OAR 340-61-040(2)

Background and Problem Statement

The town of Butte Falls in rural Jackson County has been operating an open-burning dump under a "temporary" permit issued by the Department in 1972. The Department has not been able to issue a regular permit and/or support a variance request until now because the town did not have legal control of the property. Recently, the property owner (Medford Corporation) agreed to lease the land to the town, and the town applied for a permit and a variance to allow continued open burning. A copy of a letter from Mayor Harold Tejcka is attached. The Commission may grant such variances in accordance with ORS 459.225(3).

Alternatives and Evaluation

Butte Falls has a population of about 400. However, it is estimated that the site also serves about 500 county residents and receives a total of about 3,000 cu. yds. of waste per year. The disposal site is very small (two acres) and would rapidly fill if wastes are not burned. The town has no landfill equipment of its own and must rely upon Medford Corporation to periodically service the site at its convenience. The nearest alternative disposal site is the Dry Creek Landfill, near Medford, approximately 32 miles away.

The environmental impacts of the current operation are not extreme. The site is fairly isolated and burning is limited to about once a week. The Department has not received complaints about smoke or malodors. The primary concerns are the forest fire hazards related to open burning, safety hazards of exposed refuse and some minor effects of drainage on Ginger Creek. The Department's proposed permit can address the drainage problems and require that the site be operated as safely and as orderly as possible.

The staff believes that the obtaining of a lease and issuance of a regular permit are important first steps that will ultimately lead to implementation of some more suitable alternative. The Department has been working with the town, Medford Corporation, Jackson County, and the Forest Service for some time to find an acceptable alternative. Most promising is a small transfer station with transport of wastes to the Dry Creek Landfill. Granting a variance would allow continued operation while the town tries to secure funding for such a project. Because the town has very little money and since county residents and county parks contribute heavily to the site's use, it is expected that the county will play a major role in the planning and implementation of any alternative.

The town did not propose a specific time period for the variance. The staff recommends limiting the variance until July 1, 1985. Because of current economic conditions, it is anticipated that progress may be slow. Also, the Department's resources are limited and this site is considered to be of relatively low priority. Similar variances were granted last month for several Lake County communities until July 1, 1985 and it would be convenient to deal with all of these open-burning cases at one time. As a condition of granting a variance, it is recommended that the town be required to submit progress reports to the Department in July 1983 and July 1984.

Summation

1. The town of Butte Falls operates an open-burning dump in violation of the Department's rules.
2. The site has severe limitations for landfilling and the town has no equipment to operate a landfill. The nearest alternative landfill is approximately 32 miles away.
3. The town has requested a variance to allow continued open burning. The staff recommends such variance be limited to July 1, 1985 to provide reasonable time for compliance during this period of economic recession and to parallel similar variances recently granted to communities in Lake County. It is also recommended that the town be required to report on its progress in July 1983 and July 1984.
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.

EQC Agenda Item No. I
July 16, 1982
Page 3

Director's Recommendation

Based upon the findings in the Summation, it is recommended that the Commission grant a variance from OAR 340-61-040(2), until July 1, 1985 to the town of Butte Falls. Such variance to be conditioned upon the submission of progress reports in July 1983 and July 1984.



William H. Young

Attachment: Letter dated May 28, 1982 from Harold Tejcka

W. H. Dana:b
229-6266
June 23, 1982
SB1080

Town of Butte Falls

ALTITUDE OVER 2400 FEET

In the Land of Pure Water, Pure Air, Sunshine and Health

BUTTE FALLS, OREGON 97532

May 28, 1982

Department of Environmental Quality
201 W. Main Suite 2-D
Medford, Oregon 97501

Re: Requested variance to open burning

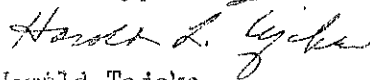
To Whom It May Concern;

The Town of Butte Falls requests a variance to the open burning ruling at our dump site, for the following reasons;

1. The costs of developing a transfer site.
2. The distance from the Dry Creek site.
3. The availability of land in this area.
4. The remoteness of the area.

We feel there are sufficient reasons to request this variance, and would appreciate your consideration and acceptance of the request.

Sincerely,



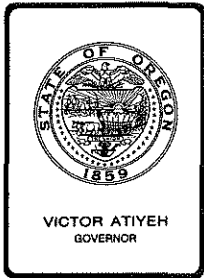
Harold Tejcka
Mayor

Rec/ RT

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

RECEIVED
JUN 01 1982

SOUTHWEST REGION OFFICE



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. 5, July 16, 1982, EQC Meeting

Informational Report: Acceptance of Waste Reduction Programs (Lincoln County - Metro - Yamhill County)

Background

This informational report was initiated by staff to bring the EQC up to date regarding the status of waste reduction programs.

Senate Bill 925 passed by the 1979 Legislature requires local governments to prepare waste reduction programs under certain conditions. Local governments requesting financial or technical assistance from the Department or siting a landfill in the EFU zone are subject to the requirement. Staff initially requested the EQC to adopt guidelines governing preparation of waste reduction programs, and at the Commission's request prepared rules (OAR 340-61-100 to 61-110) which were adopted on September 19, 1980.

To date seven local governments have been required to prepare waste reduction programs (Clatsop, Columbia, Klamath, Lincoln, Tillamook and Yamhill Counties and Metro). In addition, Hood River County is eligible to receive reimbursement of \$18,000 in PCB fund grant money if they complete a program. Two other counties, Marion and Lane, have voluntarily started preparation of waste reduction programs.

During the month of June, the first waste reduction programs were accepted by the Department (Lincoln County, Metro, and Yamhill County - letters attached). All programs were accepted with the following conditions:

- o The government must incorporate the waste reduction plan into its Solid Waste Management Plan, as required by law;
- o A data base must be developed so there is something to measure the plan's implementation against;
- o The actual waste reduction program must be consistent with the plan;
- o Adequate resources must be allocated to carry out the program, and
- o The jurisdictions must submit to the DEQ any major changes in the plan.

Staff has proceeded slowly in accepting waste reduction programs to assure that maximum results will be obtained from them. Most jurisdictions have limited capability to prepare and implement programs, so much of the actual background and preparation has come from technical assistance provided by the Department. Staff resources for waste reduction programs are limited to part of one FTE. Priority for allocation is being given to those local governments where assistance will markedly improve the quality of the resulting waste reduction program. Some plans remain unfinished where progress has little potential for impact on the actual waste reduction program implementation. Some local governments have implemented an effective waste reduction program while the draft plans have waited for revision to make them meet our waste reduction plan/program rules.

The present waste reduction rules were written as guidelines to aid local government in the development of waste reduction plans and to assist the Department in acceptance and reporting on the effectiveness of the programs. The passage of time has provided enough experience for these rules to demonstrate that they are not entirely useful for the intended purposes. It is the staff opinion that the rules could be improved to be more useful to local government in the development of waste reduction plans.

Senate Bill 925 required reporting to each legislature on the use and level of compliance with waste reduction programs. At present there is no requirement for reporting by local governments on the level of activity and success of the programs. This makes it difficult for staff to evaluate compliance level.

It is staff intention to proceed with drafting of rule revisions both for clarification and to require annual reporting.

Director's Recommendation

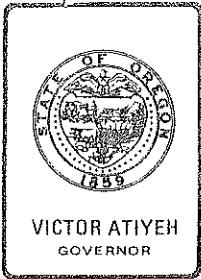
It is recommended that the Commission concur with staff's intention to prepare rule amendments clarifying the rules and requiring annual reporting on accepted waste reduction programs. It is further recommended that the Commission concur in the direction the Department has taken regarding acceptance of waste reduction programs.

Bill

William H. Young

Attachments

Robert L. Brown:b
229-5157
June 22, 1982
SB1076



Department of Environmental Quality

522 SOUTHWEST 5TH AVE. PORTLAND, OREGON

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

June 3, 1982

• Gail Stater
Lincoln County Health Department
Lincoln County Courthouse
225 West Olive St.
Newport, OR 97365

Re: SW - Lincoln County
Waste Reduction Program

Dear Mr. Stater:

We have completed our review of the Lincoln County Waste Reduction Plan. We have also followed the progress of the waste reduction program now operating in the county.

Lincoln County has shown innovation and commitment in the implementation of their waste reduction program. We are very encouraged by the apparent levels of waste reduction in the county. The final program should provide waste reduction options consistent with the level of Lincoln County's solid waste management role.

There is additional background material which could be incorporated into the plan document. There is a need for expansion of this data base. There is also a need to formalize both the waste reduction goals and the necessary levels of involvement of other local governments in the waste reduction program.

Acceptance of the Lincoln County Waste Reduction Plan is hereby granted, subject to the following conditions and recommendations:

1. The county will prepare and submit an update of the waste reduction plan which will include more complete base data on waste reduction efforts.
2. The county will seek agreements with other local governments to incorporate the goals and objectives of the waste reduction plan and program into the other local government's solid waste management activities.
3. The county will consider the institution of diversion credits or fee differential for recycling at any new solid waste disposal facilities established or controlled by the county.

Gail Stater
Page 2
June 3, 1982

4. The waste reduction program to be implemented by the county will be consistent with the plan and will be directed toward attaining the goals of that plan.
5. Adequate resources will be allocated toward implementation of the waste reduction program so as to make it consistent in level and impact with other solid waste management activities of the county.
6. Any significant modifications or revisions of the plan or deviations of the program from the direction of the plan should be submitted to the Department and incorporated into the Solid Waste Management Plan by the Commission. All modifications or revisions of the waste reduction plan should be based on an evaluation of the effectiveness of the present plan and program.

We look forward to working with and assisting Lincoln County in the development of and implementation of their waste reduction program efforts. We are sure that the citizens of the county will support and participate in this program. Both this staff and the public in general continue to have the highest expectations for the success which Lincoln County can accomplish in the area of waste reduction.

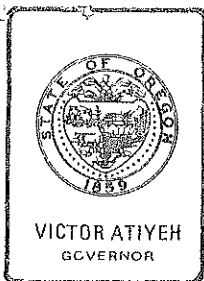
Sincerely,

William H. Young
Director

Original Signed by
William H. Young
JUN 3 1982

RLB:c
SCH75

cc: Northwest Region, DEQ



Department of Environmental Quality

522 SOUTHWEST 5TH AVE. PORTLAND, OREGON

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

June 3, 1982

Rick Gustafson, Executive Officer
Metro
527 SW Hall
Portland, OR 97201

Re: SW - Metro
Waste Reduction Program

Dear Mr. Gustafson:

We have completed review of the Metropolitan Service District Waste Reduction Plan. We have also reviewed the progress of the present waste reduction program as outlined in the documentary materials which you have submitted over the last year.

Metro has the largest solid waste management responsibility of any local government in the State of Oregon. It is apparent that Metro will have not only the first but also the most comprehensive and effective waste reduction program in the state. The waste reduction plan elements and goals which you have chosen are appropriate to that responsibility. They are progressive yet attainable. If the program is implemented with high levels of Council and staff commitment and public involvement, the region's dependence on landfill disposal can be substantially reduced. The magnitude of this plan is appropriate for a regional government with the resources and role which Metro commands.

We understand from your letter of final submittal that: "It should be clearly emphasized that approval and subsequent funding for each specific project or aspect of the waste reduction plan is provided by the Metro Council through its formal decision-making process. Further commitment to each of the waste reduction program goals depends strongly upon future actions of the Council."

As submitted to the Department, the Metropolitan Service District Waste Reduction Plan consists of the document "Waste Reduction Plan" produced by Resource Conservation Consultants and approved by the Metro Council on January 8, 1981, and the supplemental materials referenced in the letter of final submittal of the Plan from Metro to the Department on April 14, 1982. The goals of this Plan, as accepted by the Department, are summarized on the attached sheet, "Metro Waste Reduction Plan Elements and Goals."

Acceptance of the Metro Waste Reduction Plan is hereby granted, subject to the following conditions and recommendations:

1. The waste reduction plan and associated waste reduction program description, including the goals and resource commitments, will, through official action of the Council, be included into the adopted Solid Waste Management Plan for the District.
2. The waste reduction program as described to the Council for adoption into the Solid Waste Management Plan will include both an immediate (next fiscal year) and a long-range strategy and

Rick Gustafson

Page 2

June 3, 1982

budget. Both the immediate and long-range strategies will address each of the elements of the waste reduction plan and indicate specific actions which will be taken to accomplish the waste reduction plan goals.

3. The waste reduction program to be implemented by Metro will be consistent with the plan and will be directed toward attaining the goals of that plan.
4. Adequate resources will be allocated toward implementation of the waste reduction program so as to make it consistent in level and impact with other solid waste management activities of the District.
5. Metro will develop an information base which will determine the starting point for measurement of accomplishment of the goals and objectives set forth in the plan and associated documentation.
6. Any decrease in the level of individual elements or goals outlined in the plan will be compensated by appropriate and equivalent increases in the levels of other elements or goals to maintain the overall effective level of the plan.
7. Any significant modification of the plan or deviation of the program from the direction of the plan must be approved by the Department and incorporated into the Solid Waste Management Plan by the Council.
8. All future modifications or revisions of the waste reduction plan will be based on an evaluation of the effectiveness of the present plan and program. Minor changes in the waste reduction program should be based on evaluation of the effectiveness of the present program and the projected impact of the revisions.

We look forward to working with and assisting Metro in the development of and implementation of their waste reduction program efforts. We are sure that the citizens of the region will support and participate in this program. Both this staff and the public in general continue to have the highest expectations for the success which Metro can accomplish in the area of waste reduction.

Sincerely,

William H. Young
Director

Admiral Stenrod St.
WILLIAM H. YOUNG
JUN 3 1982

HLB:c
SC410

cc: DEQ, Northwest Region

Metro Waste Reduction Plan Elements, Goals, and Policy

1. Plan Elements

Recovery of available recyclables

Management of processing and reclamation of yard debris

Reduction of the remaining waste through resource recovery

Promotion and education related to waste reduction

Legislative support for waste reduction and waste generation control

Incorporation of waste reduction into internal operations

2. Waste Reduction Goal

The Metro waste reduction goal is to decrease solid waste volumes by reducing the amount of solid waste generated and by reclaiming materials instead of disposing of them.

Long-term Goal - Reduce the amount of solid waste disposed by 83%:

- o by assuring the handling, processing and reclamation of all separated yard debris;
- o by reducing the residential and commercial solid waste by 30% through the recovery of all available recyclable materials; and
- o by reducing the remaining residential and commercial processible solid waste by 75% through resource recovery.

Short-term Goal - Reduce the amount of solid waste disposed by 56% (in 1985):

- o by assuring the handling, processing and reclamation of 40% of all reported yard debris;
- o by reducing the residential and commercial solid waste by 2% per year by recovering one-third of all available recyclable materials (approximately doubling the amount of recyclable materials currently being recovered); and
- o by reducing the remaining residential and commercial processible solid waste by 66% through resource recovery.

3. Waste Reduction Policy Statement

The Metro waste reduction policy includes seven elements:

- a. Waste generators possess the primary responsibility for waste reduction.

- b. The resources of private industry and local governments should be utilized to reduce waste volumes.
- c. The use of incentives for waste reduction is preferred over the use of regulations; if incentives are ineffective in reducing waste volumes, mandatory measures should be adopted.
- d. The full costs of disposal should be the basis for disposal rates; the basis for incentives for waste reduction should be reduced landfill dependence and a positive economic impact.
- e. The reduction in the amount of solid waste generated is the highest and best use of resources over other solid waste management options.
- f. Waste recycling and reuse is the best use of solid wastes over the mechanical processing or landfilling of wastes.
- g. The mechanical processing of solid waste for the recovery of energy and materials is a better use than disposal.

4. Base Information

Tons of residential and commercial solid waste discarded in the region each year 300,000.

Tons of potential residential and commercial solid waste presently recycled each year 80,000 to 120,000.

Tons of recyclable material still disposed of as solid waste each year 240,000.

Cubic yards of yard debris generated in the region each year 676,066.

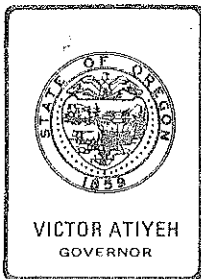
Cubic yards of yard debris burned in back yards 84,784, disposed of at landfills 292,346, and total burned and landfilled in the region each year 377,130.

Cubic yards of yard debris presently recovered and processed in the region each year 32,500.

Tons of solid waste available for energy recovery before recycling for waste reduction 500,000.

Tons of solid waste available for energy recovery after recycling for waste reduction 560,000.

Tons of industrial and demolition waste material available for energy recovery _____.



Department of Environmental Quality

522 SOUTHWEST 5TH AVE. PORTLAND, OREGON

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

June 11, 1982

• Daryl S. Garrettson
Yamhill County Council
Courthouse
McMinnville, OR 97128

Re: SW - Yamhill County
Waste Reduction Program

Dear Mr. Garrettson:

We have completed our review of the Yamhill County Waste Reduction Plan. We have also followed the progress of the waste reduction program now operating in the county.

Yamhill County has shown initiative in the implementation of their waste reduction program. We are happy to hear about the waste reduction activities the county is encouraging. These activities form a starting point for a final program of waste reduction options consistent with the level of Yamhill County's solid waste management role.

There is clearly a need for additional background material to be incorporated into the plan. This includes a need for expansion of the data base. There is also a need to clarify both the waste reduction goals and the necessary levels of involvement of other local governments and private organizations in the waste reduction program. One specific question is "Are the short-term goals of Yamhill Valley Recycler made into official county goals by the incorporation of the 'First Year Summary and Second Year Proposal' into the waste reduction plan?"

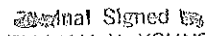
Acceptance of the Yamhill County Waste Reduction Plan is hereby granted, subject to the following conditions and recommendations:

1. The county will prepare and submit an update of the waste reduction plan which will include more complete base data on waste reduction efforts.
2. The county will develop quantifiable waste reduction goals for inclusion into the waste reduction plan.
3. The waste reduction plan and associated waste reduction program description, including the goals and resource commitments, will, through Commission action, be included into the adopted county Solid Waste Management Plan.

4. The county will seek agreements with other local governments to incorporate the goals and objectives of the waste reduction plan and program into the other local government's solid waste management activities.
5. The county will clarify the relationship of the elements of the present waste reduction program to the adopted waste reduction plan.
6. The county will provide a description and tabulation of the results of public hearings and meetings and written comments from the public on the waste reduction plan.
7. The waste reduction program to be implemented by the county will be consistent with the plan and will be directed toward attaining the goals of that plan.
8. Adequate resources will be allocated toward implementation of the waste reduction program so as to make it consistent in level and impact with other solid waste management activities of the county.
9. Any significant modifications or revisions of the plan or deviations of the program from the direction of the plan should be submitted to the Department and incorporated into the solid waste management plan by the Commission. All modifications or revisions of the waste reduction plan should be based on an evaluation of the effectiveness of the present plan and program.

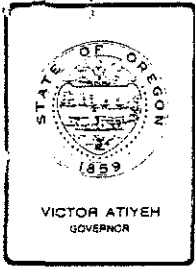
We look forward to working with and assisting Yamhill County in the development of and implementation of their waste reduction program efforts. We are sure that the citizens of the county will support and participate in this program. Both this staff and the public in general continue to have the highest expectations for the success which Yamhill County can accomplish in the area of waste reduction.

Sincerely,


WILLIAM H. YOUNG

JUN 11 1982

William H. Young
Director



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, July 16, 1982, EQC Meeting

Request for the Commission to (1) Adopt Revisions to Administrative Rules 340-53-005 through 53-035, Development and Management of the Statewide Sewerage Works Construction Grant Priority List; and (2) Approve the FY83 Construction Grant Priority List Developed in Accordance with the Aforementioned Rules

Background

At its April 16, 1982 meeting, the EQC authorized a public hearing on proposed revisions to the administrative rules for development and management of the statewide priority list. The DEQ proposed to incorporate changes and management options available to the state as a result of the Construction Grant Amendments of 1981. A proposed priority list to distribute FY83 federal construction grant funds which may be appropriated was produced according to the methodology established by the rules and was also the subject of the June 3 public hearing.

The past several months of construction grant activity by Congress and EPA have complicated the task of producing these revisions. As of this date, Congress and the President have failed to appropriate new funds for FY82, with the result that only a few projects are expected to be funded from the small amount of funds carried forward from prior year allocations. All carryover funds will terminate on September 30, 1982. Therefore most projects that appeared on the FY82 priority list are relisted on the proposed FY83 list.

New and reworked federal regulations were set to be promulgated throughout spring and summer. Only a few of these regulations were actually promulgated and many of those were published as interim final. The remainder are proposed rules and subject to comment. Development of new EPA guidance to assist in developing state priority criteria for use in FY83 was set for late summer and therefore was clearly not timely.

EPA now plans to develop priority list guidance for use in FY84. Other areas of EPA national policy and guidance interpreting new or modified program regulations have also lagged behind the timetable that would be most useful for state decision-making. As a result, staff of DEQ recently solicited detailed input from staff of Region X EPA regarding the proposed FY83 priority system and have agreed to several minor changes in wording of certain proposed rules.

In accordance with the EQC's authorization for a public hearing, the Department filed a Notice of Proposed Rulemaking with the Secretary of State and sent a public hearing notification to interested parties on April 28, 1982. A June 3, 1982 public hearing was held in Portland at the DEQ's 14th floor Conference Room. About 40 people attended the hearing. Oral or written testimony was presented for the record from twenty-six respondents. A copy of the Hearing Officer's report and the list of respondents is appended as Attachments A and B of this report.

Evaluation and Discussion

Generally, few controversial issues were raised during the public participation process despite the significant number of changes in the program resulting from the Construction Grant Amendments of 1981 and the absence of current federal appropriations for FY82.

As initially stated, the tentative proposals to modify the state management system and priority list were intended to remain sufficiently flexible so that new federal regulations, policy and interpretation could be accommodated during the public participation. In several areas, minor changes in the tentative framework were made to keep stride with federal developments.

A brief overview of the adjustments to the management system and priority list is provided below.

1. Federal law now eliminates new Step 1 and 2 grants and instead provides for an allowance for planning and design costs requested as part of a Step 3 grant. For a limited number of small communities, the allowance can be advanced from funds for that purpose which are awarded to the state as grantee.

A new administrative procedure is needed for eligible Step 1 and 2 applicants to apply to the state. The DEQ proposed that the number of applicants be limited to (1) small communities of 25,000 population or less, (2) have a financial need for an advance, and (3) expect to receive Step 3 assistance within two funding years. No comments were received regarding the limitations although several respondents requested clarification. They inquired whether the 25,000 population limitation applies to a service district's population, what detailed procedures would be developed and how the reserve itself would be set up and administered.

These clarifications were made and incorporated into OAR 340-53-005(8) and (25), 340-53-025(2) and (8).

Detailed application procedures will be developed after EPA administration policy is clear and an appropriation of funds is available.

2. Proposed federal regulations no longer require a specific procedure to bypass projects on the priority list if they are ready to proceed.

The EQC's bypass rule was proposed to be modified so that projects which are not ready to proceed near the end of the current funding year may be bypassed more quickly and obligations made to projects that are ready. The modification is prompted because of the risk of loss of funds which may expire at the end of a fiscal year.

Two respondents recognized the need for increased speed or flexibility in the bypass process but questioned whether the notification to the prospective grantee and procedures would be sacrificed. Still a valid part of the procedure is that written bypass notification is made to the grantee 20 days in advance of the event. The bypass candidate may inform the Director of his readiness to proceed or reschedule the project for another funding year. Only the obligation of the Director to schedule a hearing before the EQC to discuss the proposed bypass is deleted.

3. Proposed federal regulations and policy discourage the practice of phasing and/or segmenting new treatment works so that construction is funded over a multi-year period; however, phasing and segmenting is allowed when the federal share of the treatment works would require a disproportionate share of the state's annual allotment relative to other needs or when the construction period would cover three years or more. Importantly, state priority lists are required to consider water quality impairment and/or public health benefits in distributing funds. With insufficient federal funds available to meet the required objectives, progress toward the completion of remaining phases or segments of treatment systems initiated by the grants program will be slow.

Several respondents requested that funding or priority be accorded the unfunded segments or phases of projects that were originally planned, or have subsequently been recognized as being needed, to accompany a previously funded segment. However, the present criteria system and priority list are rated according to the primary objectives of water quality impairment and/or public health benefits. Certain lower priority segments are not given special status because of their relationship to previously funded work. Consequently, the scheduling of funds for such projects may require local effort.

Federal assistance, at the funding levels authorized by Congress, cannot realistically accomplish high priority water quality and public health benefits and also facilitate the scheduled completion of segments that do not, on their own merits, meet those objectives.

4. Federal law requires that from \$100,000 to 1 percent of the state's allotment be reserved for water quality management planning, with the state as the lead applicant for the funds. Activities by areawide planning agencies are authorized under this provision.

Since the regulations identifying the major output of these reserved funds have still not been proposed by EPA, it is recommended that the

rule provision duplicate the federal requirement and enable the Director, at a later date, to establish the exact amount of the reserve. It should be recognized that the minimum reserve amount should be set aside if at all possible, since the amount of the reserve reduces commensurately the general allotment used to provide construction funds to projects high on the priority list.

Summation

1. The EQC authorized a public hearing on proposed revisions to the administrative rules for development and management of the state priority list and the draft FY83 priority list. The hearing was held at 10 a.m. on June 3, 1982, at the DEQ offices in Portland.
2. Federal EPA rulemaking regarding construction grants and statutory changes to the program are underway but not complete. Appropriations for FY82 are not yet made.
3. Few controversial issues were raised during the public involvement process. Changes to the original staff proposal are now identified in the areas of (1) administration of projects for planning and design and (b) reserve accounts for water quality management planning. No modifications or testimony addressed adjustments in priority criteria. Federal policy regarding phasing and segmenting of projects is still unclear but does not appear to affect the EQC's present administrative structure.

Director's Recommendation

Based on the Summation, the Director recommends that the Commission adopt the administrative rules regarding the development and management of the statewide priority list, OAR 340-53-005 through 035 as revised, and the FY83 Construction Grants Priority List.


William H. Young

Attachments: 8

- A. Hearing Officer's Report
- B. Record of Written Testimony
- C. Summary, Evaluation and Response to Oral and Written Testimony
- D. Technical Corrections to the FY83 Priority List
- E. OAR 340-53-005, as Revised
- F. Statement of Need for Rulemaking
- G. FY83 Priority Points Calculation List, as Revised
- H. FY83 Construction Grants FY83 Priority List, as Revised

B. J. Smith:1
WL1734
229-5415
June 25, 1982



Environmental Quality Commission

Mailing Address: BOX 1760, PORTLAND, OR 97207

522 SOUTHWEST 5th AVENUE, PORTLAND, OR 97204 PHONE (503) 229-5696

ATTACHMENT A

MEMORANDUM

To: Environmental Quality Commission

From: B. J. Smith, Hearing Officer

Subject: Public Hearing on (1) Modifications Proposed to Administrative Rules 340-53-005 through 035 for the Development and Management of the Statewide Sewerage Works Construction Grants Priority List and (2) the Draft FY1983 Construction Grants Priority List.

Pursuant to notice published in the Secretary of State's Bulletin and mailed to all known interested parties, a public hearing on the referenced subjects was held at the office of the Department of Environmental Quality in Portland, beginning at 10:15 a.m. on June 3, 1982. Attendees were advised of the following:

- (1) On April 28, 1982, the DEQ distributed the materials and documents on which testimony is requested.
- (2) On December 29, 1981, the Municipal Construction Grants Amendments substantially changed many of the provisions of the grants program. A part of the revisions on which testimony is sought reflects those changes in federal law. Although EPA's final rulemaking to implement portions of the new law is still incomplete, it appears appropriate at this time to develop the general state administrative framework for managing the FY83 program at this time.
- (3) Congress has not completed its consideration of the FY1982 Emergency Supplemental Appropriations Bill. The Conference Committee is scheduled to meet on June 9. It appears that the earliest we would have FY1982 funds available would be August.
- (4) The subject of this hearing is the proposed FY83 Priority List which would become effective October 1, 1982. The FY82 Priority List which was adopted by the EQC will govern DEQ grant actions until the conclusion of this federal fiscal year, to the extent that there are carryover funds from prior years that may be obligated. We expect that three and portions of a fourth project on the FY82 priority list will be funded this year,

despite the lack of an FY82 appropriation. These are Albany (Draperville), Sheridan Health Hazard, Medford Lone-Pine Foothills, and a portion of Silverton. These projects would be eliminated on the FY83 Priority List after they are funded.

- (5) The hearing record will close at 5 p.m., June 3, 1982.
- (6) The priority system and the list is scheduled for action by the EQC at their July 16, 1982 meeting.

The following summarizes the public testimony received:

1. William Sobolewski, U.S. EPA, Oregon Operations Office

Mr. Sobolewski expressed appreciation for the timely preparation and submittal of the draft FY83 priority criteria, management system, and list. He presented EPA comments as prepared in a May 27, 1982 letter from Chris Noah-Nichols of EPA, Region X, Seattle.

Regarding the priority system, Ms. Noah-Nichols requested that (1) OAR 340-53-020(4) be revised to clarify the effect of the 55 percent federal percentage share of eligible project costs which becomes mandatory beginning in FY85. Only projects that qualify for a "grandfather" exception are continued at the original 75 percent funding level during FY85 and beyond; (2) if needed, a provision be added to raise the increase reserve established in OAR 340-53-025(1) from 10 percent of the annual allotment and also clarify how Oregon has handled higher demands for increases in prior years; (3) text changes to OAR 340-53-025(2) be made to clarify that the reserve for Step 1 and 2 advances is not for direct grants to communities and an explanation be given for "current funding year and one funding year thereafter," which is one of the limitations proposed to define who is eligible for the advance reserve; (4) a definition of small communities eligible for the Step 1 and 2 advance reserve be included; (5) at the EQC's option, a provision to raise the amount of funds set aside for the water quality management planning reserve [OAR 340-53-025(5)] without need for a public hearing may be included, and (6) a further clarification on the procedures and notice be given for project bypasses near the end of the fiscal year. She also noted that the proposed rule which enables the EQC to remove funds from the Step 1 and 2 advance reserve, once they are assigned to the reserve, is not valid according to EPA's interpretation of 40 CFR 35.2505(b)(1).

Regarding the draft FY83 priority list, Ms. Noah-Nichols inquired whether (1) the Step 3 and 2 + 3 grant amounts include the estimated Step 1 and 2 allowances and (2) more than 20 percent of the planned awards in FY85 and beyond were for categories of projects which become ineligible for federal grant after that date. (Up to 20 percent of the state's allotment may continue to be used for such otherwise ineligible projects.)

Mr. Sobolewski also noted a recent EPA memorandum on grant assistance for interceptor reserve capacity and asked that the DEQ review all interceptor projects shown on the FY82 and FY83 priority list to ensure that these determinations do not delay projects when funds are available. The limitation on grant assistance for an interceptor is 20 year capacity unless a Step 3 grant was received before December 29, 1981, in which case the eligible capacity is 40 years for remaining segments. However, after September 30, 1984, no grants will provide for reserve capacity but only for existing needs as determined on the date of approval of the Step 3 grant, and in no case greater than existing needs on October 1, 1990.

2. Phillip Young, Mayor, City of Bend

Mr. Young supported the Department's No. 2 ranking for the City of Bend project on the priority list.

He indicated that the City had proceeded in a timely and diligent manner to construct a regional system including a 6 MGD treatment plant and two effluent containment ponds. The City is now proposing to construct a third containment pond which they feel is needed to have a complete 6 MGD system. A current summary of monitoring of seepage and evaporation rates of the two existing ponds was provided in order to justify construction of the third pond.

In closing he stated that the area has a good sense of community. To reduce the priority or otherwise fail to fund the final effluent disposal could "tarnish some of what a lot of people have worked hard to do." Mr. Young asked for the continued support of the Department and also provided a letter of support from Sam Johnson, Mayor, City of Redmond.

3. Amanda Marker, Junction City, Oregon

Ms. Marker indicated concern that MWMC's proposed off-site sludge project would have an adverse impact on local wells (10,000 people within a 2 mile radius on wells). She indicated that laws requiring containment of pollutants should be enforced.

Ms. Marker indicated a desire that (1) an agreement be signed by MWMC assuming liability for adverse impacts; (2) MWMC not receive a grant for sludge until the property is owned by MWMC; and (3) that DEQ and EPA ensure that no one is harmed by the project. Ms. Marker had no objections to the remainder of the MWMC project which would include on-site sludge. She felt that on-site disposal systems for the River Road/Santa Clara area are cost-effective.

4. Melva Barnes, Eugene, Oregon

Ms. Barnes was concerned that federal grant funds not be used for a project that might contaminate water supplies for Junction City and others.

She also pointed out that some of land purchased at the plant site is to be used for bike paths and greenways and that MWMC does not have fee simple title to all of the treatment plant site. Ms. Barnes was concerned that with removal of about \$30 million dollars from the MWMC project, it would not be able to meet 10/10 standards and wanted to know if odor control was still in the project. She indicated that sludge ponds should be completely sealed. Ms. Barnes was concerned that AGRIPAC might move in the near future and that the MWMC's seasonal waste disposal site might then be used for disposal of other effluent. She concluded that federal funds should not be used to clean up the river if it results in contamination of other people's water supply.

5. Robert Thomas, Attorney for Crescent Sanitary District

Mr. Thomas urged an increase in the Letter Class and Stream Segment ranking for the Crescent Sanitary District and felt that the low ranking was based on lack of information. He indicated that the District has established a tax base and hired an engineer. The District plans to fund planning and design but would like consideration for a Step 1 and 2 advance or allowance.

Mr. Thomas introduced correspondence from Vern Howard of Robert E. Meyers, Consultants, to indicate septic tank denials and surface water contamination, and high groundwater in the area. A groundwater monitoring program is underway but may require another year to complete. Mr. Thomas urges the Department to review the information and to consider an increase in priority ranking.

6. Richard Miller, Bear Creek Valley Sanitary Authority

Mr. Miller requested a clarification of the population limitation on a "small community" eligible for an advance of allowance for Step 1 or 2 as it relates to a special service district and asked how grant application procedures would be modified now that Step 1 and Step 2 are not grant assisted.

Mr. Miller requested an increase of 40 points for Regulatory Emphasis for the BCVSA Whetstone Interceptor project, based on a 1978 BCVSA Resolution which prevents sewage collection and treatment services being supplied to the Whetstone area through the White City system.

Documentation was also introduced to justify a change in priority assessment for the North Ashland Interchange project. The basis for the request is that (1) project letter class is A because water quality standards are repeatedly violated in the area and a hazard to public health was officially declared by the Jackson County Board of Commissioners and health officer; (2) the regulatory emphasis points should reflect the immediate correction of a public health hazard; and (3) the stream segment is a segment of Bear Creek.

7. William V. Pye, Manager, Metropolitan Wastewater Management Commission

Mr. Pye stated that he was in general agreement with the draft list and criteria. He did state, however, that he continues to disagree with the state's operational dependency criteria, particularly as it relates to Phase 2 of the sludge program.

Mr. Pye presented written testimony from G. David Jewett, Attorney for the MWMC. Mr. Jewett stated that the Department's commitment to fund Phase 1 of the sludge program represents a recognition that at least part of the sludge program is integral to the ability of the MWMC project to operate. Mr. Pye and Mr. Jewett also referred to federal regulations which encourage states to give priority to completion of phased/segmented projects under way. It was recommended that Phase 2 of the sludge program be found operationally dependent with the treatment plant and scheduled for 1985, the earliest that MWMC could start construction.

Mr. Pye and Mr. Jewett also recommended that, if the EQC modifies the bypass rule so that bypass may be exercised without an opportunity for hearing in some cases, then the project should not be removed from the priority list. This would be consistent with past federal rule and policy which required that a bypassed project retain its relative priority position with respect to future year's funding.

8. Dennis Stefani, City of Portland

Mr. Stefani provided testimony from John M. Lang, Public Works Administrator. Mr. Stefani and Mr. Lang stated that the City's Southeast Relief Sewer, two phases of which are number 65 on the draft FY83 priority list, was initially funded in 1977. A second phase was later funded, bringing the total investment to \$10 million. The remaining two phases, estimated at \$11.5 million, will bring the two initial phases together. Until the latter phases are complete, only part of the system is completely usable and the other part can be used at a small fraction of its capacity. The purpose of the Relief Sewer is to eliminate periodic dry weather overflows to the Willamette River.

The planning and design for the entire project was completed as a total package; the phasing decision was made later only to facilitate construction and cash flow.

9. Dave Abraham, Clackamas County, Tri-City Service District

Mr. Abraham stated that he supported the priority rank assigned to the Tri-City project, except for the timing and phasing of the Willamette plant and the Kellogg Digester facility.

Mr. Abraham requested that the Tri-City Service District Pump Station and West Linn Force Main, needed to connect the West Linn Willamette Sewage Treatment Plant to the proposed Tri-City S.D. plant, be given a Project Letter Class B instead of C. Based on historical plant records and bypass occurrences, Mr. Abraham presented evidence to demonstrate that repeated violations of water quality standards and impairment of beneficial uses of the Willamette River would result if the Willamette plant continues in operation. Violations of NPDES effluent treatment criteria and permitted flows have resulted both from plant operations, from normal operation and maintenance procedures because there are no redundant treatment units, and from equipment failure, which is expected to increase due to the aged condition of the facility.

Mr. Abraham also stated that reduced operational efficiencies may occur at the Tri-City S.D. plant if the Willamette plant is not initially connected. He noted the proximity of four public parks and recreational areas within 3.7 miles of the Willamette plant which may be affected by inadequately treated discharges.

Mr. Abraham requested that the Kellogg Creek Digester project for Clackamas County Service District 1 be considered operationally dependent with the Tri-City S.D. treatment plant. He presented evidence that there are violations in effluent standards caused by a lack of sludge treatment facilities and that there is a potential for more frequent violations if volatile sludge hauling is continued. The history of the digester project indicated that the consideration of a regional sludge treatment facility resulted in the fact that only a holding pond was constructed with the Kellogg Creek plant. Since 1974, volatile sludge has been hauled for treatment to the Portland Columbia Boulevard plant or the USA Durham plant.

In April, 1982, a mechanical failure prevented truck hauling and resulted in permit violations for several days. The present volume of sludge hauling increases the risk of truck breakdown. Limitations or closure of either of the receiving plants to the Kellogg sludge disposal program would also cause severe environmental risk. The interim solution should be replaced by cost-effective digester construction. This is the only facility in Oregon that has no means of sludge stabilization available and the digesters are an operationally dependent unit.

10. Ronald Burke, Chairman S. W. Lincoln County Sanitary District

Mr. Burke stated that the S. W. Lincoln Sanitary District is "alive and well" and that an LID is being established in the southern half (San Marine) of the district. He noted that the majority of the people are in favor of solving the area's sewage problems and urged that the target certification date be moved up.

11. Paul Ramsey, President, Avion Water Company of Bend

Mr. Ramsey expressed concern about Bend's effluent disposal system because of his customers who derive water from wells in the area. He proposed that the City of Bend meter its water customers and referenced national statistics that indicate that in-house water consumption can be reduced by 50% by such monitoring. Mr. Ramsey concludes that such reduced consumption would reduce effluent flows from 6 MGD to 3 MGD, which is within the capacity of the existing disposal ponds. He further stated that such a reduction would also result in reduced pumping cost, greater water conservation and less effluent discharged to the groundwater. He added that it is a "gross error and a gross waste and a gross danger to the underground water supply" to forget about conservation and to double the risk by doubling the amount of effluent.

12. Charles Boardman, Bend

Mr. Boardman discussed irrigation practices in Central Oregon. He contended that the output of the new Bend treatment plant could be applied to the arid land around the plant and would disappear. He concluded that Bend didn't have a problem.

13. Diane Penoli, Area Representative, Klamath Falls

Ms. Penoli presented a background overview of the Klamath Falls (Stewart-Lennox) health hazard area project which included a 1976 finding that 36 percent of the area had failing subsurface disposal systems and the potential for water supply contamination. Information on the estimated sewer assessments, with and without federal grant participation, were given to establish the financial hardship on the Stewart-Lennox residents.

Ms. Penoli also introduced written testimony from George Flitcraft, Mayor of Klamath Falls, which outlined project construction details and the proposed assessments. Without EPA funds these will approach 100 percent or more of the assessed value of many properties. Supportive statements from State Senator Fred Heard, State Representative Robert B. Kennedy and the Klamath County Board of Commissioners, Mrs. Nell Kuonen, Floyd L. Wynne and Alvin A. Cheyne, were also presented.

14. Emily Schue, Chairman, Lane Council of Governments

Ms. Schue stated that the Board of Directors strongly urges that the EQC set aside one percent (\$276,000, instead of \$100,000, as proposed) of the construction grants funds for water quality management planning required under Section 205(j) of the Clean Water Act.

15. Robert Wiegand, City Engineer, Eagle Point

Mr. Wiegand stated that:

- (1) The very large construction projects should be limited to 5 percent of the total state allocation in a given fiscal year in order to fund more projects;
- (2) a certain amount of funds should be set aside for small cities of less than 3,000 population;
- (3) construction grant funds should not be used to pay for elimination of combined sewer overflows;
- (4) only existing point source projects should be funded;
- (5) the level of effluent treatment should be reduced from 10/10 or 20/20 to 30/30, BOD-5, and SS;
- (6) only 5 to 10 years growth capacity should be funded;
- (7) projects should be kept to the cost-effective minimum and "gold-plating" eliminated;
- (8) cities where DEQ has placed a moratorium should be placed first on the priority list; and
- (9) the proportion of grant funds should be 2 percent for Step 1, 8 percent for Step 2 and 90 percent for Step 3.

16. Patrick Curran, HGE, Inc.

Mr. Curran felt that the grants to a single applicant within a single funding year should be limited to 10 percent of the state allotment. This would reach a larger number of projects by utilizing phasing or segmenting of large projects over several funding years.

17. Harold Larkin, Mayor, Monroe

The priority for the Monroe project should be raised since the City was ordered by the State Health Division to provide service to eliminate a health hazard.

18. Chip Ullstad, Drainage & Sewerage Systems Engineer, Corvallis

The EQC is urged to give the highest priority to funding projects which serve health hazard areas, especially because of the considerable direct financial burden placed on property owners in these areas.

The City expressed its strong commitment to providing service to the Southwest Annexation area.

19. Sandra Diedrich, Director, Coos-Curry Council of Governments

The Council of Governments commented that the DEQ should address the following questions because they help to describe the impact of the priority list should FY82 and/or FY83 monies actually reach the state:

- a. Did the new policies the EQC was considering last fall affect the FY83 priority list? If so, how?
- b. Why isn't the Charleston Sanitary District on the list?
- c. When dollars are available, are all Class A projects funded first; then Class B, etc? In other words, are the projects in order on the list?
- d. How far down the list would FY82 funds last, if they came through?
- e. How far would anticipated FY83 funds last?

20. Ronald Merry, Public Works Director, Salem

The City expressed its concern that in light of three complete construction grants applications in the last 3 years, it was not included on the priority list as potentially eligible for a grant. The City recognizes it is no longer eligible for a Step 1 grant and is doing planning with local funds. They request priority list ranking for a Step 3 for sewer rehabilitation.

21. Stephen Downs, Westech Engineering, Inc.

Mr. Downs requested that a lagoon expansion project for the City of Warrenton be added to the priority list. The City lagoon receives flows from the recently constructed Hammond/Ft. Stevens interceptors and as a result, may be expected to minimally meet EPA secondary treatment standards after receiving the increased effluent loading this winter. Mr. Downs proposes that the Warrenton lagoon be considered an operationally dependent segment of the Hammond/Ft. Stevens system and be given a priority ranking comparable to that previously given the Town of Hammond. Mr. Downs also notes a 1978 letter from EPA which stated that the lagoon expansion is a "necessary and integral part" of the project and that grant funds should be available for the project since the Hammond project had an established high funding priority.

22. Shirley McLaughlin, Chairman, North Umpqua Sanitary District

Mr. McLaughlin provided an update on the revisions of the 1977 Roseburg Urban Area facilities plan. The plan now includes a financing plan and recommends the rehabilitation and expansion of the City's treatment plant, converting it into a regional plant at an estimated cost of \$13.1 million. A new sanitary authority is the recommended implementation agency and is expected to be considered by the public in a March 1983 election. Construction is expected to commence in 1984, with an operational facility complete in 1986.

23. Lois Wikstrand, Chairwoman, Water and Sewer Committee for the City of Stanfield

The City requested that its priority ranking be improved and notes the deteriorating condition of the present facilities and its future growth needs.

24. Frank G. Harding, Chairman, Carmel-Foulweather Sanitary District

Mr. Harding updated the status of the District's evaluation of purchasing the treatment facility at the Inn at Otter Crest. They are now gathering information on financing the construction or purchase of the most suitable facilities. He requested an improvement in the priority ranking of the project.

Respectfully Submitted,

B.J. Smith
Hearing Officer

BJS:1
WL1730
6/24/82

ATTACHMENT B

RECORD OF WRITTEN TESTIMONY

1. Letter of 4/30/82 from Chip Ullstad, Drainage and Sewerage Systems Engineer, City of Corvallis
2. letter of 5/5/82 from Pat Curran, HGE, Inc.
3. Letter of 5/7/82 from Harold Larkin, Mayor, City of Monroe
4. Letter of 5/12/82 from Robert Wiegand, City Engineer, City of Eagle Point
5. Letter of 5/19/82 from Ronald J. Merry, Director of Public Works, City of Salem
6. Letter of 5/25/82 from Sandra Diedrich, Coos-Curry Council of Governments
7. Letter of May 26, 1982, from Shirley McLaughlin, Chairman, North Umpqua Sanitary District
8. Letter of 5/27/82 from Chris Noah-Nichols, US EPA, Region X, Seattle.
9. Letter of 5/28/82 from Emily Schue, Lane Council of Governments Board of Directors
10. Letter of 5/28/82 from Melva Barnes, Private Citizen, Lane County
11. Letter of June 1, 1982, from Vern Howard, Engineering Technician, Robert E. Meyer Consultants
12. Letter of June 1, 1982, from G. David Jewett of Wiswall, Sveboda, Thorp and Dennett, representing the Metropolitan Wastewater Management Commission
13. Letter of June 2, 1982, from Stephen Downs, Director of Environmental Engineering, Westech Engineering Inc.
14. Letter of June 2, 1982, from Sam Johnson, Mayor, City of Redmond
15. Written testimony on June 3, 1982, from Bill Sobolewski, US EPA - Oregon Operations Office, Portland
16. Written testimony on June 3, 1982, from Phillip Young, Mayor, City of Bend
17. Written testimony on June 3, 1982, from Amanda Marker, Private Citizen, Lane County
18. Written testimony on June 3, 1982, from John M. Lang, Public Works Administrator, City of Portland

19. Written testimony on June 3, 1982, from Melva Barnes, Private Citizen, Lane County
20. Letter of June 3, 1982, from Diane Penoli, Area Representative and Private Citizen, Stewart-Lennox area, Klamath County.
21. Letter of June 3, 1982, from George Flitcraft, Mayor, City of Klamath Falls
22. Two letters of June 3, 1982, from David J. Abraham, Utilities Director, Clackamas County
23. Letter of June 3, 1982, from Lois Wikstrand, Chairwoman, Water and Sewer Committee, City of Stanfield
24. Letter of June 4, 1982, from Richard O. Miller, General Manager, Bear Creek Valley Sanitary Authority.
25. Letter of June 11, 1982, from Ronald J. Merry, Director of Public Works, City of Salem
26. Letter of June 14, 1982, from Frank G. Harding, Chairman, Carmel-Foulweather Sanitary District.

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6/24/82

ATTACHMENT C

SUMMARY, EVALUATION AND RESPONSE TO ORAL AND WRITTEN TESTIMONY

The following three sections present summaries and responses to relevant public hearing testimony on the proposed revisions to the system for development and management of the priority list and on the draft FY83 priority list. A summary of the June 3, 1982 public hearing testimony and the record of testimony appear as Attachments A and B, respectively. Copies of the actual written testimony are available upon request.

The summaries and responses to the testimony are organized as follows:

- (1) Testimony Related to Rules Governing the Development and Management of the Priority System and List;
 - (2) Testimony Related to the Individual Project and Segment Classification and Ranking on the Draft FY83 Priority List;
 - (3) Testimony Related to General EQC or EPA Policy on Priority List Management.
1. Testimony Related to Rules Governing the Development and Management of the Priority System and List

- a. Ms. Chris Noah-Nichol and Mr. William Sobolewski of the U.S. Environmental Protection Agency, suggested textual modifications and clarifications to the proposed rules. (A detailed summary is provided in the Hearing Officer's report.)

Response

- (1) The definition of "small community" eligible for an advance of allowance under OAR 340-53-025(2) is given in the Definition section of proposed rules as 340-53-010(25).
- (2) The explanation for "current funding year" and one funding year thereafter, used as a limitation on projects considered for an advance of allowance under OAR 340-53-025(2) is found in the Definition section of the proposed rules under 340-53-010(23). In the event of FY82 appropriations, this rule change will have immediate effect so that the reserve amount will be based on potential FY82 and FY83 applications. Clarifying language has been added to OAR 340-53-025(9).
- (3) A 10 percent grant increase reserve from the state's allotment is expected to be sufficient to meet projected needs. Should additional increase needs be identified, it is Oregon's practice to fund them subject to the recovery of any prior

year funds resulting from project completions. In this manner, the general allotment set aside is protected from unexpected later reductions because of cost overruns on funded projects. Any prior year recovered funds in excess of grant increase needs are considered part of the general allotment.

- (4) A clarification is added to 340-53-010(8) to state that an advance of allowance is not a grant to a municipality. No change is made in 340-53-025(2) which simply enumerates the reserves funds.
- (5) The upper limit on funding for the water quality management planning reserve is now established at 1 percent of the state's allotment. The EQC may determine the set aside annually at an amount not greater than 1 percent of the allotment nor less than \$100,000. Rule 340-53-025(5) is changed accordingly.
- (6) OAR 340-53-025(8) is substantially rewritten so that funds, once designated for the reserve for Step 1 and 2 grant advances, are not transferred to another fund. However, excess funds recovered through the grant deobligation process may be transferred for the enumerated purposes.
- (7) OAR 340-53-020(4) is modified to state that new projects will be funded at 55 percent grant participation in FY85.

The Commission may, prior to FY85, reduce the percentage share of grant on a basis allowed by federal law or regulation. Statutory language requires that the reduction be "uniform" and therefore is not repeated in these rules.

- (8) Generally, Step 2 + 3 and Step 3 grant amounts in the FY83 priority list include planning and design estimates. They do not include the calculated allowance since the applicable regulation determining allowances has been promulgated as interim final and still subject to change. Costs are updated on a quarterly basis once the priority list is adopted.
- b. Another respondent also requested clarification on the definition of a small community for purposes of the Step 1 and 2 advance fund.

Response

OAR 340-53-005(8) limits the eligible communities to municipalities under 25,000 population. Sanitary districts also would be distinguished by population.

- c. One respondent indicated that the special reserve for water quality planning should be set aside at the maximum level, \$276,000,

instead of the minimum of \$100,000 proposed in OAR 340-53-025(5).

Response

Rule 340-53-025(5) is revised to set the special reserve for water quality planning at a level not greater than 1 percent of the state's allotment but not less than \$100,000. The exact level of funding reserved will be established by the Department after the final EPA regulations governing this section are developed and after the Department consults with eligible areawide agencies concerning their ability to contribute to the state's water quality management planning work program.

- d. Two respondents suggested that limits be placed on the proportion of the state's allotment that is used for a single project. Five percent and 10 percent of the allotment were suggested, i.e., limits of \$1.4 million or \$2.8 million per project.

Response

Although such restrictions would theoretically enable 8 - 16 new projects to receive funding every year, nearly all mid-size cities (Silverton, Cottage Grove, Baker, Seaside, Newberg, etc.) as well as all large cities would face multi-year construction schedules complicated by the fact that funded portions of a system may not be operational until later portions are funded and completed. Most large projects in Oregon, as a result of the decline in federal appropriations, already face extended completion schedules.

One alternative to a simple financial limitation is the limitation that water quality and operational necessity defines how much of a project is funded at a particular priority. This is the current management theory underlying the priority list and has the benefit of assuring that operational facilities will improve water quality within specified timeframes.

It should also be noted that federal policy discourages the indiscriminate use of project phasing or segmenting in order to simply fund portions of more projects. The operational and water quality benefit relationships between segments and Oregon's funding policy is consistent with federal requirements and policy.

A special reserve (4% of the state's allotment) is available for alternative systems for small communities with less than 3,500 population.

- e. One respondent suggested that (1) projects to correct combined

sewer overflows be eliminated; (2) reserve capacity be reduced to serve only a 5-10 year growth increment; and (3) communities with a moratorium be placed first on the priority list.

Response

As indicated in the project rating criteria, projects that correct combined sewer overflows receive low project type scores. Unless an overflow results in beneficial use impairment or water quality standards violations, it would not be rated favorably on the list. Most projects for separation of combined sewers or elimination of wet weather overflows have been initiated without federal assistance. Communities where a connection limitation or moratorium exists, receive high regulatory emphasis point scores.

The factor which most heavily influences priority ranking is the effect on water quality standards or beneficial uses of the river into which the effluent is discharged.

Federal statute and regulations now reduce the amount of growth capacity which may be funded and is aimed to eventually eliminate any funding for future reserve capacity. New projects beginning in FY85 will be affected by the exclusion on future capacity. In the interim, a gradual reduction in this area and increased emphasis on staging of facilities will reduce federal participation for future needs.

- f. Two respondents expressed concern about changes to the bypass procedure which funds might otherwise be lost to the state. The changed provision omits an appeal to the Commission if such an appeal cannot be scheduled prior to the end of the fiscal year. One respondent felt that if the appeal provision is not assured, then the Commission should not have authority to remove a project from the priority list if it is bypassed for two consecutive years.

Response

In the past two years, the proper management of funds available to the state has become increasingly difficult due to the irregularities in Congressional appropriations and the unusual use of Presidential powers to impound, defer or rescind funds. Concomitantly, many more applicants have waited until the fourth quarter of the fiscal year to submit applications. One effect of these combined occurrences is that risks have significantly increased that funds will expire and be lost to Oregon permanently.

The administrative timeframe may take up to 2-1/2 - 3 months to bypass a project and commit funds to another project

ready to proceed prior to the end of the fiscal year. Formal bypass procedures during the fourth quarter of the fiscal year are therefore extremely unwieldy and may pose considerable threat of loss of funds.

Neither respondent objected to streamlining the process so that funds would not be sacrificed. The concerns expressed were regarding (1) notice and (2) the results of two bypasses on a project's priority. First, the proposed elimination of a formal appeal opportunity to the EQC does not relieve the Department of the responsibility to properly notify the prospective applicant of the intent to bypass a project. Such notice is made in writing and sent by certified mail, 20 days in advance of the actual bypass. If reasons are put forth by the applicant why such bypass should not be concluded, the review and final determination will be made by the Director. Secondly, for a project that has been bypassed for two consecutive years, the EQC may remove it from the priority list. A bypass in one year does not affect the succeeding year's priority rating. However, due to the 2 - 2-1/2 year time frame involved between the placement of a project on a draft priority list to the second bypass event, sufficient time clearly exists for the potential applicant to (1) prepare an application or (2) notify the Department that it will not be ready to proceed this fiscal year and request a certification date for another future funding year. The latter action, if voluntarily taken by the potential applicant, (and acceptable under the terms of any order or permit) would not constitute a bypass of the project. Experience suggests that applicants are reluctant to opt for a simple rescheduling because it appears to shift the responsibility for the bypass finding to the Department.

Therefore, the rule modification appears appropriate. EQC authority to remove a project permanently from the priority list, after extended delays, is an appropriate exercise of discretion. Any project thus removed may, of course, petition the EQC to reconsider the action or may participate in the EQC's next public hearing on the priority list.

2. Testimony Related to Individual Project and Segment Classification and Ranking on the Draft FY83 Priority List

- a. Several respondents provided new information which was assessed in re-evaluating priority ratings.
 - (1) Crescent Sanitary District. A consultant, on behalf of the District, noted that a groundwater study was being conducted and that subsurface disposal system permits were denied to individuals based on the ability of soils to treat the

effluent. Although the Department acknowledges that the denials of subsurface disposal permits may suggest that a widespread water quality or groundwater protection concern exists, the denials are not conclusive as to that fact. Permit denials are not used as the basis for project ratings. However, the Department will re-evaluate the project priority during the development of the 1984 priority list and upon completion of the groundwater study results.

- (2) Tangent. Earlier this year Linn County, on behalf of the City of Tangent, submitted results of a sanitary survey which showed numerous direct sewage discharges from individual septic tank and drainfield systems, as well as a few (3) individual wells contaminated with fecal coliform bacteria. Project Class was elevated from a D to a C and 90 Regulatory Emphasis Points were assigned to the project.
- (3) Highway 101 North Tillamook. Project Class was changed from a D to a C and 130 Regulatory Emphasis points were assigned based upon: (a) notice from the Health Division that the area has been certified as a Health Hazard Annexation area and (b) direct discharges from septic tank and drainfield systems have been documented.
- (4) BCVSA (Whetstone). BCVSA requested assignment of 120 Regulatory Emphasis points and submitted a copy of a voluntary connection moratorium policy adopted by BCVSA in April 1978. The moratorium appears to address concerns at White City.

The moratorium is effective until such time as the White City rehabilitation project or the Whetstone Trunk were completed and it limits White City's ability to serve the Whetstone area.

The project priority criteria for Regulatory Emphasis are applied as follows. Where the project area itself is regulated and its ability to obtain service because it is under a connection moratorium (voluntary or involuntary), the project receives 120 Regulatory Emphasis points. Only those areas on subsurface systems that either had voluntarily limited construction of additional subsurface disposal systems or were limited by a specific geographic rule adopted by the EQC restricting issuance of subsurface permits, received 120 points. BCVSA Whetstone does not appear to be under this type of regulatory constraint.

- (5) Tri-City S.D. (Willamette). Tri-City requested reprioritization of the Willamette project from Letter Class C to B. The Department acknowledges that the existing facility is deteriorating and may fail to operate in a

manner which provides for adequate water quality protection. However, only those projects that will eliminate or minimize water pollution where there is existing water use impairment or repeated water quality standards violations, are ranked in Letter Class B. Unfortunately there are many facilities in a similar physical shape as the Willamette plant, many of which are listed under Letter Class C.

- (6) Tri-City County (Kellogg). Tri-City County requested that the Kellogg (sludge digester) project be considered operationally dependent to the Tri-City S.D. (Regional STP) project. The completion of the Tri-City S.D. regional system does not appear to be dependent upon sludge digester facilities at the Kellogg facility. Each of the projects is ranked consistent with the priority criteria.
- (7) Charleston S.D. Coos-Curry Council of Governments asked why the Charleston S.D. collection system did not appear on the FY83 priority list. Under OAR 340-53-020(3), collection systems are not eligible for state certification unless a mandatory health hazard annexation is required or elimination of waste disposal wells is required. In either case, a Step 1 grant for the project must have been certified prior to September 30, 1979. The Charleston S.D. collection system does not meet the criteria established under the rule. The system has been added to the Priority Calculation List as a recognized project need but is designated as ineligible for federal participation in the grant program.
- (8) Salem. The City requested that recent facilities planning information be considered to establish a priority rating for the East Salem relief interceptor project. The project was assigned 9 points for project type (Interception of Existing Discharge); 10.12 points for population emphasis (115,000 would be initially served); 90 points for regulatory emphasis; 93.45 points for its Willamette River stream segment; and a Project Letter Class B based on documentation of repeated water quality standards violations.

The City requested 9 points for project type for major sewer rehabilitation. Major sewer rehabilitation is defined in federal regulations to be the major replacement of structurally inadequate sewers; the project description is for construction of a relief sewer. Also requested was 150 regulatory emphasis points because of a stipulated consent agreement signed in 1981. Application of the administrative rule requires that 150 points be given only to those projects with stipulated consent agreements with a finding made by January 1, 1978, thus evidencing a limited time

extension to meet the 1977 secondary treatment goals of the Clean Water Act.

- (9) Warrenton. The City requested that it should be given a priority ranking comparable to the ranking given the Town of Hammond in 1978. The Town of Hammond was made a tributary community to the Warrenton lagoon system by virtue of a federal construction grant project. The facilities plan for the Hammond project did not indicate that a lagoon expansion for Warrenton would be needed for several years; more recent studies in Warrenton now indicate that the expansion may be needed as early as one to three years.

Warrenton was added to the FY83 priority list and its priority point assessment based on an analysis of the current water quality situation. The application of priority rating criteria is made on the merits of each segment analyzed so that an assessment of one situation in the service area does not determine the priority assessment of other projects in the service area.

- (10) BCVSA (North Ashland Interchange). BCVSA requested Letter Class A, 130 Regulatory Emphasis points and 83.5 Stream Segment points based on testimony submitted. The Sewerage Works Construction Grant priority criteria for Letter Class A and 130 Regulatory Points do not apply to County certified health hazard declarations. To qualify for Letter Class A, the Administrator of the Health Division or the EQC must certify Findings of Fact that conclude water pollution or beneficial use impairment and hazard to public health exists. In addition, an EQC order or certification from the Administrator of the Health Division is needed to assign 130 Regulatory Emphasis. The documented results of the sanitary survey however, do qualify the project for Letter Class D. The Department also has changed the Stream Segment to reflect Bear Creek and its tributaries (83.5 points).

- b. Several respondents express concern about phasing and/or segmenting projects. Two respondents indicated that phasing/segmenting would be beneficial in that additional projects may be started. Others concluded that lower priority phases or segments should be completed along with the higher priority work. The City of Portland requested that funding be assured to continue two phases of work on the S.E. Relief Interceptor in order to complete and make fully operational the two phases already constructed with grant funds.

Response

Federal regulations and policy require that state priority lists be developed on a water quality and public health

improvement basis. Federal policy also encourages that phased/segmented projects be scheduled and completed as soon as possible. Clearly, when federal funding levels are established at levels which prevent an orderly flow of funds to projects needed to correct severe water quality and public health problems, the ability to also complete remaining phases and segments of projects initiated when funding levels were great is significantly curtailed.

After extensive public participation and involvement in 1980, the EQC reacted to the diminution of federal funds by (1) encouraging communities to seek other funding mechanisms, (2) redirecting the flow of scarce grant funds into the highest priority projects on the priority list, and (3) gradually phasing out a transition policy that virtually guaranteed that projects that initiated design would be continued until completion, regardless of their relative priority ratings. The potential to adversely affect the S.E. Relief project was considered and the project was transitioned from the top of the priority list over a year long period. Unfortunately federal appropriation levels declined so that the project, even continued on at the top of the priority list, for that one year did not receive funds. Subsequently, the project was rated according to the priority criteria and on its own merits. It is felt that sufficient notice and advice was given that projects such as the Portland S.E. Relief Interceptor could be adversely affected by the reduced funding levels and the impacts such reductions made on the grant program. No change in present priority is proposed.

It is EQC policy to phase and/or segment projects only where water quality and public health concerns justify a distinction in priority among the various components of a community's system.

3. Testimony Related to General EQC or EPA Policy on Priority List Management

Several respondents had general questions regarding priority list management. One respondent asked what application procedures would be followed now that Step 1 and 2 grants were eliminated. Another asked how far down the FY82 and FY83 priority lists funds would extend if appropriations were made.

Response

Grant application procedures are now governed by new federal regulations published. Since there are a number of program changes, appropriate policies and procedures should be discussed with DEQ Construction Grants Unit staff to ensure

that new applicant responsibilities are clear.

As noted on the FY82 priority list, a general allotment of about \$22 million was expected for Oregon. For FY83, the general allotment is also expected to be \$22 million. Until appropriations are made for FY82, firm target dates cannot be set for many projects. However, the combined resources of both years is not expected to extend funds beyond the first Tri-Cities Service District project.

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6/25/82

ATTACHMENT D

TECHNICAL CORRECTIONS TO THE FY83 PRIORITY LIST

The following corrections were made to the recommended priority list, as a result of testimony discussed in Attachment C or from administrative corrections. They are listed according to the relative project ranking the project had on the draft priority list distributed prior to the June 3 public hearing.

This attachment updates the draft priority list which was mailed to interested parties as part of EQC Agenda Item E, April 16, 1982.

<u>Grantee/Project</u>	<u>Technical Correction</u>	<u>Comment</u>
Sheridan/W. and N.	Estimate is \$880,000	Update costs
Deschutes County/ Terrebonne	Delete entry	Acceptable facilities plan recommends no action.
Medford Lone Pine	Delete entry	Grant awarded.
Douglas County/ Roseburg Regional	Delete N. Bank Int.; revise STP cost to \$9,825.	Facilities plan updated with new recommendation.
Salem/East Relief	New entry	Recent information supplied by City.
Warrenton/ STP expansion	New entry	Recent facilities plan draft supplied by City.
BCVSA/N. Ashland	Project Letter Class changed to D and Stream Segment changed to Bear Creek and tributaries (83.5 points).	Recent information supplied by Sanitary Authority.
Hwy. 101 S.D.	Project Letter Class changed to C and Regulatory Emphasis increased to 130 points.	Health Division's Health Hazard Certification process completed.
Tangent	Project Letter Class changed to C and Regulatory Emphasis increased to 90 points.	Recent information supplied by Linn County.

MUNICIPAL WASTE WATER TREATMENT WORKS
CONSTRUCTION GRANTS PROGRAM

DIVISION 53

Development and Management of The Statewide
Sewerage Works Construction Grants Priority List

PURPOSE

340-53-005 The purpose of these rules is to prescribe procedures and priority criteria to be used by the Department for development and management of a statewide priority list of sewerage works construction projects potentially eligible for financial assistance from U.S.

Environmental Protection Agency's Municipal Waste Water Treatment Works Construction Grants Program, Sec. 201, P.L. 95-217.

DEFINITIONS

340-53-010 As used in these regulations unless otherwise required by context:

- (1) "Department" means Department of Environmental Quality. Department actions shall be taken by the Director as defined herein.
- (2) "Commission" means Environmental Quality Commission.
- (3) "Director" means Director of the Department of Environmental Quality or his authorized representatives.
- (4) "Municipality" means any county, city, special service district, or other governmental entity having authority to dispose of sewage, industrial waste, or other wastes, any Indian tribe or authorized Indian Tribal Organization or any combination of two or more of the foregoing.
- (5) "EPA" means U.S. Environmental Protection Agency.
- (6) "Treatment Works" means any facility for the purpose of treating, neutralizing or stabilizing sewage or industrial wastes of a liquid

nature, including treatment or disposal plants, the necessary intercepting, outfall and outlet sewers, pumping stations integral to such plants or sewers, equipment and furnishings thereof and their appurtenances.

(7) "Grant" means financial assistance from the U.S. Environmental Protection Agency Municipal Waste Water Treatment Works Construction Grants Programs as authorized by Sec. 201, P.L. 95-217 and subsequent amendments.

(8) "Advance" means an advance of funds for a Step 1 or Step 2 project. The advance is equal to the estimated allowance which is expected to be included in a future Step 3 grant award. An advance is made from funds granted to Oregon by EPA; it is not a direct grant by EPA to a municipality.

(9) [(8)]"Project" means a potentially fundable entry on the priority list consisting of [Step 1, Step 2, or] Step 3[, of] or Step 2 plus 3 treatment works or components or segments of treatment works as further described in Section 340-53-015, Subsection (4).

(10) [(9)]"Treatment Works Component" means a portion of an operable treatment works described in an approved facility plan including but not limited to:

- (a) Sewage treatment plant
- (b) Interceptors
- (c) Sludge disposal or management
- (d) Rehabilitation
- (e) Other identified facilities.

A treatment works component may but need not result in an operable treatment works.

- (11) [(10)] "Treatment Works Segment" means a portion of a treatment works component which can be identified in a contract or discrete sub-item of a contract and may but need not result in operable treatment works.
- (12) [(11)] "Priority List" means all projects in the state potentially eligible for grants listed in rank order.
- (13) [(12)] "Fundable portion of the list" means those projects on the priority list which are planned for a grant [award] during the current funding year. The fundable portion of the list shall not exceed the total funds expected to be available during the current funding year less applicable reserves.
- (14) [(13)] "Facilities Planning" means necessary plans and studies which directly relate to the construction of treatment works. Facilities planning will demonstrate the need for the proposed facilities and that they are cost-effective and environmentally acceptable.
- (15) [(14)] "Step 1 Project" means any project for development of a facilities plan for treatment works.
- (16) [(15)] "Step 2 Project" means any project for engineering design of all or a portion of treatment works.
- (17) [(16)] "Step 3 Project" means any project for construction or rehabilitation of all or a portion of treatment works.
- (18) [(17)] "Eligible Project Costs" means those costs which could be eligible for a grant according to EPA regulations and certified by the Department and awarded by EPA. These costs may include an estimated allowance for a Step 1 and/ or Step 2 project.
- (19) [(18)] "Innovative Technology" means treatment works utilizing conventional or alternative technology not fully proven under conditions contemplated but offering cost or energy savings or other advantages as recognized by federal regulations.

- (20) [(19)] "Alternative Technology" means treatment work or components or segments thereof which reclaim or reuse water, recycle waste water constituents, eliminate discharge of pollutants, or recover energy.
- (21) [(20)] "Alternative system for small communities" means treatment works for municipalities or portions of municipalities having a population of less than 3,500 and utilizing alternative technology as described above.
- (22) [(21)] "Funding Year" means a federal fiscal year commencing October 1st and ending September 30th.
- (23) [(22)] "Current Funding Year" means the funding year for which the priority list is adopted.
- (24) [(23)] "State Certification" means assurance by the Department that the project is acceptable to the state and that funds are available from the state's allocation to make a grant award.
- (25) "Small community" means, for the purposes of an advance of allowance for Step 1 or Step 2, a municipality having less than 25,000 population.

PRIORITY LIST DEVELOPMENT

340-53-015 The Department will develop a statewide priority list of projects potentially eligible for a grant.

- (1) The statewide priority list will be developed prior to the beginning of each funding year utilizing the following procedures:
 - (a) The Department will determine and maintain sufficient information concerning potential projects to develop the statewide priority list.
 - (b) The Department will develop a proposed priority list utilizing criteria and procedures set forth in this section.

(c) A public hearing will be held concerning the proposed priority list prior to Commission adoption. Public notice and a draft priority list will be provided to all interested parties at least thirty (30) days prior to the hearing. Interested parties include, but are not limited to, the following:

- (A) Municipalities having projects on the priority list.
- (B) Engineering consultants involved in projects on the priority list.
- (C) Interested state and federal agencies.
- (D) Any other persons who have requested to be on the mailing list.

Interested parties will have an opportunity to present oral or written testimony at or prior to the hearing.

- (d) The Department will summarize and evaluate the testimony and provide recommendations to the Commission.
 - (e) The Commission will adopt the priority list at a regularly scheduled meeting.
- (2) The priority list will consist of a listing of all projects in the state potentially eligible for grants listed in ranking order based on criteria set forth in Table "A". Table A describes five (5) categories used for scoring purposes as follows:
- (a) Project Class
 - (b) Regulatory Emphasis
 - (c) Stream Segment Rank
 - (d) Population Emphasis
 - (e) Type of treatment component or components.

The score used in ranking a project consists of the project class identified by letter code plus the sum of the points from the remaining four categories. Projects are ranked by the letter code of the project class with "A" being highest and within the project class by total points from highest to lowest.

- (3) The priority list entry for each project will include the following:
 - (a) Priority rank consisting of the project's sequential rank on the priority list. The project having the highest priority is ranked number one (1).
 - (b) EPA project identification number
 - (c) Name and type of municipality
 - (d) Description of project component
 - (e) Project step
 - (f) Project segment code number
 - (g) Ready to proceed date consisting of the expected date when the project application will be complete and ready for certification by the Department.
 - (h) Target certification date consisting of the earliest estimated date on which the project could be certified based on readiness to proceed and on the Department's estimate of federal [grant] funds expected to be available. In the event actual funds made available differ from the Department's estimate when the list was adopted the Department may modify this date without public hearing to reflect actual funds available and revised future funding estimates.

- (i) Estimated grant amount based on that portion of project cost which is potentially eligible for a grant as set forth in Section 340-53-020.
 - (j) The priority point score used in ranking the projects.
[Transition projects will be so designated.]
- (4) The Department will determine the scope of work to be included in each project prior to its placement on the priority list. Such scope of work may include the following:
- [(a) Development of a facilities plan (Step 1), or]
 - (a) [(b)] Design (Step 2) [or] and construction [(Step 3)] of complete treatment works, [or] (Step 2 plus 3), or
 - (b) [(c) Design or] Construction of one or more complete waste treatment systems, [treatment works components,] or
 - (c) Construction of one or more treatment works components.
 - (d) [Design or] Construction of one or more treatment works segments of a treatment works component.
- (5) When determining the treatment works components or segments to be included in a single project, the Department will consider:
- (a) The specific treatment works components or segments that will be ready to proceed during a funding year, and
 - (b) The operational dependency of other components or segments on the components or segment being considered, and
 - (c) The cost of the components or segments relative to allowable project grant. In no case will the grant for a single project, as defined by [340-53-010(8)] 340-53-010(9) exceed ten (10) million dollars in any given funding year. Where a grant would exceed this amount the scope of work will be reduced by limiting

the number of components or dividing the components into segments. The total grant for treatment works to a single applicant is not however limited by this subsection.

The Department shall have final discretion relative to scope of work or treatment works components or segments which constitute a project.

- (6) Components or segment not included in a project for a particular funding year will be assigned a target certification date in a subsequent funding year. Within constraints of available and anticipated funds, projects will be scheduled so as to establish a rate of progress for construction while assuming a timely and equitable obligation of funds statewide.
- (7) A project may consist of an amendment to a previously funded project which would change the scope of work significantly and thus constitute a new project.
- [(8) On the FY 1981 priority list, projects for which a Step 2 grant was certified prior to September 30, 1979, are designated as transition projects and will not be ranked according to the criteria. These projects will be placed at the top of the funding year priority list and will maintain the same relative position that they occupied on the preceding year's priority list. However, if a project has been bypassed in accordance with Section 340-53-035 (2) it will no longer retain its transition status and will be ranked the following year according to the criteria. In FY 1982 and subsequent years all projects will be ranked and scheduled according to the criteria.]
- [(9) FY 80 Fundable List - Since the freeze on FY 80 funds precluded their utilization prior to adoption of the FY 81 priority list, those projects expected to awarded FY 80 grant funds will appear at the

beginning of the FY 81 list with the notation that these projects will be awarded grants from FY 80 funds.]

(8) [(10)] The Director may delete any project from the priority list if:

- (a) It has received full funding
- (b) It is no longer entitled to funding under the approved system.
- (c) EPA has determined that the project is not needed to comply with the enforceable requirements of the Clean Water Act or the project is otherwise ineligible.

(9) [(11)] If the priority assessment of a project within a regional 208

areawide waste treatment management planning area conflicts with the priority list, the priority list has precedence. The Director will, upon request from a 208 planning agency, meet to discuss the project providing the request for such a meeting is submitted to the Director prior to Commission approval of the priority list.

ELIGIBLE COSTS AND LIMITATIONS

340-53-020 For each project included on the priority list the Department will estimate the costs potentially eligible for a grant and the [amount of the grant.] estimated federal share.

- (1) Where state certification requirements differ from EPA eligibility requirement the more restrictive shall apply.
- (2) Except as provided for in subsection (3), eligible costs shall generally include Step 1, Step 2, and Step 3 costs related to an eligible treatment works, treatment works components or treatment works segments as defined in federal regulations.
- (3) The following will not be eligible for state certification:

- (a) The cost of collection systems except for those which serve an area where a mandatory health hazard annexation is required pursuant to ORS 222.850 to 222.915 or where elimination of waste disposal wells is required by OAR 340-44-019 to 44. In either case, a Step 1 grant for the project must have been certified prior to September 30, 1979.
 - (b) Step 2 or Step 3 costs associated with advanced treatment components.
 - (c) The cost of treatment components not considered by the Department to be cost effective and environmentally sound.
- (4) The estimated grant amount shall be based on a percentage of the estimated eligible cost. The percentage [is that required by federal law and regulations for FY 1981] is seventy-five (75) percent of the estimated eligible cost[.] until FY 1985, when it is reduced to fifty-five (55) percent of the estimated eligible cost for new projects. [After FY 1981] The Commission may reduce the percentage to fifty (50) percent [if] as allowed by federal law or regulation. The Department shall also examine other alternatives for reducing the extent of grant participation in individual projects for possible implementation beginning in FY 1982. The intent is to spread available funds to address more of the high priority needs in the state.

ESTABLISHMENT OF SPECIAL RESERVES

340-53-025 From the total funds allocated to the state the following reserves will be established for each funding year:

- (1) Reserve for grant increases of ten (10) percent.

- (2) Reserve for Step 1 and Step 2 [projects] grant advances of up to ten (10) percent[.] This reserve shall not exceed the amount estimated to provide advances for eligible small communities projected to apply for a Step 3 or Step 2 + 3 grant in the current funding year and one funding year thereafter.
- (3) Reserve for alternative components of projects for small communities utilizing alternative system [as required by federal law or regulations. For FY 81 federal regulations require] of four (4) percent.
- (4) Reserve [as required by federal law or regulations] for additional funding of projects involving innovative or alternative technology[.] [Current federal regulations require three (3) percent for FY81.] of four (4) percent.
- (5) Reserve for water quality management planning of not more than 1% of the state's allotment nor less than \$100,000.
- (6) Reserve for state management assistance of up to 4 percent of the total funds authorized for the state's allotment.
- (7) [(5)]The balance of the state's allocation will be the general allotment.
- (8) [(6)]The Director may at his discretion utilize [transfer] funds recovered from prior year allotments [from the Step 1 and 2 reserve to the following reserves:] for the purpose of:
- (a) [The reserve for] Grant increases or
- (b) [The general allotment with first demand for] Conventional components of small community projects utilizing alternative systems[.] or
- (c) The general allotment.
- (9) If FY82 appropriations are received, the special reserves noted in 340-53-025(1)-(6), as required by federal law and regulation, will be established prior to October 1, 1982.

PRIORITY LIST MANAGEMENT

340-53-030 The Department will select projects to be funded from the priority list as follows:

(1) After Commission adoption and EPA acceptance of the priority list, allocation of funds to the state and determination of the funds available in each of the reserves, final determination of the fundable portion of the priority list will be made. The fundable portion of the list will include the following:

- (a) Sufficient projects selected according to priority rank to utilize funds identified as the state's general allotment, and
- (b) Additional projects involving alternative systems for small communities as necessary to utilize funds available in that reserve.

[(2) No project will be funded unless it is included in or added to the fundable portion of the list except for projects funded from the Step 1 and 2 reserve.]

(2) [(3)] Projects to be funded from the Step 1 and 2 grant advance reserve will be selected based on their priority point scores and whether they are projected to apply for Step 3 or Step 2 + 3 grant in the current funding year or one funding year thereafter. [according to their ranking relative to other projects to be funded from that reserve. The projects to be funded from this reserve will be selected from beyond the fundable portion of the list to the limit of funds available in the reserve.]

(3) [(4)] Projects included on the priority list but not included within the fundable portion of the list will constitute the planning portion of the list.

PRIORITY LIST MODIFICATION AND BYPASS PROCEDURE

340-53-035 The Department may modify the priority list or bypass projects as follows:

- (1) The Department may add to or rerank projects on the priority list after the adoption of the priority list but prior to the approval of the priority list for the next year providing:
 - (a) Notice of the proposed action is provided to all affected lower priority projects.
 - (b) Any affected project may within 20 days of receiving adequate notice request a hearing before the Commission[.] provided that such hearing can be arranged before the end of the current funding year.
- (2) The Department will initiate bypass procedures when any project on the fundable portion of the list is not ready to proceed during the funding year.
 - (a) The determination will be based on quarterly progress reports.
 - (b) Written notice will be provided to the applicant of intent to bypass the project.
 - (c) An applicant may request a hearing on the proposed bypass within 20 days of adequate notice. If requested the Director will schedule a hearing before the Commission within 60 days of the request[.] provided that such hearing can be arranged before the end of the current funding year.

Table 1
(340-53-015)

CONSTRUCTION QUARTS PERMITS CRITERIA
PROJECT CLASS

Letter Code	Description	Description
A.	Project will minimize or eliminate surface or underground water pollution where:	<ol style="list-style-type: none"> 1. Water quality standards are violated repeatedly or 2. Beneficial uses are impaired or may be damaged irreparably. <p>In addition:</p> <ol style="list-style-type: none"> 1. The EQC by rule 048 340-44-005 to 440-040, had mandated elimination of discharge or inadequately treated waste to disposal wells or 2. The Administrator of the Health Division or the EQC has certified findings of fact which conclude that <ol style="list-style-type: none"> (a) Water pollution or beneficial use impairment exists and (b) Hazard to public health exists. <p>Documentation required includes:</p> <ol style="list-style-type: none"> 1. Field investigations, and 2. Public Notice and Hearing and 3. Written findings of fact.
B.	Project will minimize or eliminate surface or underground water pollution where:	<ol style="list-style-type: none"> 1. Water quality standards are violated repeatedly or 2. Beneficial uses are impaired or may be damaged irreparably. <p>Documentation required includes:</p> <ol style="list-style-type: none"> 1. Actual written documentation of existing water use impairment or 2. Actual written documentation of repeated violation of standards.
C.	Project is required to insure treatment capability to comply with water quality standards including:	<ol style="list-style-type: none"> 1. Minimum federal effluent guidelines established by rule pursuant to P. 95-217 or 2. Effluent standards established in an issued WPCF or HIBES permit or 3. Treatment levels or effluent standards that would be placed in a permit to comply with state or federal regulation (for a source not presently under permit).
D.	Project is necessary to minimize or eliminate pollution of surface or underground waters from:	<ol style="list-style-type: none"> 1. Nonpoint sources where malfunctioning subsurface sewage disposal systems in developed areas are a contributing factor or 2. Point sources where infrequent discharges above permitted levels are a contributing factor. <p>Documentation required includes:</p> <ol style="list-style-type: none"> 1. Sufficient information to suggest a problem, but 2. Insufficient data to conclusively demonstrate the problem. Facility planning is expected to provide additional documentation. <p>Project is desirable for prevention of potential water pollution problem.</p> <p>Documentation required includes:</p> <ol style="list-style-type: none"> 1. Recognition that a problem could develop in the future, but 2. Lack of information to suggest a present water quality problem.
E.	Project is desirable for prevention of potential water pollution problem.	<p>Documentation required includes:</p> <ol style="list-style-type: none"> 1. Recognition that a problem could develop in the future, but 2. Lack of information to suggest a present water quality problem.
150	Project received a limited time extension to meet the 1977 secondary treatment goals of the Clean Water Act.	<p>Documentation required includes:</p> <ol style="list-style-type: none"> 1. Addendum to the NPDES permit extending the compliance date, or 2. Stipulated consent agreement indicating noncompliance. Finding must have been made prior to January 1, 1978.
150	Project is necessary for immediate correction of a public health hazard through extraordinary measures such as:	<ol style="list-style-type: none"> 1. Imposition, or 2. Service district formation. <p>Documentation required includes:</p> <ol style="list-style-type: none"> 1. EQC order, or 2. Certification of public health hazard by the Administrator of the Health Division pursuant to OHS 431.705 et. seq. or 222.850 et. seq.

STREAM SEGMENT RANK

Stream Segment ranking points shall be assigned based on the formula:

$$\text{Segment Points} = 100 - 2(nR) - \frac{1}{n} (SR)(50)$$

where:

SR = Basin Rank (1 to 19) based on the total population within the Oregon portion of the river basin.
 The basin having the greatest population is ranked number 1.

n = Number of stream segments in the particular basin.

SR = Segment rank within basin as indicated in the statewide water quality management plan.

Following is a listing of basin ranks, stream segment ranks, and computed stream segment ranking points:

Basin Rank

Basin	1979 Population	No. of Stream Segments	Basin Rank
Willamette	1,672,000	23	1
Rogue	180,100	4	2
Umpqua	84,700	3	3
Deschutes	76,600	4	4
South Coast	76,300	5	5
North Coast/Lower Columbia	66,440	18	6
Klamath	58,200	5	7
Umatilla	50,000	3	8
Hid Coast	44,630	10	9
Hood River	34,200	4	10
Grande Ronde	30,100	3	11
Mahheur River	22,460	1	12
Sandy	18,530	3	13
Powder	17,200	4	14
John Day	12,250	2	15
Walla Walla	10,300	2	16
Malheur	7,650	3	17
George and Summer Lakes	6,900	2	18
Owyhee	3,420	2	19

Description

120 Project is necessary to eliminate a voluntary or involuntary moratorium, including:

1. Involuntary connection limitation to a centralized facility, or
2. EQC rule that restricts issuance of subsurface disposal permits for a specific geographic area or
3. Voluntary limitations on connection to a centralized facility or construction of subsurface disposal systems. Voluntary moratorium must meet the following conditions:
 - a. The moratorium was formally enacted prior to August 1, 1979, and
 - b. It attempts to limit flow to a central facility which is at or beyond 90 percent capacity, and
 - c. The jurisdiction has a medium to high growth rate and therefore requires preventive pollution control action.

Documentation required includes:

1. Rule or order establishing involuntary moratorium, or
2. Order, ordinance, or other documentation of voluntary moratorium.

90 Project is necessary because of the potential for regulatory action identified by:

1. NPDES permit limitations or conditions which would be included in a permit when issued or amended, or
2. DEQ approval of a facility plan including a determination of such potential, or
3. A sanitary survey conducted by the Health Division or the DEQ.

Documentation required includes:

DEQ written concurrence based on the above.

50 Project is needed because of probable water quality problems identified through preliminary screening of problem and water quality concerns.

Documentation required includes:

Written suggestion by DEQ.

0 No immediate need for the project has been identified. Background information is either insufficient or unavailable to document the existence of present water quality problems.

Stream Segment Rank	Rank	Point	Segment Rank	Point
No. 1, Willamette Basin				
Tualatin	1	95.73		
Willamette (River Mile)	2	93.45		
Willamette (River Mile 84-166)	3	91.18		
South Yamhill River	4	88.91		
North Yamhill River	5	86.64		
Yamhill River	6	84.36		
Fooding River	7	82.09		
Holalla River	8	79.82		
S. Santiam River	9	77.55		
Santiam River & N. Santiam	10	75.27		
Coast Fork Willamette River	11	73.00		
Hiddle Fork Willamette River	12	70.73		
Clackamas River	13	68.45		
McKenzie River	14	66.18		
Rickreall Creek	15	63.91		
Lackiamuta River	16	61.64		
Marys River	17	59.36		
Chalapaola River	18	57.09		
Long Tea River	19	54.82		
Columbia Slough	20	52.55		
Thomas Creek	21	50.27		
Remaining Willamette Basin Streams	22	48.00		
No. 2, Rogue Basin				
Dear Creek and Tributaries	1	83.50		
Applegate River	2	71.00		
Wedge Rogue	3	58.50		
Remaining Rogue Basin Streams	4	46.00		
No. 3, Umpqua Basin				
South Umpqua River	1	77.33		
Coos Creek	2	66.67		
Remaining Umpqua Basin Streams	3	44.00		
No. 4, Deschutes Basin				
Crooked River	1	79.50		
Deschutes River (River Mile 120-166)	2	67.00		
Deschutes River (River Mile 0-120)	3	54.50		
Remaining Deschutes Basin Streams	4	42.00		
No. 5, South Coast Basin				
Coos Bay	1	80.00		
Coos River	2	70.00		
Coquille River (River Mile 0-35)	3	60.00		
Coquille River (River Mile 35-Sourco)	4	50.00		
Remaining South Coast Basin Streams	5	40.00		
No. 6, North Coast/Lower Columbia Basin				
Lewis and Clark River	1	85.22		
Klaskanine River	2	82.44		
Wilson River (River Mile 0-7)	3	79.88		
Trask River (River Mile 0-6)	4	76.88		
Skippanon River	5	74.10		
Restonca River (River Mile 0-15)	6	71.32		
Hohalema River	7	68.54		
Wilson River (River Mile 7 +)	8	65.76		
Trask River (River Mile 6 +)	9	62.98		
Restonca River (River Mile 15 +)	10	60.20		
Hohalema Bay	11	57.42		
Tillamook Bay	12	56.64		
Tillamook River (River Hills 0-15)	13	51.86		
Restonca Bay	14	49.08		
Beacon River	15	46.30		
Tillamook River (River Hills 15 +)	16	43.54		
Netarts Bay	17	40.74		
Remaining North Coast/Lower Columbia Basin Streams	18	38.00		
No. 7, Klamath Basin				
Lost River	1	76.00		
Klamath River (River Hills 210-250)	2	66.00		
Williamson	3	56.00		
Sprague	4	46.00		
Remaining Klamath Basin Streams	5	36.00		
No. 8, Umatilla Basin				
Umatilla River	1	67.33		
Columbia River (Umatilla Basin)	2	56.67		
Remaining Umatilla Basin Streams	3	34.00		
No. 9, Mid Coast Basin				
Stauslow Bay	1	77.00		
Yaquina Bay	2	72.00		
Siletz River	3	67.00		
Yaquina River	4	62.00		
Alsea River	5	57.00		

Segment	Segment Rank	Points
Stuslaw River	6	52.00
Alsea Bay	7	47.00
Salmon River	8	42.00
Siletz Bay	9	37.00
Remaining Mid Coast Basin Streams	10	32.00
No. 10, Hood Basin		
Hood River Main Stem	1	67.50
Columbia River (Hood Basin)	2	55.00
Hood River East, (Middle and West Forks)	3	42.50
Remaining Hood Basin Streams	4	30.00
No. 11, Grande Ronde Basin		
Grande Ronde River	1	61.33
Wallowa River	2	44.67
Remaining Grande Ronde Basin Streams	3	28.00
No. 12, Malheur Basin		
Malheur River	1	26.00
No. 13, Powder Basin		
Snake River (Powder Basin)	1	61.50
Powder River	2	49.00
Burnt River	3	36.50
Remaining Powder Basin Streams	4	24.00
No. 14, Sandy Basin		
Columbia River (Sandy Basin)	1	55.33
Sandy River	2	38.67
Remaining Sandy Basin Streams	3	22.00
No. 15, John Day Basin		
John Day River	1	45.00
Remaining John Day Basin Streams	2	20.00
No. 16, Walla Walla Basin		
Walla Walla River	1	43.00
Remaining Walla Walla Basin Streams	2	18.00
No. 17, Malheur Lake Basin		
Silvies River	1	49.33
Dosser & Blitzen River	2	32.67
Remaining Malheur Lake Basin Streams	3	16.00

Segment	Segment Rank	Points
No. 18, Goose and Summer Lakes Basin		
Chewaucan River	1	39.00
Remaining Goose and Summer Lakes Basin Streams	2	14.00
No. 19, Ouyhee Basin		
Ouyhee River	1	17.00
Remaining Ouyhee Basin Streams	2	12.00

Population Emphasis

Population emphasis points shall be assigned on the basis of the formula:

Points = Population Served $2 \log 10$
where:

Population Served represents the existing Oregon population that would be initially served by the project if it were in operation.

PROJECT TYPE

Description	Points
Secondary Treatment and BPWT	10
Major Sewer System Rehabilitation	9
Interception of Existing Discharge	8
Infiltration/Inflow Correction	7
Interceptor to Serve Existing Development	6
Treatment More Stringent than Secondary	5
Correction of Combined Sewer Overflows	3
Interceptor to Serve New Development	2
New Collectors	1

04122 (4-28-82)

AGENDA ITEM NO. K, July 16, 1982, EQC MEETING

STATEMENT OF NEED FOR RULEMAKING

Pursuant to ORS 183.335(7), this statement provides information on the Environmental Quality Commission's intended actions to consider revisions to OAR Chapter 340, Division 53 rules.

(1) Legal Authority

ORS 468.020 authorizes the Environmental Quality Commission to adopt rules and standards in accordance with ORS Chapter 183.

(2) Need for the Rule

These modifications are necessary to bring existing administrative rules into conformance with the recently enacted federal Municipal Construction Grant Amendments of 1981, PL 97-117, and draft proposed rules of the U. S. Environmental Protection Agency which implement the law.

(3) Principal Documents Relied Upon in This Rulemaking

- (a) Public Law 97-117
- (b) 40 CFR Parts 25 and 35
- (c) OAR 340 Division 53
- (d) OAR 340 Division 41

(4) Fiscal and Economic Impact of Rulemaking

One fiscal impact of this rulemaking is upon municipalities and special districts seeking financial assistance for sewerage projects. The rules affect the distribution of these funds. In communities that receive federal grants, small businesses will benefit because they will pay less to improve or develop sewerage systems. However, since few federal grant dollars are expected to be available to assist communities seeking them, the majority of projects will not receive assistance and will presumably provide the cost of capital improvements through locally-derived revenues. Communities will presumably develop individual local financing plans for these improvements by passing these costs on to potential or actual users of the sewerage system such as residential, industrial and commercial users. No direct adverse economic impact on small businesses is expected.

These proposed rules will also have a fiscal impact on the Department of Environmental Quality. The rules enable the Department to seek funding from EPA for the purpose of administering advance funds for the development of selected facilities plans and detailed design plans by local communities and for the development of water quality management information by areawide planning agencies, thus incurring minor administrative costs. In addition, the rules enable the Department to apply for funds for water quality management planning and direct management of the grants program, which may provide revenue to the Department.

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PROJECT NUMBER	COMMUNITY	AREA	COMPONENT	STEP	CLASS	REG. EMPH.	POP. EMPH.	STREAM RANK	PROJECT TYPE	TOTAL POINTS
050603-	SHERIDAN	WEST AREA	INTERCEPTOR	4	A	130	4.60	88.91	6	A 229.51
049606-	BEND	CITY	EFF DISPOSAL	3	A	130	8.47	79.50	10	A 227.97
050603-	SHERIDAN	WEST AREA	COLLECTION	4	A	130	4.60	88.91	1	A 224.51
046703-	SILVERTON	NORWAY	INTERCEPTOR	3	A	130	4.16	82.09	6	A 222.25
056003-	ROSEBURG	RIFLE RANGE	INTERCEPTOR	3	A	130	4.35	77.33	6	A 217.68
046703-	SILVERTON	NORWAY	COLLECTION	3	A	130	4.16	82.09	1	A 217.25
056003-	ROSEBURG	RIFLE RANGE	COLLECTION	3	A	130	4.35	77.33	1	A 212.68
957902-	MADRAS	FRINGE AREA	INTERCEPTOR	2	A	130	5.40	67.00	6	A 208.40
057903-	MADRAS	FRINGE AREA	INTERCEPTOR	3	A	130	5.40	67.00	6	A 208.40
051603-	KLAMATH FALLS	STEWART-LENNOX	INTERCEPTOR	3	A	130	6.00	66.00	6	A 208.00
957902-	MADRAS	FRINGE AREA	COLLECTION	2	A	130	5.40	67.00	1	A 203.40
057903-	MADRAS	FRINGE AREA	COLLECTION	3	A	130	5.40	67.00	1	A 203.40
051603-	KLAMATH FALLS	STEWART-LENNOX	COLLECTION	3	A	130	6.00	66.00	1	A 203.00
066503-	CORVALLIS	SW ANNEXATION	INTERCEPTOR	3	A	130	5.60	59.36	6	A 200.96
066503-	CORVALLIS	SW ANNEXATION	COLLECTION	3	A	130	5.60	59.36	1	A 195.96
056905-	MONROE	NORTH AREA	INTERCEPTOR	3	A	130	3.69	54.82	6	A 194.51
056905-	MONROE	NORTH AREA	COLLECTION	3	A	130	3.69	54.82	1	A 189.51
062414-	MWMC	REGIONAL	STP P6	3	B	150	10.33	91.10	10	B 261.43
062414-	MWMC	REGIONAL	STP P7	3	B	150	10.33	91.10	10	B 261.43
046704-	SILVERTON	CITY	STP IMP	3	B	150	7.48	82.09	10	B 249.57
046706-	SILVERTON	CITY	SEWER REHAB	3	B	150	7.48	82.09	9	B 248.57
046705-	SILVERTON	CITY	PUMP STATIONS	3	B	150	7.48	82.09	8	B 247.57
046705-	SILVERTON	CITY	TRUNK INT	3	B	150	7.48	82.09	8	B 247.57
046705-	SILVERTON	CITY	WATER ST INT	3	B	150	7.48	82.09	8	B 247.57
046703-	SILVERTON	CITY	WEST MAIN INT	3	B	150	6.35	82.09	8	B 246.44

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PROJECT NUMBER	COMMUNITY	AREA	COMPONENT	STEP	CLASS	REG. EMPH.	POP. EMPH.	STREAM RANK	PROJECT TYPE	TOTAL POINTS
051203-	COTTAGE GROVE	CITY	STP IMP	3	B	150	7.74	73.00	10	B 240.74
051205-	COTTAGE GROVE	CITY	INTERCEPTOR	3	B	150	7.74	73.00	8	B 238.74
051204-	COTTAGE GROVE	CITY	II CORRECTION	3	B	150	7.74	73.00	7	B 237.74
049305-	TRI CITY SD	REGIONAL	STP P1	3	B	120	9.10	93.45	10	B 232.55
049305-	TRI CITY SD	REGIONAL	STP P2	3	B	120	9.10	93.45	10	B 232.55
049305-	TRI CITY SD	REGIONAL	STP P3	3	B	120	9.10	93.45	10	B 232.55
949304-	TRI CITY SD	REGIONAL	WILL INT 1	2	B	120	9.10	93.45	8	B 230.55
949307-	TRI CITY SD	REGIONAL	WILL INT 2	2	B	120	9.10	93.45	8	B 230.55
049306-	TRI CITY SD	REGIONAL	WILL INT 1	3	B	120	9.10	93.45	8	B 230.55
049308-	TRI CITY SD	REGIONAL	WILL INT 2	3	B	120	9.10	93.45	8	B 230.55
949304-	TRI CITY SD	OREGON CITY	OREGON CITY INT	2	B	120	8.33	93.45	8	B 229.78
049306-	TRI CITY SD	OREGON CITY	OREGON CITY INT	3	B	120	8.33	93.45	8	B 229.78
949309-	TRI CITY SD	GLADSTONE	PUMP STATION	2	B	120	7.94	93.45	8	B 229.39
049310-	TRI CITY SD	GLADSTONE	PUMP STATION	3	B	120	7.94	93.45	8	B 229.39
949304-	TRI CITY SD	WEST LINN-BOLTO	RIVER ST FM	2	B	120	7.75	93.45	8	B 229.20
049306-	TRI CITY SD	WEST LINN-BOLTO	RIVER ST FM	3	B	120	7.75	93.45	8	B 229.20
949304-	TRI CITY SD	WEST LINN-BOLTO	BOLTON FORCE M	2	B	120	7.31	93.45	8	B 228.76
949304-	TRI CITY SD	WEST LINN-BOLTO	BOLTON PS	2	B	120	7.31	93.45	8	B 228.76
949304-	TRI CITY SD	WEST LINN-BOLTO	RIVER ST PS	2	B	120	7.31	93.45	8	B 228.76
049306-	TRI CITY SD	WEST LINN-BOLTO	BOLTON FORCE M	3	B	120	7.31	93.45	8	B 228.76
049306-	TRI CITY SD	WEST LINN-BOLTO	BOLTON PS	3	B	120	7.31	93.45	8	B 228.76
049306-	TRI CITY SD	WEST LINN-BOLTO	RIVER ST PS	3	B	120	7.31	93.45	8	B 228.76
968901-	LANE COUNTY	RVR R-SANTA CLA	INTERCEPTORS	1	B	120	8.88	91.10	6	B 225.98
968902-	LANE COUNTY	RVR R-SANTA CLA	INTERCEPTORS	2	B	120	8.88	91.10	6	B 225.98
068903-	LANE COUNTY	RVR R-SANTA CLA	INTERCEPTORS	3	B	120	8.88	91.10	6	B 225.98

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PROJECT NUMBER	COMMUNITY	AREA	COMPONENT	STEP	CLASS	REG. EMPH.	POP. EMPH.	STREAM RANK	PROJECT TYPE	TOTAL POINTS
943102-	BAKER	CITY	STP IMP	2	B	150	7.87	49.00	10	B 216.87
043103-	BAKER	CITY	STP IMP	3	B	150	7.87	49.00	10	B 216.87
948703-	DOUGLAS COUNTY	METRO	STP	2	B	120	8.96	77.33	10	B 216.29
048704-	DOUGLAS COUNTY	METRO	STP	3	B	120	8.96	77.33	10	B 216.29
968101-	SEASIDE	CITY	STP IMP	2	B	150	7.38	46.30	10	B 213.68
068102-	SEASIDE	CITY	STP IMP	3	B	150	7.38	46.30	10	B 213.68
968103-	SEASIDE	CITY	SEWER REHAB	2	B	150	7.38	46.30	9	B 212.68
068104-	SEASIDE	CITY	SEWER REHAB	3	B	150	7.38	46.30	9	B 212.68
964601-	SALEM	CITY	FPR	1	B	90	9.91	93.45	10	B 203.36
949402-	NEWBERG	CITY	STP IMP	2	B	90	8.12	93.45	10	B 201.57
964602-	SALEM	E RELIEF	INT	2	B	90	10.12	93.45	8	B 201.57
049403-	NEWBERG	CITY	STP IMP	3	B	90	8.12	93.45	10	B 201.57
064603-	SALEM	E RELIEF	INT	3	B	90	10.12	93.45	8	B 201.57
968204-	USA	HILLSBORO	II CORRECTION	2	B	90	8.82	95.73	7	B 201.55
068205-	USA	HILLSBORO	II CORRECTION	3	B	90	8.82	95.73	7	B 201.55
949404-	NEWBERG	CITY	SEWER REHAB	2	B	90	8.12	93.45	9	B 200.57
049405-	NEWBERG	CITY	SEWER REHAB	3	B	90	8.12	93.45	9	B 200.57
949406-	NEWBERG	CITY	II CORRECTION	2	B	90	8.12	93.45	7	B 198.57
049407-	NEWBERG	CITY	II CORRECTION	3	B	90	8.12	93.45	7	B 198.57
964202-	GRANDE RONDE	AREA	SYSTEM	2	B	90	5.11	88.91	10	B 194.02
064203-	GRANDE RONDE	AREA	SYSTEM	3	B	90	5.11	88.91	10	B 194.02
942601-	MULTNOMAH CO	INVERNESS	INTERCEPTOR 8A	2	B	130	8.56	48.00	6	B 192.56
042602-	MULTNOMAH CO	INVERNESS	INTERCEPTOR 8A	3	B	130	8.56	48.00	6	B 192.56
942603-	MULTNOMAH CO	INVERNESS	INTERCEPTOR 8F	2	B	130	8.40	48.00	6	B 192.40
042604-	MULTNOMAH CO	INVERNESS	INTERCEPTOR 8F	3	B	130	8.40	48.00	6	B 192.40

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PROJECT NUMBER	COMMUNITY	AREA	COMPONENT	STEP	CLASS	REG. EMPH.	POP. EMPH.	STREAM RANK	PROJECT TYPE	TOTAL POINTS
942603-	MULTNOMAH CO	INVERNESS	INTERCEPTOR 8A	2	B	130	8.06	48.00	6	B 192.06
042604-	MULTNOMAH CO	INVERNESS	INTERCEPTOR 8B	3	B	130	8.06	48.00	6	B 192.06
942603-	MULTNOMAH CO	INVERNESS	INTERCEPTOR 8C	2	B	130	7.80	48.00	6	B 191.80
042604-	MULTNOMAH CO	INVERNESS	INTERCEPTOR 8C	3	B	130	7.80	48.00	6	B 191.80
942603-	MULTNOMAH CO	INVERNESS	INTERCEPTOR 8H	2	B	130	7.38	48.00	6	B 191.38
042604-	MULTNOMAH CO	INVERNESS	INTERCEPTOR 8H	3	B	130	7.38	48.00	6	B 191.38
942605-	MULTNOMAH CO	INVERNESS	INTERCEPTOR 8D	2	B	130	6.89	48.00	6	B 190.89
042606-	MULTNOMAH CO	INVERNESS	INTERCEPTOR 8D	3	B	130	6.89	48.00	6	B 190.89
942605-	MULTNOMAH CO	INVERNESS	INTERCEPTOR 8G	2	B	130	6.51	48.00	6	B 190.51
042606-	MULTNOMAH CO	INVERNESS	INTERCEPTOR 8G	3	B	130	6.51	48.00	6	B 190.51
956702-	HAPPY VALLEY	CITY	INTERCEPTOR	2	B	130	6.32	48.00	6	B 190.32
056703-	HAPPY VALLEY	CITY	INTERCEPTOR	3	B	130	6.32	48.00	6	B 190.32
942607-	MULTNOMAH CO	INVERNESS	INTERCEPTOR 8E	2	B	130	6.00	48.00	6	B 190.00
042608-	MULTNOMAH CO	INVERNESS	INTERCEPTOR 8E	3	B	130	6.00	48.00	6	B 190.00
962801-	COOS BAY NO.1	CITY	STP IMP	1	B	90	7.91	80.00	10	B 187.91
962802-	COOS BAY NO.1	CITY	STP IMP	2	B	90	7.91	80.00	10	B 187.91
062803-	COOS BAY NO.1	CITY	STP IMP	3	B	90	7.91	80.00	10	B 187.91
962804-	COOS BAY NO.1	CITY	II CORRECTION	2	B	90	7.91	80.00	7	B 184.91
062805-	COOS BAY NO.1	CITY	II CORRECTION	3	B	90	7.91	80.00	7	B 184.91
061602-	ROSEBURG	CITY	SEWER REHAB	3	B	90	8.51	77.33	9	B 184.84
961902-	ASTORIA	WILLIAMSPORT	INTERCEPTOR	2	B	130	4.60	38.00	6	B 178.60
061903-	ASTORIA	WILLIAMSPORT	INTERCEPTOR	3	B	130	4.60	38.00	6	B 178.60
963802-	CLATSOP PLAINS	AREA	INTERCEPTOR	2	B	120	6.49	38.00	6	B 170.49
063803-	CLATSOP PLAINS	AREA	INTERCEPTOR	3	B	120	6.49	38.00	6	B 170.49
944901-	FALLS CITY	CITY	SYSTEM	1	B	90	5.88	61.64	10	B 167.52

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PROJECT NUMBER	COMMUNITY	AREA	COMPONENT	STEP	CLASS	REG. EMPH.	POP. EMPH.	STREAM RANK	PROJECT TYPE	TOTAL POINTS
944902-	FALLS CITY	CITY	SYSTEM	2	B	90	5.88	61.64	10	B 167.52
044903-	FALLS CITY	CITY	SYSTEM	3	B	90	5.88	61.64	10	B 167.52
056904-	MONROE	CITY	SEWER REHAB	3	B	90	5.50	54.82	9	B 159.32
963902-	COVE ORCHARD	AREA	SYSTEM	2	B	90	4.08	48.00	10	B 152.08
063903-	COVE ORCHARD	AREA	SYSTEM	3	B	90	4.08	49.00	10	B 152.08
960701-	BCVSA	WHESTONE	INTERCEPTOR	1	B	90	6.60	46.00	8	B 150.60
960702-	BCVSA	WHESTONE	INTERCEPTOR	2	B	90	6.60	46.00	9	B 150.60
060703-	BCVSA	WHESTONE	INTERCEPTOR	3	B	90	6.60	46.00	8	B 150.60
962901-	DRAIN	CITY	STP IMP	1	B	90	6.23	44.00	10	B 150.23
962902-	DRAIN	CITY	STP IMP	2	B	90	6.23	44.00	10	B 150.23
062903-	DRAIN	CITY	STP IMP	3	B	90	6.23	44.00	10	B 150.23
962904-	DRAIN	CITY	SEWER REHAB	2	B	90	6.23	44.00	9	B 149.23
062905-	DRAIN	CITY	SEWER REHAB	3	B	90	6.23	44.00	9	B 149.23
962906-	DRAIN	CITY	II CORRECTION	2	B	90	6.23	44.00	7	B 147.23
062906-	DRAIN	CITY	II CORRECTION	3	B	90	6.23	44.00	7	B 147.23
968301-	CLATSOP COUNTY	WESTPORT AREA	SYSTEM	2	B	90	5.69	38.00	10	B 143.69
068302-	CLATSOP COUNTY	WESTPORT AREA	SYSTEM	3	B	90	5.69	38.00	10	B 143.69
052601-	CLACKAMAS CO	RHODO-WELCHES	RHODO INT	3	B	90	4.19	38.67	8	B 140.86
953701-	SW LINCOLN CO	SAN DISTRICT	SYSTEM	1	B	90	6.62	32.00	10	B 138.62
953702-	SW LINCOLN CO	SAN DISTRICT	SYSTEM	2	B	90	6.62	32.00	10	B 138.62
053703-	SW LINCOLN CO	SAN DISTRICT	SYSTEM	3	B	90	6.62	32.00	10	B 138.62
958302-	IONE	CITY	SYSTEM	2	B	90	5.27	20.00	10	B 125.27
058303-	IONE	CITY	SYSTEM	3	B	90	5.27	20.00	10	B 125.27
062413-	MWHC	REGIONAL	SEAS IND WST P2	3	C	150	5.40	91.10	10	C 256.50
958802-	MT ANGEL	CITY	STP IMP	2	C	150	6.83	82.09	10	C 248.92

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PROJECT NUMBER	COMMUNITY	AREA	COMPONENT	STEP	CLASS	REG. EMPH.	POP. EMPH.	STREAM RANK	PROJECT TYPE	TOTAL POINTS
058803-	MT ANGEL	CITY	STP IMP	3	C	150	6.83	82.09	10	C 248.92
958804-	MT ANGEL	CITY	II CORRECTION	2	C	150	6.83	82.09	7	C 245.92
058805-	MT ANGEL	CITY	II CORRECTION	3	C	150	6.83	82.09	7	C 245.92
966701-	SOUTH SUBURBAN	SAN DISTRICT	STP IMP	2	C	150	8.53	66.00	10	C 234.53
066702-	SOUTH SUBURBAN	SAN DISTRICT	STP IMP	3	C	150	8.53	66.00	10	C 234.53
049311-	TRI CITY SD	REGIONAL	SEWER REHAB	3	C	120	9.10	93.45	9	C 231.55
947202-	ELGIN	CITY	STP IMP	2	C	150	6.48	61.33	10	C 227.81
047203-	ELGIN	CITY	STP IMP	3	C	150	6.48	61.33	10	C 227.81
947206-	ELGIN	CITY	SEWER REHAB	2	C	150	6.48	61.33	9	C 226.81
047207-	ELGIN	CITY	SEWER REHAB	3	C	150	6.48	61.33	9	C 226.81
947204-	ELGIN	CITY	II CORRECTION	2	C	150	6.48	61.33	7	C 224.81
047205-	ELGIN	CITY	II CORRECTION	3	C	150	6.48	61.33	7	C 224.81
961502-	CARLTON	CITY	STP IMP	2	C	120	6.29	86.64	10	C 222.93
061503-	CARLTON	CITY	STP IMP	3	C	120	6.29	86.64	10	C 222.93
932001-	HWY 101 NORTH	SAN DISTRICT	INTERCEPTOR	1	C	130	4.60	79.88	6	C 220.48
932002-	HWY 101 NORTH	SAN DISTRICT	INTERCEPTOR	2	C	130	4.60	79.88	6	C 220.48
932003-	HWY 101 NORTH	SAN DISTRICT	INTERCEPTOR	3	C	130	4.60	79.88	6	C 220.48
951502-	SCIO	CITY	STP IMP	2	C	150	5.48	50.27	10	C 215.75
051503-	SCIO	CITY	STP IMP	3	C	150	5.48	50.27	10	C 215.75
951504-	SCIO	CITY	II CORRECTION	2	C	150	5.48	50.27	7	C 212.75
051505-	SCIO	CITY	II CORRECTION	3	C	150	5.48	50.27	7	C 212.75
963101-	VERNONIA	CITY	STP IMP	1	C	120	6.52	68.54	10	C 205.06
963102-	VERNONIA	CITY	STP IMP	2	C	120	6.52	68.54	10	C 205.06
063103-	VERNONIA	CITY	STP IMP	3	C	120	6.52	69.54	10	C 205.06
051103-	CANNON BEACH	CITY	STP IMP	4	C	150	6.08	38.00	10	C 204.08

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060403-	CLACKAMAS CO	KELLOGG	SLUDGE DIGEST	3	C	90	9.11	93.45	10	C 202.56
965501-	PORTLAND	COLUMBIA BV RLV	INTERCEPTOR	1	C	90	10.60	93.45	8	C 202.05
965502-	PORTLAND	COLUMBIA BV RLV	INTERCEPTOR	2	C	90	10.60	93.45	8	C 202.05
065503-	PORTLAND	COLUMBIA BV RLV	INTERCEPTOR	3	C	90	10.60	93.45	8	C 202.05
034202-	PORTLAND	SOUTHEAST RLVG	INTERCEPTOR P3	3	C	90	10.41	93.45	8	C 201.86
034203-	PORTLAND	SOUTHEAST RLVG	INTERCEPTOR P4	3	C	90	10.41	93.45	8	C 201.86
962416-	MWMC	REGIONAL	SLUDGE P1	2	C	90	10.33	91.10	10	C 201.43
962419-	MWMC	REGIONAL	SLUDGE P2	2	C	90	10.33	91.10	10	C 201.43
062417-	MWMC	REGIONAL	SLUDGE P1	3	C	90	10.33	91.10	10	C 201.43
062420-	MWMC	REGIONAL	SLUDGE P2	3	C	90	10.33	91.10	10	C 201.43
949312-	TRI CITY SD	WEST LINN	RIVER ST INT	2	C	90	8.35	93.45	8	C 199.80
049313-	TRI CITY SD	WEST LINN	RIVER ST INT	3	C	90	8.35	93.45	8	C 199.80
949314-	TRI CITY SD	GLADSTONE	FORCE MAIN	2	C	90	7.94	93.45	8	C 199.39
949316-	TRI CITY SD	GLADSTONE	INTERCEPTOR	2	C	90	7.94	93.45	8	C 199.39
049315-	TRI CITY SD	GLADSTONE	FORCE MAIN	3	C	90	7.94	93.45	8	C 199.39
049317-	TRI CITY SD	GLADSTONE	INTERCEPTOR	3	C	90	7.94	93.45	8	C 199.39
062418-	MWMC	SPRINGFIELD	SEWER REHAB P2	3	C	90	9.25	91.10	9	C 199.35
949318-	TRI CITY SD	OREGON CITY	ABERNETHY INT	2	C	90	7.63	93.45	8	C 199.08
049319-	TRI CITY SD	OREGON CITY	ABERNETHY INT	3	C	90	7.63	93.45	8	C 199.08
949320-	TRI CITY SD	OREGON CITY	NEWELL INT	2	C	90	7.31	93.45	8	C 198.76
049321-	TRI CITY SD	OREGON CITY	NEWELL INT	3	C	90	7.31	93.45	8	C 198.76
949322-	TRI CITY SD	WEST LINN-WILLA	TUALATIN PS	2	C	90	7.09	93.45	8	C 198.54
949322-	TRI CITY SD	WEST LINN-WILLA	WEST LINN FM	2	C	90	7.09	93.45	8	C 198.54
049323-	TRI CITY SD	WEST LINN-WILLA	TUALATIN PS	3	C	90	7.09	93.45	8	C 198.54
049323-	TRI CITY SD	WEST LINN-WILLA	WEST LINN FM	3	C	90	7.09	93.45	8	C 198.54

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PROJECT NUMBER	COMMUNITY	AREA	COMPONENT	STEP	CLASS	REG. EMPH.	POP. EMPH.	STREAM RANK	PROJECT TYPE	TOTAL POINTS
957502-	USA	GASTON	INTERCEPTOR	2	C	90	4.00	95.73	8	C 197.73
057503-	USA	GASTON	INTERCEPTOR	3	C	90	4.00	95.73	8	C 197.73
062415-	MWMC	REGIONAL	WEST IRWIN PS	3	C	90	8.52	91.10	8	C 197.62
951302-	CRESWELL	CITY	STP IMP	2	C	90	6.51	91.10	10	C 197.61
051304-	CRESWELL	CITY	STP IMP	3	C	90	6.51	91.10	10	C 197.61
050602-	SHERIDAN	NORTH SIDE	SEWER REHAB	4	C	90	6.51	88.91	9	C 194.42
950604-	SHERIDAN	SOUTH SIDE	SEWER REHAB	2	C	90	6.00	88.91	9	C 193.91
050605-	SHERIDAN	SOUTH SIDE	SEWER REHAB	3	C	90	6.00	88.91	9	C 193.91
951303-	CRESWELL	CITY	INTERCEPTOR	2	C	90	6.51	91.10	6	C 193.61
051305-	CRESWELL	CITY	INTERCEPTOR	3	C	90	6.51	91.10	6	C 193.61
966801-	CORVALLIS	CITY	CSO	1	C	90	8.48	91.10	3	C 192.58
966802-	CORVALLIS	CITY	CSO	2	C	90	8.48	91.10	3	C 192.58
066803-	CORVALLIS	CITY	CSO	3	C	90	8.48	91.10	3	C 192.58
050603-	SHERIDAN	NORTH SIDE	II CORRECTION	4	C	90	6.51	88.91	7	C 192.42
950606-	SHERIDAN	SOUTH SIDE	II CORRECTION	2	C	90	6.00	88.91	7	C 191.91
050607-	SHERIDAN	SOUTH SIDE	II CORRECTION	3	C	90	6.00	88.91	7	C 191.91
961504-	CARLTON	CITY	II CORRECTION	2	C	90	6.29	86.64	7	C 189.93
061505-	CARLTON	CITY	II CORRECTION	3	C	90	6.29	86.64	7	C 189.93
965301-	E MULTNOMAH CO	CONSORTIUM	FPR	1	C	120	9.68	48.00	10	C 187.68
952004-	NORTH BEND	CITY	SEWER REHAB	2	C	90	7.98	80.00	9	C 186.98
052005-	NORTH BEND	CITY	SEWER REHAB	3	C	90	7.98	80.00	9	C 186.98
952008-	NORTH BEND	CITY	PUMP STATION	2	C	90	7.98	80.00	8	C 185.98
052009-	NORTH BEND	CITY	PUMP STATION	3	C	90	7.98	80.00	8	C 185.98
952006-	NORTH BEND	CITY	II CORRECTION	2	C	90	7.98	80.00	7	C 184.98
052007-	NORTH BEND	CITY	II CORRECTION	3	C	90	7.98	80.00	7	C 184.98

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954402-	ENTERPRISE	CITY	STP IMP	2	C	120	6.60	44.67	10	C 181.27
054403-	ENTERPRISE	CITY	STP IMP	3	C	120	6.60	44.67	10	C 181.27
952002-	NORTH BEND	CITY	CSO	2	C	90	7.98	80.00	3	C 180.98
052003-	NORTH BEND	CITY	CSO	3	C	90	7.98	80.00	3	C 180.98
942902-	EAGLE POINT	CITY	INTERCEPTOR	2	C	120	6.86	46.00	8	C 180.86
042903-	EAGLE POINT	CITY	INTERCEPTOR	3	C	120	6.86	46.00	8	C 180.86
954404-	ENTERPRISE	CITY	II CORRECTION	2	C	120	6.60	44.67	7	C 178.27
054405-	ENTERPRISE	CITY	II CORRECTION	3	C	120	6.60	44.67	7	C 178.27
951402-	OAKRIDGE	CITY	STP IMP	2	C	90	7.27	70.73	10	C 178.00
051403-	OAKRIDGE	CITY	STP IMP	3	C	90	7.27	70.73	10	C 178.00
957302-	LOWELL	CITY	STP IMP	2	C	90	5.69	70.73	10	C 176.42
057303-	LOWELL	CITY	STP IMP	3	C	90	5.69	70.73	10	C 176.42
951404-	OAKRIDGE	CITY	II CORRECTION	2	C	90	7.27	70.73	7	C 175.00
051405-	OAKRIDGE	CITY	II CORRECTION	3	C	90	7.27	70.73	7	C 175.00
959402-	ESTACADA	CITY	STP IMP	2	C	90	6.16	68.45	10	C 174.61
059403-	ESTACADA	CITY	STP IMP	3	C	90	6.16	68.45	10	C 174.61
951604-	KLAMATH FALLS	REGIONAL	STP EXPANSION	2	C	90	8.52	66.00	10	C 174.52
051605-	KLAMATH FALLS	REGIONAL	STP EXPANSION	3	C	90	8.52	66.00	10	C 174.52
956502-	STANFIELD	CITY	STP IMP	2	C	90	6.26	67.33	10	C 173.59
056503-	STANFIELD	CITY	STP IMP	3	C	90	6.26	67.33	10	C 173.59
959404-	ESTACADA	CITY	II CORRECTION	2	C	90	6.16	68.45	7	C 171.61
059405-	ESTACADA	CITY	II CORRECTION	3	C	90	6.16	68.45	7	C 171.61
951609-	KLAMATH FALLS	REGIONAL	II CORRECTION	2	C	90	8.52	66.00	7	C 171.52
051610-	KLAMATH FALLS	REGIONAL	II CORRECTION	3	C	90	8.52	66.00	7	C 171.52
956504-	STANFIELD	CITY	II CORRECTION	2	C	90	6.26	67.33	7	C 170.59

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056505-	STANFIELD	CITY	II CORECTION	3	C	90	6.26	67.33	7	C 170.59
959202-	DALLAS	CITY	II CORRECTION	2	C	90	7.91	63.91	7	C 168.82
059203-	DALLAS	CITY	II CORRECTION	3	C	90	7.91	63.91	7	C 168.82
966101-	GRANTS PASS	CITY	STP IMP	1	C	90	9.20	58.50	10	C 167.70
966102-	GRANTS PASS	CITY	SEWER REMAB	2	C	90	9.20	58.50	9	C 166.70
066103-	GRANTS PASS	CITY	SEWER REMAB	3	C	90	9.20	58.50	9	C 166.70
962001-	PHILOMATH	CITY	STP IMP	1	C	90	6.76	59.36	10	C 166.12
962002-	PHILOMATH	CITY	STP IMP	2	C	90	6.76	59.36	10	C 166.12
062003-	PHILOMATH	CITY	STP IMP	3	C	90	6.76	59.36	10	C 166.12
966101-	GRANTS PASS	CITY	II CORRECTION	1	C	90	9.20	58.50	7	C 164.70
966104-	GRANTS PASS	CITY	II CORRECTION	2	C	90	9.20	58.50	7	C 164.70
066105-	GRANTS PASS	CITY	II CORRECTION	3	C	90	9.20	58.50	7	C 164.70
947101-	TANGENT	CITY	SYSTEM	1	C	90	5.45	57.09	10	C 162.54
047103-	TANGENT	CITY	SYSTEM	3	C	90	5.45	57.09	10	C 162.54
056903-	MONROE	CITY	STP IMP	3	C	90	5.50	54.82	10	C 160.32
953302-	FLORENCE	CITY	STP IMP	2	C	90	7.48	52.00	10	C 159.48
053303-	FLORENCE	CITY	STP IMP	3	C	90	7.48	52.00	10	C 159.48
955705-	PORTLAND	CITY	SLUDGE GAS UTIL	2	C	90	11.40	48.00	10	C 159.40
955706-	PORTLAND	CITY	SLUDGE DISPOSAL	2	C	90	11.40	48.00	10	C 159.40
055707-	PORTLAND	CITY	SLUDGE GAS UTIL	3	C	90	11.40	48.00	10	C 159.40
055708-	PORTLAND	CITY	SLUDGE DISPOSAL	3	C	90	11.40	48.00	10	C 159.40
953304-	FLORENCE	CITY	II CORRECTION	2	C	90	7.48	52.00	7	C 156.48
053305-	FLORENCE	CITY	II CORRECTION	3	C	90	7.48	52.00	7	C 156.48
957702-	HOOD RIVER	WESTSIDE	INTERCEPTOR	2	C	90	5.40	55.00	6	C 156.40
057703-	HOOD RIVER	WESTSIDE	INTERCEPTOR	3	C	90	5.40	55.00	6	C 156.40

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957602-	USA	BANKS	INTERCEPTOR	2	C	90	5.31	48.00	8	C 151.31
057603-	USA	BANKS	INTERCEPTOR	3	C	90	5.31	48.00	8	C 151.31
961702-	OAKLAND	CITY	STP IMP	2	C	90	6.09	44.00	10	C 150.09
061703-	OAKLAND	CITY	STP IMP	3	C	90	6.09	44.00	10	C 150.09
964301-	HUBBARD	CITY	STP IMP	2	C	50	6.35	82.09	10	C 148.44
064302-	HUBBARD	CITY	STP IMP	3	C	50	6.35	82.09	10	C 148.44
967201-	BROOKINGS	CITY	STP IMP	1	C	90	7.09	40.00	10	C 147.09
967202-	BROOKINGS	CITY	STP IMP	2	C	90	7.09	40.00	10	C 147.09
067203-	BROOKINGS	CITY	STP IMP	3	C	90	7.09	40.00	10	C 147.09
968501-	RUFUS	CITY	STP IMP	1	C	90	5.06	42.00	10	C 147.06
968502-	RUFUS	CITY	STP IMP	2	C	90	5.06	42.00	10	C 147.06
068503-	RUFUS	CITY	STP IMP	3	C	90	5.06	42.00	10	C 147.06
953902-	ST HELENS	CITY	STP IMP	2	C	90	7.82	38.00	10	C 145.82
053903-	ST HELENS	CITY	STP IMP	3	C	90	7.82	38.00	10	C 145.82
968701-	KNOXTOWN	SAN DISTRICT	STP IMP	1	C	90	5.15	40.00	10	C 145.15
968702-	KNOXTOWN	SAN DISTRICT	STP IMP	2	C	90	5.15	40.00	10	C 145.15
068703-	KNOXTOWN	SAN DISTRICT	STP IMP	3	C	90	5.15	40.00	10	C 145.15
969201-	WARRENTON	CITY	STP EXPANSION	2	C	90	6.96	38.00	10	C 144.96
069202-	WARRENTON	CITY	STP EXPANSION	3	C	90	6.96	38.00	10	C 144.96
967204-	BROOKINGS	CITY	II CORRECTION	2	C	90	7.09	40.00	7	C 144.09
067205-	BROOKINGS	CITY	II CORRECTION	3	C	90	7.09	40.00	7	C 144.09
953904-	ST HELENS	CITY	II CORRECTION	2	C	90	7.82	38.00	7	C 142.82
053905-	ST HELENS	CITY	II CORRECTION	3	C	90	7.82	38.00	7	C 142.82
958602-	RANIER	CITY	II CORRECTION	2	C	90	6.61	38.00	7	C 141.61
058603-	RANIER	CITY	II CORRECTION	3	C	90	6.61	38.00	7	C 141.61

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964801-	HEPPNER	CITY	STP IMP	1	C	90	6.48	34.00	10	C 140.48
964802-	HEPPNER	CITY	STP IMP	2	C	90	6.48	34.00	10	C 140.48
064803-	HEPPNER	CITY	STP IMP	3	C	90	6.48	34.00	10	C 140.48
055904-	LINCOLN CITY	CITY	INTERCEPTOR P2	3	C	90	7.15	37.00	6	C 140.15
961802-	NEWPORT	CITY	STP IMP	2	C	90	7.71	32.00	10	C 139.71
061803-	NEWPORT	CITY	STP IMP	3	C	90	7.71	32.00	10	C 139.71
946901-	MODOC POINT	TOWN	SYSTEM	1	C	90	3.40	36.00	10	C 139.40
946902-	MODOC POINT	TOWN	SYSTEM	2	C	90	3.40	36.00	10	C 139.40
046903-	MODOC POINT	TOWN	SYSTEM	3	C	90	3.40	36.00	10	C 139.40
961804-	NEWPORT	CITY	II CORRECTION	2	C	90	7.71	32.00	7	C 136.71
061805-	NEWPORT	CITY	II CORRECTION	3	C	90	7.71	32.00	7	C 136.71
947302-	DUFUR	CITY	STP IMP	2	C	90	5.56	30.00	10	C 135.56
047303-	DUFUR	CITY	STP IMP	3	C	90	5.56	30.00	10	C 135.56
951902-	JOSEPH	CITY	STP IMP	2	C	90	5.96	28.00	10	C 133.96
051903-	JOSEPH	CITY	STP IMP	3	C	90	5.96	28.00	10	C 133.96
951801-	ONTARIO	CITY	STP IMP	2	C	90	7.90	26.00	10	C 133.90
051802-	ONTARIO	CITY	STP IMP	3	C	90	7.90	26.00	10	C 133.90
947304-	DUFUR	CITY	II CORRECTION	2	C	90	5.56	30.00	7	C 132.56
047305-	DUFUR	CITY	II CORRECTION	3	C	90	5.56	30.00	7	C 132.56
957202-	THE DALLES	FOLEY LAKES	INTERCEPTOR	2	C	90	5.75	30.00	6	C 131.75
057203-	THE DALLES	FOLEY LAKES	INTERCEPTOR	3	C	90	5.75	30.00	6	C 131.75
965101-	FOSSIL	CITY	STP IMP	1	C	90	5.63	20.00	10	C 125.63
965102-	FOSSIL	CITY	STP IMP	2	C	90	5.63	20.00	10	C 125.63
065103-	FOSSIL	CITY	STP IMP	3	C	90	5.63	20.00	10	C 125.63
958902-	MILTON-FREEWATE	CITY	STP IMP	2	C	90	7.33	18.00	10	C 125.33

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058903-	MILTON-FREEWATE	CITY	STP IMP	3	C	90	7.33	18.00	10	C 125.33
958904-	MILTON-FREEWATE	CITY	INTERCEPTOR	2	C	90	7.33	18.00	6	C 121.33
058905-	MILTON-FREEWATE	CITY	INTERCEPTOR	3	C	90	7.33	18.00	6	C 121.33
959501-	HALSEY	CITY	STP IMP	1	C	50	5.72	48.00	10	C 113.72
959502-	HALSEY	CITY	STP IMP	2	C	50	5.72	48.00	10	C 113.72
059503-	HALSEY	CITY	STP IMP	3	C	50	5.72	48.00	10	C 113.72
963501-	ATHENA	CITY	STP IMP	1	C	50	6.00	34.00	10	C 100.00
963502-	ATHENA	CITY	STP IMP	2	C	50	6.00	34.00	10	C 100.00
063503-	ATHENA	CITY	STP IMP	3	C	50	6.00	34.00	10	C 100.00
958202-	IRRIGON	CITY	SYSTEM	2	D	130	5.42	50.67	10	D 196.09
058203-	IRRIGON	CITY	SYSTEM	3	D	130	5.42	50.67	10	D 196.09
967001-	TRI CITY	MYRTLE CREEK	STP IMP	1	D	90	7.56	77.33	10	D 184.89
967002-	TRI CITY	MYRTLE CREEK	STP IMP	2	D	90	7.56	77.33	10	D 184.89
067003-	TRI CITY	MYRTLE CREEK	STP IMP	3	D	90	7.56	77.33	10	D 184.89
969001-	BCVSA	N ASHLAND INT	INTERCEPTOR	1	D	90	4.00	83.50	6	D 183.50
969002-	9CVSA	N ASHLAND INT	INTERCEPTOR	2	D	90	4.00	83.50	6	D 183.50
069003-	BCVSA	N ASHLAND INT	INTERCEPTOR	3	D	90	4.00	83.50	6	D 183.50
967004-	TRI CITY	MYRTLE CREEK	II CORRECTION	2	D	90	7.56	77.33	7	D 181.89
067005-	TRI CITY	MYRTLE CREEK	II CORRECTION	3	D	90	7.56	77.33	7	D 181.89
046709-	SILVERTON	CITY	STLHAMMER INT	3	D	90	3.40	82.09	6	D 181.49
969101-	CHARLESTON	SAN DISTRICT	COLLECTION	3	D	90	7.56	80.00	1	D 178.56
967301-	WINSTON-GREEN	LANDERS LANE	INTERCEPTOR	1	D	90	4.23	77.33	6	D 177.56
967302-	WINSTON-GREEN	LANDERS LANE	INTERCEPTOR	2	D	90	4.23	77.33	6	D 177.56
067303-	WINSTON-GREEN	LANDERS LANE	INTERCEPTOR	3	D	90	4.23	77.33	6	D 177.56
967401-	BORING	AREA	SYSTEM	1	D	90	5.40	68.45	10	D 173.85

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967402-	BORING	AREA	SYSTEM	2	D	90	5.40	68.45	10	D 173.85
067403-	BORING	AREA	SYSTEM	3	D	90	5.40	68.45	10	D 173.85
951606-	KLAMATH FALLS	PELICAN CITY	INTERCEPTOR	2	D	90	5.91	66.00	6	D 167.91
051607-	KLAMATH FALLS	PELICAN CITY	INTERCEPTOR	3	D	90	5.91	66.00	6	D 167.91
937102-	USA	DURHAM	SLUDGE	2	D	50	10.16	95.73	10	D 165.89
037103-	USA	DURHAM	SLUDGE	3	D	50	10.16	95.73	10	D 165.89
959204-	DALLAS	NORTHEAST AREA	INTERCEPTOR	2	D	90	5.56	63.91	6	D 165.47
059205-	DALLAS	NORTHEAST AREA	INTERCEPTOR	3	D	90	5.56	63.91	6	D 165.47
966201-	SODAVILLE	CITY	SYSTEM	1	D	90	4.56	57.09	10	D 161.65
966202-	SODAVILLE	CITY	SYSTEM	2	D	90	4.56	57.09	10	D 161.65
066203-	SODAVILLE	CITY	SYSTEM	3	D	90	4.56	57.09	10	D 161.65
956402-	NORTH POWDER	CITY	STP IMP	2	D	90	5.29	49.00	10	D 154.29
056403-	NORTH POWDER	CITY	STP IMP	3	D	90	5.29	49.00	10	D 154.29
967501-	WALLOWA	CITY	STP IMP	1	D	90	5.99	44.67	10	D 150.66
967502-	WALLOWA	CITY	STP IMP	2	D	90	5.99	44.67	10	D 150.66
067503-	WALLOWA	CITY	STP IMP	3	D	90	5.99	44.67	10	D 150.66
959701-	YONCALLA	CITY	STP IMP	1	D	90	5.86	44.00	10	D 149.86
959702-	YONCALLA	CITY	STP IMP	2	D	90	5.86	44.00	10	D 149.86
059703-	YONCALLA	CITY	STP IMP	3	D	90	5.86	44.00	10	D 149.86
959704-	YONCALLA	CITY	SEWER REHAB	2	D	90	5.86	44.00	9	D 148.86
059705-	YONCALLA	CITY	SEWER REHAB	3	D	90	5.86	44.00	9	D 148.86
966601-	CAMAS VALLEY	AREA	SYSTEM	1	D	90	4.35	44.00	10	D 148.35
966602-	CAMAS VALLEY	AREA	SYSTEM	2	D	90	4.35	44.00	10	D 148.35
066603-	CAMAS VALLEY	AREA	SYSTEM	3	D	90	4.35	44.00	10	D 148.35
954102-	SISTERS	CITY	SYSTEM	2	D	90	5.81	42.00	10	D 147.81

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054103-	SISTERS	CITY	SYSTEM	3	D	90	5.81	42.00	10	D 147.81
959706-	YONCALLA	CITY	II CORRECTION	2	D	90	5.86	44.00	7	D 146.86
059707-	YONCALLA	CITY	II CORRECTION	3	D	90	5.86	44.00	7	D 146.86
961704-	OAKLAND	UNION GAP	INTERCEPTOR	2	D	90	4.56	44.00	6	D 144.56
061705-	OAKLAND	UNION GAP	INTERCEPTOR	3	D	90	4.56	44.00	6	D 144.56
960201-	NEKOWIN	SAN AUTHORITY	SYSTEM	2	D	90	4.80	38.00	10	D 142.80
060202-	NEKOWIN	SAN AUTHORITY	SYSTEM	3	D	90	4.80	38.00	10	D 142.80
944701-	MILL CITY	CITY	SYSTEM	1	D	50	6.46	75.27	10	D 141.73
944702-	MILL CITY	CITY	SYSTEM	2	D	50	6.46	75.27	10	D 141.73
044703-	MILL CITY	CITY	SYSTEM	3	D	50	6.46	75.27	10	D 141.73
953601-	LAPINE	TOWN	SYSTEM	1	D	50	2.95	67.00	10	D 129.95
953602-	LAPINE	TOWN	SYSTEM	2	D	50	2.95	67.00	10	D 129.95
053603-	LAPINE	TOWN	SYSTEM	3	D	50	2.95	67.00	10	D 129.95
945601-	MERLIN	COLONIAL VALLEY	SYSTEM	1	D	50	8.21	58.50	10	D 126.71
945602-	MERLIN	COLONIAL VALLEY	SYSTEM	2	D	50	8.21	58.50	10	D 126.71
045603-	MERLIN	COLONIAL VALLEY	SYSTEM	3	D	50	8.21	58.50	10	D 126.71
965001-	BURNS	CITY	STP IMP	1	D	50	7.11	49.33	10	D 116.44
065003-	BURNS	CITY	STP IMP	3	D	50	7.11	49.33	10	D 116.44
952101-	N. ALBANY S.D.	NORTH AREA	INTERCEPTOR	1	D	0	6.16	91.10	6	D 103.26
952102-	N. ALBANY S.D.	NORTH AREA	INTERCEPTOR	2	D	0	6.16	91.10	6	D 103.26
052103-	N. ALBANY S.D.	NORTH AREA	INTERCEPTOR	3	D	0	6.16	91.10	6	D 103.26
944302-	TURNER	CITY	INTERCEPTOR	2	D	0	6.12	91.10	6	D 103.22
044303-	TURNER	CITY	INTERCEPTOR	3	D	0	6.12	91.10	6	D 103.22
967101-	PILOT ROCK	CITY	STP IMP	1	D	50	6.50	34.00	10	D 100.50
967102-	PILOT ROCK	CITY	STP IMP	2	D	50	6.50	34.00	10	D 100.50

STATE OF OREGON
DEPARTMENT OF ENVIRONMENTAL QUALITY
PRIORITY CALCULATION LIST

PROJECT NUMBER	COMMUNITY	APEA	COMPONENT	STEP	CLASS	REG. EMPH.	POP. EMPH.	STREAM RANK	PROJECT TYPE	TOTAL POINTS
067103-	PILOT ROCK	CITY	STP IMP	3	D	50	6.50	34.00	10	D 100.50
964501-	PRINEVILLE	CITY	STP IMP	2	D	0	7.56	79.50	10	D 97.06
064502-	PRINEVILLE	CITY	STP IMP	3	D	0	7.56	79.50	10	D 97.06
947102-	TANGENT	CITY	SYSTEM	2	D	0	5.45	57.09	10	D 72.54
944201-	MAPLETON	AREA	SYSTEM	1	D	0	5.83	52.00	10	D 67.83
944202-	MAPLETON	AREA	SYSTEM	2	D	0	5.83	52.00	10	D 67.83
044203-	MAPLETON	AREA	SYSTEM	3	D	0	5.83	52.00	10	D 67.83
968401-	REDMOND	CITY	STP EXPANSION	1	E	90	7.63	67.00	10	E 174.63
968402-	REDMOND	CITY	STP EXPANSION	2	E	90	7.63	67.00	10	E 174.63
068403-	REDMOND	CITY	STP EXPANSION	3	E	90	7.63	67.00	10	E 174.63
959206-	DALLAS	CITY	STP EXPANSION	2	E	90	7.91	63.91	10	E 171.82
059207-	DALLAS	CITY	STP EXPANSION	3	E	90	7.91	63.91	10	E 171.82
966001-	VENETA	CITY	STP EXPANSION	1	E	90	6.60	54.82	10	E 161.42
966002-	VENETA	CITY	STP EXPANSION	2	E	90	6.60	54.82	10	E 161.42
066003-	VENETA	CITY	STP EXPANSION	3	E	90	6.60	54.82	10	E 161.42
952201-	USA	NORTH PLAINS	INTERCEPTOR	1	E	50	5.90	95.73	6	E 157.63
952202-	USA	NORTH PLAINS	INTERCEPTOR	2	E	50	5.90	95.73	6	E 157.63
052203-	USA	NORTH PLAINS	INTERCEPTOR	3	E	50	5.90	95.73	6	E 157.63
945801-	CORVALLIS	AIRPORT	STP EXPANSION	2	E	90	5.09	48.00	10	E 153.09
045802-	CORVALLIS	AIRPORT	STP EXPANSION	3	E	90	5.09	48.00	10	E 153.09
954202-	CARMEL-FOULWEA	SAN DISTRICT	SYSTEM	2	E	90	6.00	38.00	10	E 144.00
054203-	CARMEL-FOULWEA	SAN DISTRICT	SYSTEM	3	E	90	6.00	38.00	10	E 144.00
964701-	TWIN ROCKS	SAN DISTRICT	STP EXP	2	E	90	5.63	38.00	10	E 143.63
064702-	TWIN ROCKS	SAN DISTRICT	STP EXP	3	E	90	5.63	38.00	10	E 143.63
951607-	KLAMATH FALLS	RIVERSIDE	INTERCEPTOR	2	E	50	5.81	66.00	6	E 127.81

STATE OF OREGON
DEPARTMENT OF ENVIRONMENTAL QUALITY
PRIORITY CALCULATION LIST

PROJECT NUMBER	COMMUNITY	AREA	COMPONENT	STEP	CLASS	REG. EMPH.	POP. EMPH.	STREAM RANK	PROJECT TYPE	TOTAL POINTS
051608-	KLAMATH FALLS	RIVERSIDE	INTERCEPTOR	3	E	50	5.81	66.00	6	E 127.81
960101-	WALLOWA LAKE	SAN AUTHORITY	SYSTEM	1	E	50	6.00	44.67	10	E 110.67
960102-	WALLOWA LAKE	SAN AUTHORITY	SYSTEM	2	E	50	6.00	44.67	10	E 110.67
060103-	WALLOWA LAKE	SAN AUTHORITY	SYSTEM	3	E	50	6.00	44.67	10	E 110.67
967601-	ADAIR VILLAGE	CITY	STP IMP	1	E	0	5.48	91.10	10	E 106.58
967602-	ADAIR VILLAGE	CITY	STP IMP	2	E	0	5.48	91.10	10	E 106.58
067603-	ADAIR VILLAGE	CITY	STP IMP	3	E	0	5.48	91.10	10	E 106.58
963701-	BROOKS	AREA	SYSTEM	1	E	0	4.60	91.10	10	E 105.70
963702-	BROOKS	AREA	SYSTEM	2	E	0	4.60	91.10	10	E 105.70
063703-	BROOKS	AREA	SYSTEM	3	E	0	4.60	91.10	10	E 105.70
968601-	WEDDERBURN	SAN DISTRICT	STP EXPANSION	1	E	50	5.12	40.00	10	E 105.12
968602-	WEDDERBURN	SAN DISTRICT	STP EXPANSION	2	E	50	5.12	40.00	10	E 105.12
068603-	WEDDERBURN	SAN DISTRICT	STP EXPANSION	3	E	50	5.12	40.00	10	E 105.12
946001-	ALBANY	N.E. KNOXBUTTE	INTERCEPTOR	1	E	0	5.09	91.10	6	E 102.19
946002-	ALBANY	N.E. KNOXBUTTE	INTERCEPTOR	2	E	0	5.09	91.10	6	E 102.19
046003-	ALBANY	N.E. KNOXBUTTE	INTERCEPTOR	3	E	0	5.09	91.10	6	E 102.19
964401-	ODELL	SAN DISTRICT	STP EXPANSION	1	E	50	6.16	30.00	10	E 96.16
964402-	ODELL	SAN DISTRICT	STP EXPANSION	2	E	50	6.16	30.00	10	E 96.16
064403-	ODELL	SAN DISTRICT	STP EXPANSION	3	E	50	6.16	30.00	10	E 96.16
954001-	MERRILL	CITY	STP EXPANSION	1	E	0	5.91	76.00	10	E 91.91
954002-	MERRILL	CITY	STP EXPANSION	2	E	0	5.91	76.00	10	E 91.91
054003-	MERRILL	CITY	STP EXPANSION	3	E	0	5.91	76.00	10	E 91.91
967801-	LYONS-MEHAMA	AREA	SYSTEM	1	E	0	6.21	75.27	10	E 91.48
967802-	LYONS-MEHAMA	AREA	SYSTEM	2	E	0	6.21	75.27	10	E 91.48
067803-	LYONS-MEHAMA	AREA	SYSTEM	3	E	0	6.21	75.27	10	E 91.48

STATE OF OREGON
DEPARTMENT OF ENVIRONMENTAL QUALITY
PRIORITY CALCULATION LIST

PROJECT NUMBER	COMMUNITY	AREA	COMPONENT	STEP	CLASS	REG. EMPH.	POP. EMPH.	STREAM RANK	PROJECT TYPE	TOTAL POINTS
947701-	DETROIT	CITY	SYSTEM	1	E	0	5.58	75.27	10	E 90.85
947702-	DETROIT	CITY	SYSTEM	2	E	0	5.58	75.27	10	E 90.85
047703-	DETROIT	CITY	SYSTEM	3	E	0	5.58	75.27	10	E 90.85
967901-	IDANHA	CITY	SYSTEM	1	E	0	5.14	75.27	10	E 90.41
967902-	IDANHA	CITY	SYSTEM	2	E	0	5.14	75.27	10	E 90.41
067903-	IDANHA	CITY	SYSTEM	3	E	0	5.14	75.27	10	E 90.41
968001-	GATES	CITY	SYSTEM	1	E	0	4.95	75.27	10	E 90.22
968002-	GATES	CITY	SYSTEM	2	E	0	4.95	75.27	10	E 90.22
068003-	GATES	CITY	SYSTEM	3	E	0	4.95	75.27	10	E 90.22
955101-	SANDY	CITY	STP EXPANSION	1	E	0	6.91	68.45	10	E 85.36
955102-	SANDY	CITY	STP EXPANSION	2	E	0	6.91	68.45	10	E 85.36
055103-	SANDY	CITY	STP EXPANSION	3	E	0	6.91	68.45	10	E 85.36
966301-	SCAPPOOSE	CITY	STP EXPANSION	1	E	0	7.00	48.00	10	E 65.00
966302-	SCAPPOOSE	CITY	STP EXPANSION	2	E	0	7.00	48.00	10	E 65.00
066303-	SCAPPOOSE	CITY	STP EXPANSION	3	E	0	7.00	48.00	10	E 65.00
954601-	CRESCENT	SAN DISTRICT	SYSTEM	1	E	0	4.08	42.00	10	E 56.08
954602-	CRESCENT	SAN DISTRICT	SYSTEM	2	E	0	4.08	42.00	10	E 56.08
054603-	CRESCENT	SAN DISTRICT	SYSTEM	3	E	0	4.08	42.00	10	E 56.08

ATTACHMENT H.

MUNICIPAL WASTE WATER TREATMENT WORKS CONSTRUCTION GRANTS FY83 PRIORITY LIST

Federal regulations governing the Federal Municipal Waste Water Treatments Works Construction Grants Program require that grants be awarded from an approved statewide priority list. This draft FY83 priority list is intended to satisfy those requirements and was developed in accordance with OAR 340-53-005 et seq., Development and Management of the Statewide Sewerage Works Construction Grants Priority List. The draft priority list includes all known projects potentially eligible for a grant, the estimated grant amount, and estimated target certification date. Since appropriations are expected to occur after adoption of this list, many planning assumptions were made to develop this draft list.

The FY83 Priority List is based on OAR 340-53-005. These rules specify that the FY83 list shows separate priority rating points for each component or segment of the proposed treatment works based on priority criteria unless components or segments were operationally dependent upon other components or segments. In the latter case, the higher priority ranking would be given to operationally dependent units.

Special Note on FY82 Appropriations

Congress authorized \$2.4 billion for construction grants for FY82. However, appropriations have not yet been made. Oregon would receive \$30.67 million if these funds are actually made available. The EQC's FY82 priority list would govern the distribution of funds during FY82. Projects that could expect FY82 funds will be notified as soon as an appropriation is made and target certification dates will be assigned. Any project that receives FY82 funds will be deleted from this proposed FY83 priority list.

Also, with the passage of the Clean Water Act Amendments on December 29, 1981, all new Step 1 and 2 projects on the state's approved FY82 priority list became ineligible for a federal grant. Therefore, the FY82 and proposed FY83 priority lists now include only Step 3 or Step 2 + 3 projects.

Funding Assumptions

1. No funds will be appropriated in FY82. (A few projects are scheduled for FY82 funding based on available "carryover" funds from prior years.) This is the proposed priority list for FY83. See Special Note above.
2. The Congressional authorization for FY83-85 is \$2.4 billion nationally. If the full authorization were received for FY83, Oregon would receive \$27.636 million.
3. The \$27.64 million is proposed to be separated into the following reserves:

	Million \$
General Allotment (77% minus \$50,000)	21.235
Reserve for Grant Increases (10%)	2.764
Small Community Alternative Reserve (4%)	1.105
Innovative/Alternative Reserve (4%)	1.105
Steps I and 2 Advance Reserve (Up to 10%; \$50,000 Estimate)	.050
Reserve for Water Quality Management (Up to \$276,000)	.276
Reserve for State Management Assistance (4% of Auth.)	1.105

4. No projects will be scheduled on the priority list for the reserve for Step 1 and 2 grant advances. Potential recipients of these funds may make application to the DEQ to the extent that funds are available under OAR 340-53-025. Refer to the priority points calculation list to determine the relative priority rating of Step 1 and 2 projects.

Scheduling Assumptions

1. Projects are scheduled to utilize the general allotment funds available each year, according to priority ranking order.
2. Step 2 plus 3 or Step 3 projects for small communities utilizing alternative technology were scheduled according to the funds available in a special reserve and in accordance with the priority ranking for projects known to be eligible for that reserve. These projects are noted by asterisk.
3. When a project could not be fully funded in a given year, it was scheduled for two or more years. This information will be refined for development of the final list.
4. The priority list show projects which may be funded during a five year period if funds are available at an assumed rate. Please note that FY85 is the last year for which funds are currently authorized.

Other Assumptions

1. If actual appropriations differ from the "funding assumptions", more or fewer projects may be certified in a given year without additional public hearing or initiation of bypass procedures. See OAR 340-53-015(3)(h).
2. If federal eligibility criteria is modified, appropriate deletions can be made without priority list modification or bypass.
3. Minor modifications as a result of updated project information can be made to the list without additional public hearing.
4. After FY84, new projects will be funded at 55% grant participation. The present list does not reflect the 55% level yet. Projects which are "grandfathered" to continue at 75% funding are not affected by the decrease in grant participation for projects beginning in FY85.

BJS:l
WL1592
6/30/82

PROPOSED CONSTRUCTION GRANTS FISCAL YEAR 1983 PRIORITY LIST

PROJECT RANK	PROJECT NO.	GRANTEE/ PROJECT NAME	SEGMENT/ COMPONENT	STEP	READY TO PROCEED	TARGET CERT.	EST. GRANT AMOUNT	PRIORITY POINTS
506		SHERIDAN / WEST AREA	INT	4	FY 82	FY 82	260	A229.51
			COLL	4	FY 82	FY 82	260	A224.51
		/ N. SIDE	REHAB	4	FY 82	FY 82	175	C194.42
			I/I CORR	4	FY 82	FY 82	185	C192.42
486		BEND/CITY	EFF DISP	3	FY 83	FY 83	971	A227.97
467		SILVERTON / NORWAY	INT	3	FY 81	FY 82	111	A222.25
			COLL	3	FY 81	FY 82	78	A217.25
		/ CITY	STP IMP	3	FY 82	FY 82	2,030	B249.57
			REHAB	3	FY 81	FY 82	209	B248.57
			PUMP STS	3	FY 81	FY 82	70	B247.57
			TRNK INT	3	FY 81	FY 82	131	B247.57
			WT ST INT	3	FY 81	FY 83	781	B247.57
560		ROSEBURG / RIFLE RANGE	INT	3	FY 83	FY 83	180	A217.68
			COLL	3	FY 83	FY 83	23	A212.68
579		MADRAS / FRINGE	INT	3	FY 84	FY 84	405	A208.40
			COLL	3	FY 84	FY 84	1,882	A203.40
516		K FALLS / STEWART-LENNOX	INT	3	FY 82	FY 83	659	A208.00
			COLL	3	FY 82	FY 83	1,431	A203.00
665		CORVALLIS / SW ANNEXATION	INT	3	FY 82	FY 83	465	A200.96
			COLL	3	FY 82	FY 83	423	A195.96
569		MONROE / NORTH	INT	3	FY 81	FY 83	46	A194.51
			COLL	3	FY 81	FY 83	110	A189.51
		/ CITY	REHAB	3	FY 81	FY 83	426	B159.32

PROPOSED CONSTRUCTION GRANTS FISCAL YEAR 1983 PRIORITY LIST

PROJECT RANK	PROJECT NO.	GRANTEE/ PROJECT NAME	SEGMENT/ COMPONENT	STEP	READY TO PROCEED	TARGET CERT.	EST. GRANT AMOUNT	PRIORITY POINTS
624		MWC / REGIONAL	SEA IND W P 2	3	FY 82	FY 83	3,900	C256.58
			STP P6	3	FY 83	FY 83	1,080	E261.51
			STP P7	3	FY 84	FY 84	3,030	E261.51
			SLUDGE P1	3	FY 83	FY 83	1,440	C201.51
			PS 2	3	FY 82	FY 83	3,980	C197.70
467		SILVERTON / CITY	W MN INT	3	FY 81	FY 83	164	E246.44
512		COTTAGE GROVE / CITY	STP IMP	3	FY 82	FY 83	4,178	E240.74
			INT	3	FY 81	FY 83	645	E238.74
			I/I CORR	3	FY 81	FY 83	319	E237.74
493		TRI-CITY SD / REGIONAL	STP P1	3	FY 83	FY 84	3,000	E232.55
			P2	3	FY 83	FY 84	10,000	E232.55
			P3	3	FY 83	84-85	9,800	E232.55
493		TRI-CITY SD / REGIONAL	WIL INT 1	3	FY 83	FY 85	1,923	E230.55
		/ OR CITY	OC INT	3	FY 83	FY 85	372	E229.78
		/ W LN BOLIN	RVR ST FM	3	FY 83	FY 85	234	E229.20
			BOLIN FM	3	FY 83	FY 85	79	E228.76
			BOLIN PS	3	FY 83	FY 85	518	E228.76
			RVR ST PS	3	FY 83	FY 85	1,511	E228.76
493		TRI-CITY SD / REGIONAL	WIL INT 2	3	FY 83	FY 85	554	E230.55
493		TRI-CITY SD / GLADSTONE	PS	3	FY 83	FY 85	495	E229.39
689		LANE CO / RVR R - SANTA CLA	INTS	3		FY 85	7,000	E225.98
431		BAKER / CITY	STP IMP	3		FY 86	3,225	E216.87
487		DOUG CO / METRO	STP	3		FY 86	9,825	E216.29
681		SEASIDE / CITY	STP IMP	3		FY 86	3,077	E213.68
681		SEASIDE / CITY	REHAB	3		FY 86	521	E212.68

PROPOSED CONSTRUCTION GRANTS FISCAL YEAR 1983 PRIORITY LIST

PROJECT RANK	PROJECT NO.	GRANTEE/ PROJECT NAME	SEGMENT/ COMPONENT	STEP	READY TO PROCEED	TARGET CERT.	EST. GRANT AMOUNT	PRIORITY POINTS
	494	NEWBERG / CITY	STP IMP	3		FY 86	2,969	B201.57
	646	SALEM/E RELIEF	INT	3		FY 86	1,500	B201.57
	682	USA / HILLSBORO	I/I CORR	3		FY 87	576	B201.55
	494	NEWBERG / CITY	REHAB	3		FY 87	537	B200.57
	494	NEWBERG / CITY	I/I CORR	3		FY 87	383	B198.57
	642	GRAND RONDE / AREA	SYSTEM	3		FY 83*	840	B194.02
	426	MULT CO. / INVERNESS	INT 8A	3		FY 87	527	B192.56
	426	MULT CO. / INVERNESS	INT 8F	3		FY 87	826	B192.40
			INT 8B	3		FY 87	346	B192.06
			INT 8C	3		FY 87	163	B191.80
			INT 8H	3		FY 87	114	B191.38
	426	MULT CO. / INVERNESS	INT 8D	3		FY 87	169	B190.89
			INT 8G	3		FY 87	217	B190.51
	567	HAPPY VALLEY / CITY	INT	3		FY 87	375	B190.32
	426	MULT CO. / INVERNESS	INT 8E	3		FY 87	137	B190.00
	628	COOS BAY / CITY NO. 1	STP IMP	3		FY 87	949	B187.91
	628	COOS BAY / CITY NO. 1	I/I CORR	3		FY 87	173	B184.91
	616	ROSEBURG / CITY	REHAB	3	FY 82	FY 87	1,682	B184.84
	619	ASTORIA / WILLIAMSPORT	INT	3		FY 87	548	B178.60
	638	CLATSOP PL / AREA	INT	3		FY 87	1,875	B170.49

PROPOSED CONSTRUCTION GRANTS FISCAL YEAR 1983 PRIORITY LIST

PROJECT RANK	PROJECT NO.	GRANTEE/ PROJECT NAME	SEGMENT/ COMPONENT	STEP	READY TO PROCEED	TARGET CERT.	EST. GRANT AMOUNT	PRIORITY POINTS
	449	FALLS CITY / CITY	SYSTEM	3		FY 87	563	B167.52
	639	YAMHILL CO / COVE ORCHARD	SYSTEM	4		FY 83*	281	B152.08
	607	BCVSA / WHETSTONE	INT	3		FY 87	900	B150.60
	629	DRAIN / CITY	STP IMP	3		FY 87	1,050	B150.23
	629	DRAIN / CITY	REHAB	3		FY 87	375	B149.23
	629	DRAIN / CITY	I/I CORR	3		FY 87	375	B147.23
	683	CLATSOP CO / WSTPRT AREA	SYSTEM	3		FY 84*	700	B143.69
	526	CLACKAMAS CO. / RHODO-WELCH	RHOD INT	3	FY 81	FY 87	173	B140.86
	537	SW LINCOLN / SAN DIST	SYSTEM	3		FY 87	675	B138.62
	583	IONE / CITY	SYSTEM	3		FY 87	369	B125.27
	588	MT. ANGEL / CITY	STP IMP	3		FY 87	144	C248.92
	588	MT. ANGEL / CITY	I/I CORR	3		FY 87	146	C245.92
	667	S. SUBURBAN / SAN. DIST.	STP IMP	3		FY 87	641	C234.53
	493	TRI CY SD / REGIONAL	REHAB	3	FY 82	FY 87	851	C231.55
	472	ELGIN / CITY	STP IMP	3		FY 87	356	C227.81
	472	ELGIN / CITY	REHAB	3		FY 87	124	C226.81
	472	ELGIN / CITY	I/I CORR	3		FY 87	15	C224.81
	615	CARLTON / CITY	STP IMP	3		FY 87	587	C222.93

PROPOSED CONSTRUCTION GRANTS FISCAL YEAR 1983 PRIORITY LIST

PROJECT RANK	PROJECT NO.	GRANTEE/ PROJECT NAME	SEGMENT/ COMPONENT	STEP	READY TO PROCEED	TARGET CERT.	EST. GRANT AMOUNT	PRIORITY POINTS
	320	HWY 101 N / S.D.	INT			FY 87	338	C220.48
	515	SCIO / CITY	STP IMP	3		FY 88	368	C215.75
	515	SCIO / CITY	I/I CORR	3		FY 87	41	C212.75
	631	VERONIA / CITY	STP IMP	3		FY 87	638	C205.06
	511	CANNON BEACH / CITY	STP IMP	4	FY 82	84-85*	1,869	C204.08
	604	CLACK CO / KELLOGG	SLG DIGT	3	FY 83	FY 87	2,883	C202.56
	655	PORTLAND / CO. BLVD. REL.	INT	3	FY 81	FY 87	1,650	C202.05
	342	PORTLAND / SE REL.	INT P 3	3	FY 80	FY 88	9,200	C201.86
			INT P 4	3	FY 81	FY 88	3,200	C201.86
	624	M/MC / REGIONAL	SLUDGE P 2	3		FY 88 +	7,370	C201.51
	493	TRI CY SD / W LINN	RVR ST INT	3	FY 81	FY 88 +	665	C199.80
	624	M/MC / SPRINGFIELD	REHAB P 2	3	FY 82	FY 88 +	1,130	C199.43
	493	TRI CY SD / GLADSTONE	FM	3	FY 82	FY 88 +	138	C199.39
	493	TRI CY SD / GLADSTONE	INT	3	FY 82	FY 88 +	133	C199.39
	493	TRI CY SD / ORE CITY	ABMTY INT	3	FY 82	FY 88 +	825	C199.08
	493	TRI CY SD / ORE CITY	NEWL INT	3	FY 82	FY 88 +	496	C198.76
	493	TRI CY SD / W LN WILMT	TUAL PS	3	FY 82	FY 88 +	631	C198.54
			W LN FM	3	FY 82	FY 88 +	313	C198.54
	575	USA/GASTON	INT	3		FY 88 +	910	C197.73

PROPOSED CONSTRUCTION GRANTS FISCAL YEAR 1983 PRIORITY LIST

PROJECT RANK	PROJECT NO.	GRANTEE/ PROJECT NAME	SEGMENT/ COMPONENT	STEP	READY TO PROCEED	TARGET CERT.	EST. GRANT AMOUNT	PRIORITY POINTS
	513	CRESWELL / CITY	STP IMP	3		FY 88 +	970	C197.69
	506	SHERIDAN / S. SIDE	REHAB	3		FY 88 +	48	C193.91
	513	CRESWELL	INT	3		FY 88 +	160	C193.69
	668	CORVALLIS / CITY	CSO	3		FY 88 +	2,600	C192.66
	506	SHERIDAN / S. SIDE	I/I CORR	3		FY 88 +	141	C191.91
	615	CARLTON / CITY	I/I CORR	3		FY 88 +	110	C189.93
	520	N BEND / CITY	REHAB	3		FY 88 +	942	C186.98
			PS	3		FY 88 +	42	C185.98
			I/I CORR			FY 88 +	982	C184.98
	554	ENTERPRISE / CITY	STP IMP	3		FY 88 +	138	C181.27
	520	N BEND / CITY	CSO	3		FY 88 +	631	C180.98
	429	EAGLE POINT / CITY	INT	3		FY 88 +	563	C180.86
	554	ENTERPRISE / CITY	I/I CORR	3		FY 88 +	71	C178.27
	514	OAKRIDGE / CITY	STP IMP	3		FY 88 +	764	C178.00
	573	LOWELL / CITY	STP IMP	3		FY 88 +	188	C176.42
	514	OAKRIDGE / CITY	I/I CORR	3		FY 88 +	100	C175.00
	594	ESTACADA / CITY	STP IMP	3		FY 88 +	632	C174.61
	516	K FALLS / REGIONAL	STP EXP	3		FY 88 +	560	C174.52
	565	STANFIELD / CITY	STP IMP	3		FY 88 +	401	C173.59

PROPOSED CONSTRUCTION GRANTS FISCAL YEAR 1983 PRIORITY LIST

PROJECT RANK	PROJECT NO.	GRANTEE/ PROJECT NAME	SEGMENT/ COMPONENT	STEP	READY TO PROCEED	TARGET CERT.	EST. GRANT AMOUNT	PRIORITY POINTS
	594	ESTACADA / CITY	I/I CORR	3		FY 88 +	120	C171.61
	516	K FALLS / REGIONAL	I/I CORR	3		FY 88 +	360	C171.52
	565	STANFIELD / CITY	I/I CORR	3		FY 88 +	62	C170.59
	592	DALLAS / CITY	I/I CORR	3		FY 88 +	204	C168.82
	661	GRANTS PASS / CITY	REHAB	3		FY 88 +	460	C166.70
	620	PHILOMATH / CITY	STP IMP	3		FY 88 +	578	C166.12
	661	GRANTS PASS / CITY	I/I CORR	3		FY 88 +	15	C164.70
	471	TANGENT / CITY	SYSTEM	3		FY 88 +	1,125	C162.54
	569	MONROE / CITY	STP EXP	3	FY 81	FY 88 +	148	C160.32
	533	FLORENCE / CITY	STP IMP	3		FY 88 +	2,028	C159.48
	577	HOOD RVR / WESTSIDE	INT	3		FY 88 +	150	C156.40
	557	PORTLAND / CITY	SL GAS U	3		FY 88 +	2,720	C159.40
	557	PORTLAND / CITY	SL DISP	3		FY 88 +	7,268	C159.40
	533	FLORENCE / CITY	I/I CORR	3		FY 88 +	194	C156.48
	576	USA / BANKS	INT	3		FY 88 +	1,309	C151.31
	617	OAKLAND / CITY	STP IMP	3		FY 88 +	302	C150.09
	643	HUBBARD / CITY	STP IMP	3		FY 88 +	546	C148.44

PROPOSED CONSTRUCTION GRANTS FISCAL YEAR 1983 PRIORITY LIST

PROJECT RANK	PROJECT NO.	GRANTEE/ PROJECT NAME	SEGMENT/ COMPONENT	STEP	READY TO PROCEED	TARGET CERT.	EST. GRANT AMOUNT	PRIORITY POINTS
	672	BROOKINGS / CITY	STP IMP	3		FY 88 +	488	C147.09
	685	RUFUS / CITY	STP IMP	3		FY 88 +	50	C147.06
	539	ST HELENS / CITY	STP IMP	3		FY 88 +	2,931	C145.82
	687	KNOXTOWN / S. D.	STP IMP	3		FY 88 +	300	C145.15
	692	WARRENTON / CITY	STP EXT	3		FY 88 +	331	C144.96
	672	BROOKINGS / CITY	I/I CORR	3		FY 88 +	273	C144.09
	539	ST HELENS / CITY	I/I CORR	3		FY 88 +	1,125	C142.82
	586	RAINIER / CITY	I/I CORR	3		FY 88 +	796	C141.61
	648	HEPPNER / CITY	STP IMP	3		FY 88 +	1,005	C140.48
	559	LINCOLN CITY / CITY	INT P 2	3	FY 80	FY 88 +	250	C140.15
	618	NEWPORT / CITY	STP IMP	3		FY 88 +	2,000	C139.71
	469	KLAM CO. / MODOC POINT	SYSTEM	3		FY 88 +	430	C139.40
	618	NEWPORT / CITY	I/I CORR	3		FY 88 +	60	C136.71
	473	DUFUR / CITY	STP IMP	3		FY 88 +	250	C135.56
	519	JOSEPH / CITY	STP IMP	3		FY 88 +	315	C133.96
	518	ONTARIO / CITY	STP IMP	3		FY 88 +	656	C133.90
	473	DUFUR / CITY	I/I CORR	3		FY 88 +	33	C132.56

PROPOSED CONSTRUCTION GRANTS FISCAL YEAR 1983 PRIORITY LIST

PROJECT RANK	PROJECT NO.	GRANTEE/ PROJECT NAME	SEGMENT/ COMPONENT	STEP	READY TO PROCEED	TARGET CERT.	EST. GRANT AMOUNT	PRIORITY POINTS
	572	THE DALLES / FOLEY LAKES	INT	3		FY 88 +	366	C131.75
	651	FOSSIL / CITY	STP IMP	3		FY 88 +	945	C125.63
	589	MILTON-FREEWATER / CITY	STP IMP	3		FY 88 +	1,322	C121.33
	589	MILTON-FREEWATER / CITY	INT	3		FY 88 +	78	C123.33
	595	HALSEY / CITY	STP IMP	3		FY 88 +	868	C113.72
	635	ATHENA / CITY	STP IMP	3		FY 88 +	600	C100.00
	582	IRRIGON / CITY	SYSTEM	3		FY 86*	1,275	D196.09
	670	TRI CITY S.D. / MYRTLE CR	STP IMP	3		FY 88 +	668	D184.89
	690	BCVSA / N ASHLAND	INT	3		FY 88 +	521	D183.50
	670	TRI CITY S.D. / MYRTLE CR	I/I CORR	3		FY 88 +	100	D181.89
	467	SILVERTON / CITY	STHR INT	3	FY 81	FY 88 +	71	D181.49
	673	GREEN S.D. / LANDERS LANE	INT	3		FY 88 +	124	D177.56
	674	BORING / AREA	SYSTEM	3		FY 88 +	375	D173.85
	516	K FALLS / PELICAN CITY	INT	3		FY 88 +	510	D167.91
	371	USA / DURHAM	SLUDGE	3		FY 88 +	6,300	D165.89
	592	DALLAS / NORTHEAST	INT	3		FY 88 +	1,200	D165.47
	662	SODAVILLE / CITY	SYSTEM	3		FY 88 +	506	D161.65

PROPOSED CONSTRUCTION GRANTS FISCAL YEAR 1983 PRIORITY LIST

PROJECT RANK	PROJECT NO.	GRANTEE/ PROJECT NAME	SEGMENT/ COMPONENT	STEP	READY TO PROCEED	TARGET CERT.	EST. GRANT AMOUNT	PRIORITY POINTS
	564	N. POWDER / CITY	STP IMP	3		FY 88 +	81	D154.29
	675	WALLOWA / CITY	STP IMP	3		FY 88 +	450	D150.66
	597	YONCALLA / CITY	STP IMP	3		FY 88 +	574	D149.86
	597	YONCALLA / CITY	REHAB	3		FY 88 +	15	D148.86
	666	CAMAS VALLEY / AREA	SYSTEM	3		FY 88 +	600	D148.35
	541	SISTERS / CITY	SYSTEM	4	FY 82	FY 87*	1,800	D147.81
	597	YONCALLA / CITY	I/I CORR	3		FY 88 +	23	D146.86
	617	OAKLAND / UNION GAP	INT	3		FY 88 +	77	D144.56
	602	NESKOWIN / SAN AUTH	SYSTEM	4	FY 82	FY 88*	3,600	D142.80
	447	MILL CITY / CITY	SYSTEM	3		FY 88 +	698	D141.73
	536	DESCHUTES CO / LAPINE	SYSTEM	3		FY 88 +	675	D129.95
	456	JOSEPHINE CO/MERLIN (Col Vly)	SYSTEM	3		FY 88 +	695	D126.71
	650	BURNS / CITY	STP IMP	3		FY 88 +	300	D116.44
	521	N. ALBANY S.D. / N AREA	INT	3		FY 88 +	900	D103.34
	443	TURNER / CITY	INT	3		FY 88 +	656	D103.30
	671	PILOT ROCK / CITY	STP IMP	3		FY 88 +	900	D100.50
	645	PRINEVILLE / CITY	STP IMP	3		FY 88 +	563	D97.06

PROPOSED CONSTRUCTION GRANTS FISCAL YEAR 1983 PRIORITY LIST

PROJECT RANK	PROJECT NO.	GRANTEE/ PROJECT NAME	SEGMENT/ COMPONENT	STEP	READY TO PROCEED	TARGET CERT.	EST. GRANT AMOUNT	PRIORITY POINTS
	442	LANE CO. / MAPLETON	SYSTEM	3		FY 88 +	713	D67.83
	684	REDMOND / CITY	STP EXP	3		FY 88 +	250	E174.63
	592	DALLAS / CITY	STP EXP	3		FY 88 +	1,436	E171.82
	660	VENETA / CITY	STP EXP	3		FY 88 +	512	E161.42
	522	USA / N. PLAINS	INT	3		FY 88 +	678	E157.63
	458	CORVALLIS / AIRPORT	STP EXP	3		FY 88 +	450	E153.09
	542	CARMEL FOULWTHR / SAN.DIST.	SYSTEM	3		FY 88 +	676	E144.00
	647	TWIN ROCKS / SAN.DIST.	STP EXP	3		FY 88 +	300	E143.63
	516	K FALLS / RIVERSIDE	INT	3		FY 88 +	975	E127.81
	601	WALLOWA LAKE / SAN.AUTH.	SYSTEM	3		FY 88 +	450	E110.67
	676	ADAIR VILLAGE / CITY	STP IMP	3		FY 88 +	338	E106.66
	637	MARION CO. / BROOKS	SYSTEM	3		FY 88 +	375	E105.78
	686	WEDDERBURN / SAN DIST	STP EXP	3		FY 88 +	100	E105.12
	460	ALBANY / NE KNOX BUTTE	INT	3		FY 88 +	713	E102.27
	644	ODELL / SAN DIST	STP EXP	3		FY 88 +	675	E96.16
	540	MERRILL / CITY	STP EXP	3		FY 88 +	675	E91.91
	678	LYONS-MEHAMA / REGIONAL	SYSTEM	3		FY 88 +	563	E91.48

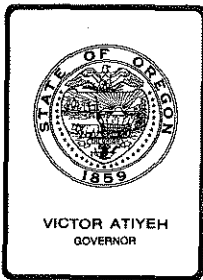
PROPOSED CONSTRUCTION GRANTS FISCAL YEAR 1983 PRIORITY LIST

PROJECT RANK	PROJECT NO.	GRANTEE/ PROJECT NAME	SEGMENT/ COMPONENT	STEP	READY TO PROCEED	TARGET CERT.	EST. GRANT AMOUNT	PRIORITY POINTS
	477	DETROIT / CITY	SYSTEM	3		FY 88 +	900	E90.85
	679	IDANHA / CITY	SYSTEM	3		FY 88 +	581	E90.41
	680	GATES / CITY	SYSTEM	3		FY 88 +	489	E90.22
	551	SANDY / CITY	STP EXP	3		FY 88 +	945	E85.36
	663	SCAPPOOSE / CITY	STP EXP	3		FY 88 +	765	E65.00
	546	CRESCENT / SAN.DIST.	SYSTEM	3		FY 88 +	563	E56.08

BJS:1

WL1560

Revised June 25, 1982



Environmental Quality Commission

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MEMORANDUM

To: Environmental Quality Commission

From: Director

Subject: Agenda Item No. M, July 16, 1982, EQC Meeting

Proposed Adoption of the Ozone Control Strategy for the
Portland-Vancouver Interstate AQMA (Oregon Portion) as a
Revision to the State Implementation Plan

BACKGROUND AND PROBLEM STATEMENT

Background

On March 3, 1978, the Environmental Protection Agency (EPA) designated the Portland-Vancouver Air Quality Maintenance Area (AQMA) as nonattainment for ozone. CRAG (succeeded by Metro) as the designated lead agency initially performed an ozone analysis which showed that implementation of all practicable measures would fail to meet the ozone standard by the federal deadline of December 31, 1982. Consequently, on June 8, 1979, the EQC adopted a revised ozone State Implementation Plan (SIP) for the Oregon portion of the Portland-Vancouver AQMA with an extension request beyond 1982 for the attainment of the federal ozone standard.

The ozone plan, containing the extension request, was submitted to EPA on June 20, 1979. EPA approved the extension request on June 29, 1980, (45 FR 42278) stipulating that the State submit a detailed SIP control strategy before the statutory deadline of July 1, 1982. EPA also required the plan to show attainment of standards as soon as practicable, but no later than December 31, 1987.

Since that time a plan to bring the Portland-Vancouver AQMA into attainment with the federal ozone standard by 1987 has been jointly developed with Metro and the State of Washington. The proposed plan, along with the carbon monoxide control strategy plan, would replace the old Portland Transportation Control Strategy (TCS). The old TCS would be deleted from the SIP as part of the revision.

A public hearing was held on May 24, 1982 to obtain comment. The proposed control strategy plan revision is shown in Attachment 1. The final Public Hearing Notice is shown in Attachment 2. The Hearing Report is shown in Attachment 3.

Following the hearing, Metro completed and submitted to the Department a revised estimate of regional VOC emissions from transportation sources. The revised analysis was requested by the Department to reflect the proposed construction phasing for I-205. Under the phasing plan, the remainder of I-205, except the bridge, would be built as a 4-lane section for an interim period, perhaps extending into the early 1990's. The original ozone analysis incorporated I-205 as a full 6-lane facility in 1987. The difference in VOC emissions between a 6-lane and 4-lane highway was identified as an increase of 62 kg/day of VOC.

While doing the revised analysis for I-205, Metro found a discrepancy in the emission factors used in the original computer program that calculates emissions. Resolution on this discrepancy resulted in the need to assign 350 kg/day more to mobile source emissions. The total 412 kg/day increase in VOC emissions are being allocated against the growth cushion (see Attachment 4).

Problem Statement

The ozone plan is needed in order to meet the requirements of the Clean Air Act Amendments of 1977 and is to be submitted to EPA before July 1, 1982. EPA has acknowledged that submission of the plan within the month of July will demonstrate that a reasonable effort was made to meet the deadline and, therefore, possible federal sanctions related to industrial growth and federal transportation and sewage treatment assistance grants under Sections 176 and 316 of the Act will be avoided.

Authority for the Commission to Act

ORS Chapter 468, Section 020 gives the Commission authority to adopt necessary rules and standards; Section 305 authorizes the Commission to prepare and develop a comprehensive plan. Attachment 5 contains the Statement of Need for Rulemaking and the Fiscal and Economic Impact Statement.

ALTERNATIVES AND EVALUATION

Alternative Courses of Action

If the proposed rule is not adopted, Section 176 of the Clean Air Act Amendments of 1977 states that the Administrator of the EPA shall not approve any projects or award any federal transportation assistance grants other than for safety, mass transit, or transportation improvement projects related to air quality improvement or maintenance. Other sanctions related to sewage treatment grants and industrial growth could be imposed.

Rule Development Process

The proposed ozone control strategy was prepared by the Metropolitan Service District (Metro) as the designated lead agency. Technical assistance was provided by the Department of Environmental Quality. The

Portland Air Quality Advisory Committee provided interested citizen input and advice on the plan. Coordination with the State of Washington was pursued through Clark County Regional Planning and the Bi-State Policy Advisory Committee. The Portland City Council passed a resolution endorsing the plan on January 13, 1982, and the Metro Council adopted the plan on February 25, 1982.

As a result of February 19, 1982 comments from EPA on the draft control plan, some changes were made and incorporated into the final plan document that went to public hearing.

On April 16, 1982, the EQC authorized a public hearing. A hearing was held on May 24, 1982 in accordance with state and federal public notice procedures.

Oral testimony, followed by a written statement, was offered by the Oregon Lung Association (see the discussion below). Written testimony in support of the proposed plan was submitted by the City of Portland, the Port of Portland, and the Portland Air Quality Advisory Committee.

The A-95 Intergovernmental Review was invited to comment on the proposed plan.

The only significant issue raised at the public hearing concerned the proposed growth management policy in the plan document. This issue is addressed in the following section.

Response to Growth Management Issue

Issue: Whether the predicted hydrocarbon emissions reduction surplus in 1987 should be treated as a safety margin rather than as a growth margin. New industries with hydrocarbon emissions should be handled with an offset policy under a no growth cushion plan.

Response: The hydrocarbon emissions reduction surplus was thoroughly discussed by the Portland Air Quality Advisory Committee at its December 15, 1981 meeting. The Committee voted 8-4 to use the reduction surplus as a growth cushion. Technically, the ozone modeling was conservative. Also, no emission reductions were calculated for implementation of Tri-Met's East Side improvements. Previous analysis indicated that full implementation of Transit Development Plans would result in an emissions reduction of 1,035 kg/day in 1987. Another important consideration is the present projection that hydrocarbon emissions will continue to decline through the year 2000. Two other factors give additional support for a growth cushion policy: 1) most of the populated metro area would be well below .10 ppm when the .12 standard is met at the downwind site at Carus; 2)

numerous other control strategies totaling 17,000 kg/day can be implemented if it is found additional strategies are needed. These considerations supported the Department's views that establishment of the growth cushion would not put the plan in jeopardy. The Bi-State Policy Advisory Committee could not agree on whether a growth cushion or offset program was desired. EPA has indicated they would recognize an Oregon Growth Cushion program.

Alternatives

for Resolution:

The Commission could direct the Department to change the ozone SIP so that industrial growth would be subject to an offset policy. Such action would have the advantage of guaranteeing an upper limit on emissions of hydrocarbons in the air shed. The State of Washington, intends to operate an offset program in the Vancouver portion of the AQMA. However, an offset policy could impede the location of otherwise desirable new industry. Some delay in forwarding a SIP revision to EPA would be likely.

The Commission could accept the growth cushion in the proposed SIP. The major advantage of this alternative is that new industry would not be burdened with a potentially time consuming and costly pursuit of offsets, until the growth cushion were consumed. Offsets would also have to be purchased. This would add to other location cost factors. The growth cushion policy was supported in testimony by the City of Portland, the Port of Portland, and the Portland Air Quality Advisory Committee.

Resolution: No change is recommended in the ozone SIP revision.

Major Elements of the Proposed Rule and Principal Impacts

The control strategy consists of already committed volatile organic compound emission reductions from transportation sources and industrial sources. The main elements of the ozone control strategy are listed below:

Transportation Sources

1. Continue the Biennial Auto Inspection Maintenance program in conjunction with the existing federal program on the control of tail pipe emissions.
2. Construct the Banfield Light Rail Transit project and associated transit service improvements and highway improvements.

Industrial Sources

1. Continue to implement reasonably available control technology requirement contained in existing Department rules for stationary VOC sources.
2. Establish VOC Plant Site Emission Limits consistent with the SIP data base.

The auto inspection program is operating on a current budget of \$3,352,000 which is completely funded by a \$7.00 certificate fee. The Banfield Light Rail transit project is budgeted for \$190 million in Interstate Transfer Funds.

The VOC emission controls were previously adopted by the Commission on June 8, 1979 and September 19, 1980. No new controls on industrial sources are being proposed as part of the ozone SIP revision.

The proposed plan contains a 1,700 kg/day growth cushion to manage new industrial growth, tentatively split on an 85% - 15% basis between Oregon and Washington, respectively. However, Washington is in the final stages of submitting an ozone SIP relying on their offset program and Oregon is waiting to see if Washington wished to utilize the offered fairshare portion of the growth cushion. In an April 27, 1982 letter (Attachment 6) from EPA Region X to the Regional Planning Council of Clark County, Clark Goulding indicated that both state plans are approvable even though the growth management plans are different.

SUMMATION

1. A plan meeting requirements of the Clean Air Act has been developed to bring the Portland-Vancouver AQMA into attainment with the federal ozone standard by 1987. The proposed plan would replace the old Portland Transportation Control Strategy which would be deleted from the SIP (Attachment 1).
2. The proposed plan was prepared by the Metropolitan Service District, with significant input provided by the Portland Air Quality Advisory Committee. Some changes have been incorporated into the proposed plan to reflect comments by EPA.
3. A public hearing was held on May 24, 1982 to secure comment (Attachments 2 and 3).
4. At the public hearing, an individual representing the Oregon Lung Association spoke against the proposed growth management plan of administering a growth cushion of 1,700 kg/day VOC emissions (also refer to Item 7) stating it was too small and within the margin of modeling error.

5. The proposed growth cushion is backed by a conservative ozone analysis, with a further decline in VOC emissions projected through the year 2000. Also, a broad consensus of support has been expressed in favor of a growth cushion policy.
6. The key strategy elements for attaining the federal ozone standard include: (1) continuation of the Portland area Biennial Auto Inspection Maintenance program along with the existing federal program on the control of tail pipe emissions; (2) committed transportation projects, with special emphasis on the Banfield Light Rail transit project and associated improvements; (3) the existing Volatile Organic Compound Rules applied to existing industrial sources.
7. To manage new industrial growth, the State will administer a new source review program, with a growth cushion of 1,700 kg/day which may be split on an 85%-15% between Oregon and Washington, respectively. First allocations against this growth cushion have been made in the amount of 412 kg/day to compensate for revised transportation system emissions.
8. Washington is in the final stages of submitting a SIP that relies on their offset program for managing new industrial growth. EPA, Region X has indicated that both state plans are approvable even though the growth management plans are different (Attachment 6).
9. In order to avoid possible federal sanctions, the ozone strategy needs to be submitted to EPA as a SIP revision in July, 1982.

Director's Recommendation

Based on the summation, the Director recommends that the EQC adopt the Portland-Vancouver AQMA (Oregon portion) ozone attainment strategy and direct the Department to forward it to EPA as a revision to the State Implementation Plan.

Bill

WILLIAM H. YOUNG
Director

- Attachments
1. Proposed Control Strategy for Portland-Vancouver Interstate Air Quality Maintenance Area (AQMA)(Oregon Portion) State Implementation Plan Revision for Ozone
 2. Public Hearing Notice
 3. Hearing Officer's Report
 4. Growth Cushion Ledger Account
 5. Statement of Need for Rulemaking and Fiscal and Economic Impact Statement
 6. EPA, Region X, April 27, 1982 Letter

OAR 340-20-047 is hereby amended by replacing Section 4.3 with the following material: Control Strategy for Portland-Vancouver Interstate Air Quality Maintenance Area (AQMA) (Oregon Portion) State Implementation Plan Revision for Ozone, pp. i-iii, 1-73; appendices to be added. Section 4.3 supplements Section 4.2 as a replacement for the Portland Transportation Control Strategy, April 13, 1973.

SECTION 4.3
CONTROL STRATEGY FOR
PORTLAND-VANCOUVER INTERSTATE
AIR QUALITY MAINTENANCE AREA (AQMA) (Oregon Portion)
STATE IMPLEMENTATION PLAN REVISION
FOR OZONE

Metropolitan Service District
Oregon Department of Environmental Quality

SECTION 4.3
CONTROL STRATEGY FOR
PORTLAND-VANCOUVER INTERSTATE
AIR QUALITY MAINTENANCE AREA (AMQA) (Oregon Portion)
STATE IMPLEMENTATION PLAN REVISION
FOR OZONE

Metropolitan Service District
Oregon Department of Environmental Quality

STATE IMPLEMENTATION PLAN REVISION
FOR OZONE

PUBLISHED
AS A JOINT EFFORT BY

Metropolitan Service District
and the
Oregon Department of Environmental Quality

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January, 1982

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4.3.0 PORTLAND-VANCOUVER INTERSTATE AIR QUALITY MAINTENANCE AREA
STATE IMPLEMENTATION PLAN FOR OZONE

4.3.0.1 Introduction

The Clean Air Act Amendments of 1977 require states to submit plans to demonstrate how they will attain and maintain compliance with national ambient air standards for those areas designated as "non-attainment." The Clean Air Act Amendments further require these plans to demonstrate compliance with primary standards not later than December 31, 1982. An extension up to December 31, 1987 is possible if the State can demonstrate that despite implementation of all reasonably available control measures the December 31, 1982 date cannot be met.

On March 3, 1978, the entire Portland-Vancouver Interstate Air Quality Maintenance Area was designated by the Environmental Protection Agency as a non-attainment area for ozone.

In accordance with section 174 of the Clean Air Act Amendments of 1977, former Governor Straub designated the Columbia Regional Association of Governments as the lead agency for the development of the Ozone State Implementation Plan revisions for the Oregon portion of the interstate Air Quality Maintenance Area. On December 12, 1978, Governor Straub redesignated the Metropolitan Service District (Metro) as lead agency, effective January 1, 1979, in accordance with the voter approved May 23, 1978 ballot measure which abolished CRAG

and transferred its responsibilities and powers to a reorganized Metropolitan Service District.

Since mid-1978, the staff of the Metropolitan Service District (formerly the Columbia Region Association of Governments), working in cooperation with the Department of Environmental Quality, has spent considerable time projecting emissions and air quality trends for the Portland-Vancouver airshed.

An interim analysis was completed in early 1979 which resulted in the June 29, 1979 submittal to the Environmental Protection Agency (EPA) of an ozone State Implementation Plan revision. This plan made an initial estimate of the hydrocarbon emission reduction required to attain the federal ozone standard, laid the framework for the potential control measures to be evaluated, indicated that the December 31, 1982 attainment date could not be met despite the implementation of reasonably available control measures, and requested an extension of the December 1982 deadline for meeting the federal ozone standard. An extension to 1987 was granted by EPA and printed in the Federal Register on June 29, 1980 (45 FR 42265).

Subsequent to the 1979 SIP revision, Metro and DEQ evaluated the emission reduction potential and cost-effectiveness of numerous stationary and mobile source control measures. Results of this analysis were submitted to EPA by Metro in

August 1980 and April 1981 as Technical Memorandum #35 "Air Quality Control Strategy Analysis," and Technical Memorandum #37, "Cost-Effectiveness of Transportation/Air Quality Control Strategies."

In September and October 1981, Metro and DEQ, together with the Regional Planning Council of Clark County, Washington again estimated emission inventories for the base year of 1980 and attainment deadline of 1987 using new EPA emission factors and 1980 census data. The result of this analysis, the air quality control strategy analysis, and the public involvement process resulting in the recommendations contained in this plan are reported in detail in Sections 4.3.2, 4.3.3, and 4.3.6. The remainder of the plan contains sections on ambient air quality, new rules and regulations, and annual reporting and reasonable further progress requirements.

4.3.0.2 Summary

1. Most ozone, unlike carbon monoxide, is not directly emitted into the atmosphere, but results from a reaction between volatile organic compounds and nitrogen oxides in the presence of sunlight. Generally, the highest ozone concentrations are found downwind of the area producing the majority of the precursor emissions.
2. There have been six violations of the .12 ppm federal ozone standard in the Portland Air Quality Maintenance Area (AQMA) during the last three years. Five of these violations occurred in the summer of 1981 during extreme

meteorological conditions. All occurred at the downwind rural monitoring site in Carus, Oregon, approximately 20 miles south of the Portland city center. There have been no violations of the federal ozone standard during the last three years at the primary downwind urban monitoring site in Milwaukie, Oregon.

3. In 1980, industrial and other area sources contributed 51 percent of total volatile organic compound emissions within the AQMA. Highway sources (primarily automobiles) accounted for 45 percent, with off-highway vehicles contributing the remaining 4 percent.
4. By 1987, industrial and other area sources will contribute 60 percent of total emissions. Highway sources will fall to 33 percent and off-highway vehicles will contribute 7 percent.
5. In both 1980 and 1987, 84 percent of total AQMA volatile organic compound emissions are produced in the State of Oregon and 16 percent are produced in the State of Washington.
6. The air quality modeling analysis shows that a 26 percent reduction in 1980 volatile organic compound emissions will be needed to attain the .12 ppm federal ozone standard. The projected 1987 volatile organic compound emissions inventory shows that previously implemented transportation control measures, including the Oregon biennial inspection/maintenance program (a complete list is

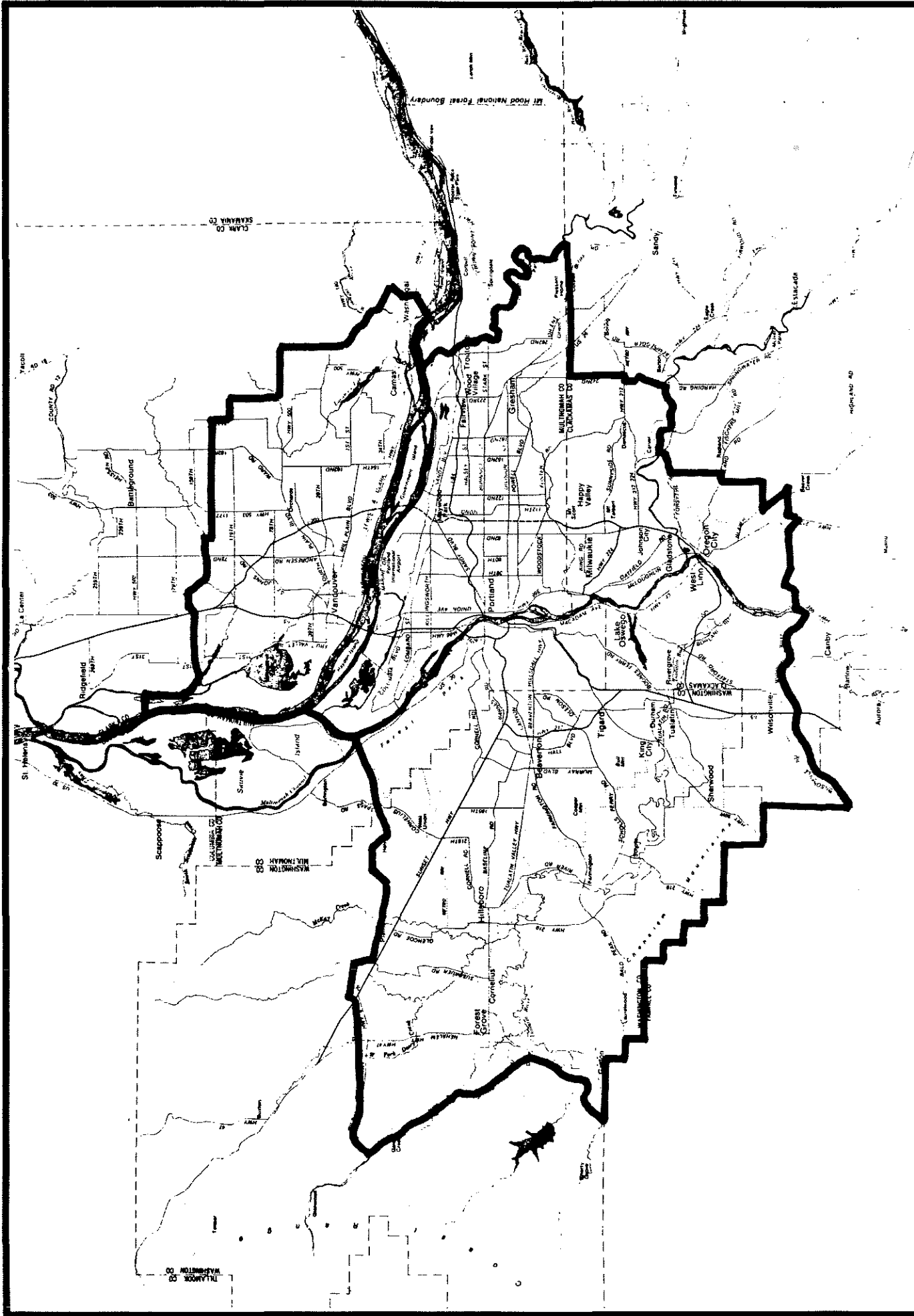
discussed in Section 4.3.3.4), coupled with the federal motor vehicle emission control program and already adopted industrial controls will reduce emissions by 27 percent by 1987.

7. The results of the analysis discussed in No. 6 above show that the region will attain the federal ozone standard by the December 31, 1987 deadline. It is projected that the region will have 1,700 kilograms per day fewer volatile organic compound emissions than are required to attain the federal ozone standard.
8. The State of Oregon will implement a growth cushion policy, managing 85 percent (1,450 kg/day) using a portion of the 1,700 kilogram per day surplus in volatile organic compound emissions projected in 1987. This policy will allow new industry to locate in the Oregon portion of the AQMA without the requirement of obtaining individual volatile organic compound emission offsets. The balance of the 250 kilogram per day growth cushion will be available for management by the State of Washington.
9. An analysis of the Reasonably Available Control Measures specified in the Clean Air Act amendments of 1977 was performed. New measures committed for implementation (Section 4.3.3.5) include programs for improved public transit, ramp metering, ridesharing, bicycling, flexible working hours, parking management, and improved traffic flow.

10. Annual monitoring of Reasonable Further Progress will be performed by the Department of Environmental Quality with assistance from the Metropolitan Service District. In the event that Reasonable Further Progress is not being achieved, a Contingency Plan process has been established (Section 4.3.5).

4.3.0.3. Geographic Description of the Designated Ozone Non-Attainment Area

On March 3, 1978, the Portland-Vancouver Interstate Air Quality Maintenance Area was designated as a non-attainment area for ozone by the U.S. Environmental Protection Agency (43 CFR 8962). This designation means that the area identified in Figure 4.3.0-1 has ozone air quality concentrations exceeding the national ambient air quality standard. The Portland-Vancouver Interstate Air Quality Maintenance Area contains the urbanized portions of three counties in Oregon (Clackamas, Multnomah and Washington) and one county (Clark) in the state of Washington. This area had a 1980 population estimated to be 1,147,000 covering 2,230 km² (861 mi²) of land. Geographically, this non-attainment area lies at the north end of the Willamette Valley and is almost completely surrounded by mountains and hills. Temperature inversions frequently occur, trapping emissions in the valley and resulting in elevated levels of air pollutants.



PORTLAND-VANCOUVER AIR QUALITY MAINTENANCE AREA
 Designated Ozone Non-Attainment Area



Fig. 4.3.0-1

4.3.1. OZONE AMBIENT AIR QUALITY

Ozone is a clear and toxic gas. It is formed primarily by atmospheric photochemical reactions between oxides of nitrogen and volatile organic compounds in the presence of sunlight. Because of the photochemical nature of ozone formation, ozone ambient air quality levels are highly seasonal in nature, with the highest concentrations typically occurring in the summer months.

The federal primary (health related) and secondary (welfare related) ambient air quality standards for photochemical oxidant were established in 1971 at 160 ug/m^3 (0.08 ppm), maximum one-hour concentration, not to be exceeded more than once per year. This standard was revised on February 8, 1979 to 235 ug/m^3 (0.12 ppm) of ozone, maximum one-hour concentration, and is not to be exceeded more than three times in three years.

Ozone air quality within the Portland portion of Portland-Vancouver Interstate Air Quality Maintenance Area is summarized in Table 4.3.1-1. The Carus site reflects the area of maximum measured downwind ozone air quality impact. It is located approximately 20 miles south of the Portland city center. There have been six violations of the federal ozone standard at this site during the last three years. Five of these violations occurred in the summer of 1981 during extreme meteorological conditions. There have been no violations of the federal ozone standard during the last three years at the primary downwind urban monitoring site in Milwaukie, Oregon.

TABLE 4.3.1-1

Ozone Ambient Air Quality Summary (ug/m³)

<u>LOCATION</u>	<u>YEAR</u>	<u>1 HOUR AVERAGES</u>		<u>NO. OF DAYS GREATER THAN 235 (ug/m³)</u>
		<u>MAXIMUM</u>	<u>2ND HIGHEST</u>	
<u>Portland Area Monitors</u>				
Carus	1975	69	69	0
(Canby Area)	1976	278	267	4
0300101	1977	451	443	15
Site began 10/75	1978	310	302	9
	1979	245	216	1
	1980	206	196	0
	1981	421	285	5
Milwaukie	1974	372	--	11
11300 SE 23rd	1975	304	255	15
Milwaukie High	1976	208	198	0
0343111	1977	310	302	2
Site began 6/74	1978	376	270	5
	1979	225	216	0
	1980	186	171	0
	1981	212	118	0
718 W. Burnside	1974	127	--	0
(CAMS)	1975	206	147	0
2614176	1976	204	196	0
Discontinued 6/79	1977	184	165	0
	1978	227	208	0
	1979	133	123	0
Sauvie Island	1976	225	216	0
(Game Commission)	1977	208	208	0
0500103				
No data 1-6/76				
Relocated 8/77				
Sauvie Island	1977	90	86	0
(Social Sec Beach)	1978	253	245	2
0500104	1979	331	310	1
Site began 8/77	1980	166	164	0
	1981	225	213	0

NOTE: Pre-1979 ozone levels were measured with a different calibration method. The pre-1979 levels should be reduced by 20-25 percent for comparison with 1979 and later values.

Ozone levels are closely related to meteorology and as evidenced in the table, no clear trends are apparent.

4.3.2 EMISSION INVENTORY

Non-methane volatile organic compound (VOC) emissions were inventoried for the entire Portland-Vancouver AQMA for both the base year, 1980, and the attainment year, 1987.

Metro was responsible for modeling highway emissions for the entire region. The Oregon Department of Environmental Quality compiled all non-highway emissions for Oregon sources. The Regional Planning Council of Clark County compiled the non-highway emissions for the Washington sources.

The VOC emissions for the Oregon portion of the AQMA are provided by source category in Appendix 4.3-1. A detailed report on the emissions from the Washington portion of the area will be provided in Washington's State Implementation Plan. However, the combined emissions from sources in Washington and Oregon are summarized in Section 4.3.2.3. The emissions are reported as kilograms emitted on a typical summer day.

Section 4.3.2.1 describes the methodology used to calculate volatile organic compound emissions from all non-highway sources. Section 4.3.2.2 describes the methodology for highway sources.

4.3.2.1.

Non-Highway Emissions

1980 Base Year

The base year non-highway VOC emission inventory was developed from the DEQ's 1980 Source Registration Files. Over the past

two years, an intensive effort was made to bring the source files up to date and provide as accurate an estimate of VOC emissions as practicable.

The non-highway emissions were compiled using the following information (in the order of preference):

- A. Source tests;
- B. Questionnaire and survey responses;
- C. Permit restrictions;
- D. Source characteristics specific to Oregon;
- E. National averages.

Unless better source-specific information was available, emission factors were obtained from EPA's latest update of AP-42.

1987 Attainment Year Projections

The 1987 non-highway volatile organic compound emission inventory was estimated from the 1980 emissions using growth factors based on future population and employment forecasts. A complete description of the forecasting process is contained in Metro's "Summary Year 2000 Growth Allocations Workshops" (Appendix 4.3-2). The growth factors were applied to area sources only. Point sources, those emitting more than 25 tons/year of volatile organic compounds, were not changed between 1980 and 1987. These sources are regulated under DEQ's plant site emission limit rules, OAR 340-20-300 through -320.

These rules do not allow significant growth of stationary source emissions unless a growth margin is available or an offset can be obtained.

The 1987 emission inventory for non-highway emissions also reflects reductions that are expected to occur as the volatile organic compound emission standards rules (OAR 340-22-100 through -220) are implemented.

4.3.2.2 Highway Emissions

Overview

A sophisticated computer modeling technique was used to determine emissions from motor vehicles. The technique requires as input such parameters as population and employment levels, land use patterns, average vehicle emission data and a network of major roadways. The modeling technique that was used amounts to a two-step procedure; where the first step is the determination of the number of trips and vehicle miles traveled on roadways. The Urban Transportation Planning System package of transportation models developed by the Urban Mass Transportation Administration (UMTA) was used to make this determination. A description of this process is found in Appendix 4.3-3. The second step is the determination of total daily emissions. This was done using 1) the computer program MYPOLLUT, which calculates running emissions on the highway network; 2) the computer program ZONEMIS, which calculates hot start, cold start, hot soak, and intrazonal emissions by

vehicle trip; and 3) by calculating diurnal emissions based on the number of vehicles estimated in the region for each calendar year analyzed.

Assumptions

The inventory is based upon assumptions relative to present and future conditions in three general categories: 1) population, employment and land use patterns; 2) highway network assumptions; and 3) vehicle emission factors. It is important to note that all of the assumptions used in the transportation modeling methodology and the analysis of future air quality emissions were based on the most current information available. 1980 census data was used in creating trip tables for the highway network for base and future year projections. New population and employment projections for the region by the Federal Bureau of Economic Analysis were also utilized, as well as newly completed comprehensive plans by a majority of jurisdictions in the region. In estimating 1980 and 1987 emissions, EPA's new Mobile 2 emission factors were used.

No direct forecast of population and employment levels or land use was made for the year 1987. Rather, conditions were forecast for the year 2000 and an interpolation was made using the base year 1980 to estimate conditions for 1987. The entire process is described in "Summary Year 2000 Growth Allocation Workshops," Metro, March-April 1981. A comparison of the new population projection for 1987 versus the older "208" water quality plan projections are shown below. In the future, the

new population projection will be used for both water quality and transportation planning purposes.

<u>Jurisdiction</u>	<u>"208" Projection</u>	<u>March 1980 Projection</u>
Oregon AQMA	1,071,390	1,091,660
Clark County AQMA	180,823	210,560
Total	<u>1,252,213</u>	<u>1,302,220</u>

The highway network that the emission inventory for 1980 is based on consists of an amalgamation of all major and minor arterials in the Air Quality Maintenance Area. The network for the year 1987 is the same as the 1980 network with the following major additions:

Completion of I-205, the Banfield Freeway widening from I-5 to I-205, Airport Way (west of I-205), 221st/223rd (Burnside-Division), 158th Avenue (north of Walker Road), the Basin/Going intersection (Swan Island), the Oswego Creek Bridge (Lake Oswego), the Tualatin Bypass (Nyberg Road), and the Powell Boulevard widening (east of 82nd).

The transit network that the emission inventory for 1980 is based on consists of the actual transit network in service in 1980. The base case transit network for 1987 was similar to the 1980 network, but includes the addition of the Banfield Light Rail Transitway from Portland to Gresham and the increased buses required to support the Light Rail Transit (LRT). Other transit service improvements scheduled by 1987 were not included in the base case and were analyzed separately as part of Metro's TCM analysis.

Emissions Modeling Methodology

Vehicle emission factors were based upon the Environmental Protection Agency (EPA) publication Users Guide to Mobile 2 (EPA-460/381-006 February 1981). Emission reduction credits for Oregon's biennial motor vehicle inspection/maintenance program were based upon a methodology developed by the EPA's Office of Emission Control Technology. Assumptions regarding inputs to motor vehicle emission factors, e.g., vehicle distribution, ambient temperature, etc., are documented in Appendix 4.3-4.

Mobile source emissions are accounted for in three parts. The first is VMT-related emissions associated with movement on the highway network. The second is emissions associated with trip-ends and are calculated on a zonal basis. Emissions produced by intrazonal movements are also included in this category. The third category is diurnal emissions (i.e., evaporative emissions from gasoline tanks). Network emissions are output in terms of grams between zonal interchanges, while zonal emissions are output in terms of grams per zone. Diurnal emissions are calculated separately and added as a lump sum. A complete description of this process was submitted to EPA in January 1982.

4.3.2.3 Summary of Volatile Organic Compound Emissions

Volatile organic compound emissions for the years 1980 and 1987 are summarized by source categories in Tables 4.3.2-1 and 4.3.2-2. As shown in these tables, total AQMA emissions are

TABLE 4.3.2-1

Summary of Volatile Organic Compound Emissions - Oregon Only

	<u>(Kilograms/Day)</u>	
	<u>1980</u>	<u>1987</u>
Industrial and other Area Sources	87,030	75,550
Motor Vehicles	72,790	38,540
Off-Highway Vehicles	<u>7,370</u>	<u>8,000</u>
Total	167,190	122,090

TABLE 4.3.2-2

Summary of Volatile Organic Compound Emissions - Total AQMA

	<u>(Kilograms/Day)</u>	
	<u>1980</u>	<u>1987</u>
Industrial and other Area Sources	101,460	87,550
Motor Vehicles	88,260	47,770
Off-Highway Vehicles	<u>8,700</u>	<u>9,810</u>
Total	198,420	145,130

198,420 kg/day in 1980 and fall by 27 percent to 145,130 kg/day in 1987. In both years, 84 percent of the total emissions are produced by sources in the State of Oregon; 16 percent are produced by sources in the State of Washington.

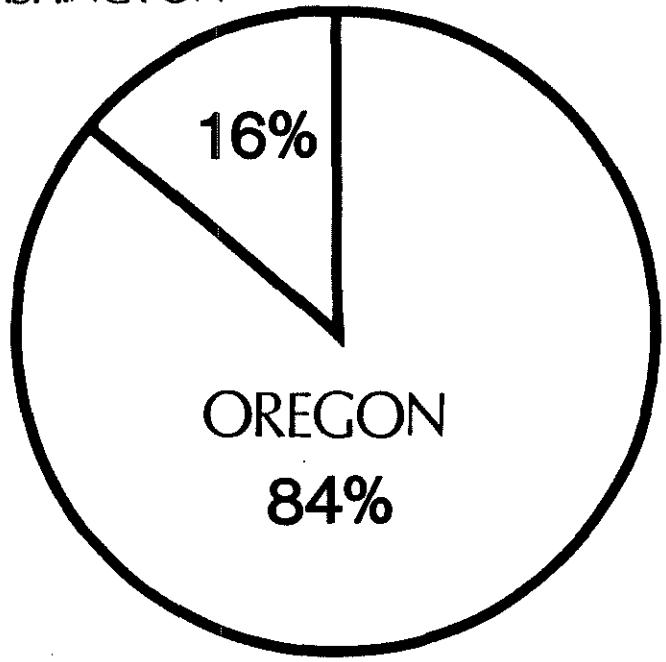
In the base year 1980, industrial and other area sources contributed 51 percent of total volatile organic compound emissions within the AQMA. Highway sources (primarily automobiles) accounted for 45 percent, with off-highway vehicles contributing the remaining 4 percent.

By 1987, industrial and other area sources will contribute 60 percent of total emissions. Highway sources will fall to 33 percent and off-highway vehicles will contribute 7 percent. The primary reason for the change in source contributions is the Federal Motor Vehicle Emission Control program, coupled with Oregon's biennial inspection maintenance program.

Together, these programs are projected to reduce highway source emissions by 46 percent between 1980 and 1987.

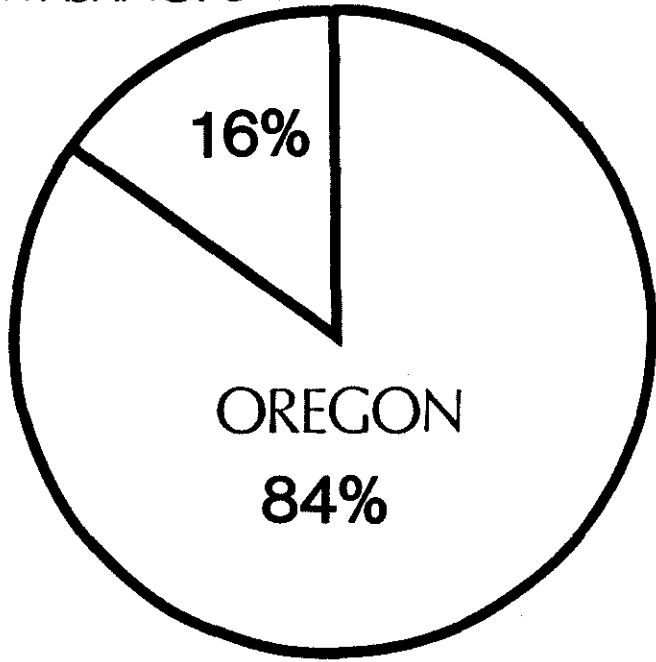
The emissions projected in the emission inventory for 1987 represent a "base case" scenario. For stationary sources, only Round 1 and Round 2 VOC controls were incorporated in the analysis. For mobile sources, all previously adopted transportation control measures (discussed in section 4.3.3.4), including Oregon's biennial inspection/maintenance program and the City of Portland downtown parking policy, were incorporated. The only new transportation control measure

WASHINGTON



1980

WASHINGTON

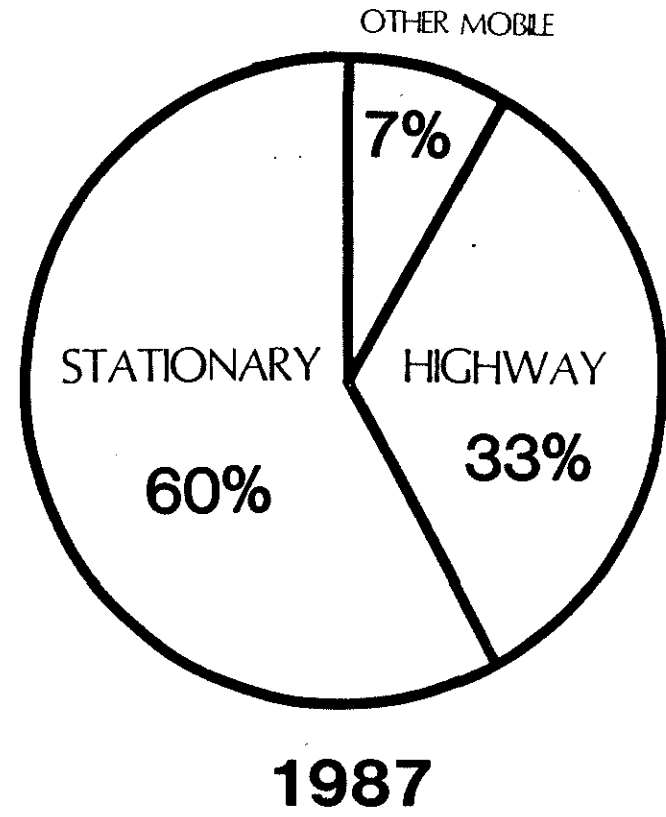
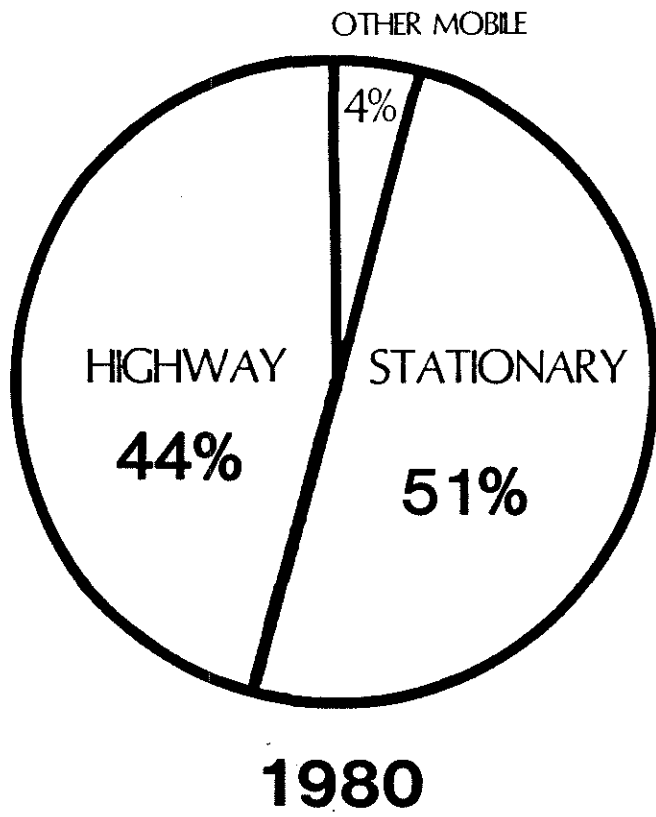


1987



HYDROCARBON EMISSION SOURCES
by State

Fig. 4.3.2-1



HYDROCARBON EMISSION SOURCES

Fig. 4.3.2-2

included was the Banfield Light Rail Transitway and highway improvements. The air quality impacts of other transportation control measures were analyzed individually. The results of this analysis (shown in section 4.3.3.3) were not incorporated into the 1987 base case emission inventory, however. Thus, those new transportation control measures which are adopted (section 4.3.3.5) will further decrease projected 1987 emissions. Appendix 4.3-1 contains more detailed volatile organic compound emission inventories for the years 1980 and 1987.

4.3.3 CONTROL STRATEGY

The amount of volatile organic compound (VOC) reduction needed to attain the 0.12 ppm federal ozone standard was calculated as described in 4.3.3.1. Regionwide, by 1987 there will be a 1,700 kilogram/day greater reduction of VOC achieved than is projected to be needed for attainment. This surplus 1,700 kilograms/day will be managed as explained in section 4.3.3.2.

A number of reasonably available control measures were analyzed to determine how effective each measure would be in reducing VOCs. A Summary of the Analyses is contained in section 4.3.3.3.

Sections 4.3.3.4 and 4.3.3.5 describe the measures which have already been implemented or whose implementation is committed. These measures form the ozone control strategy.

4.3.3.1 Level of Control Required

The level of volatile organic compound emission reduction needed for compliance with the 0.12 ppm federal ozone standard was calculated using the EPA city specific isopleth version of the Empirical Kinetic Modeling Approach (EKMA).

EKMA estimates a reduction of 26 percent of 1980 volatile organic compound emissions will be needed to attain the 0.12 ppm ozone ambient air quality standard. (Refer to Appendix 4.3-5 for a complete description of the modeling process and results.) These results are based on a design

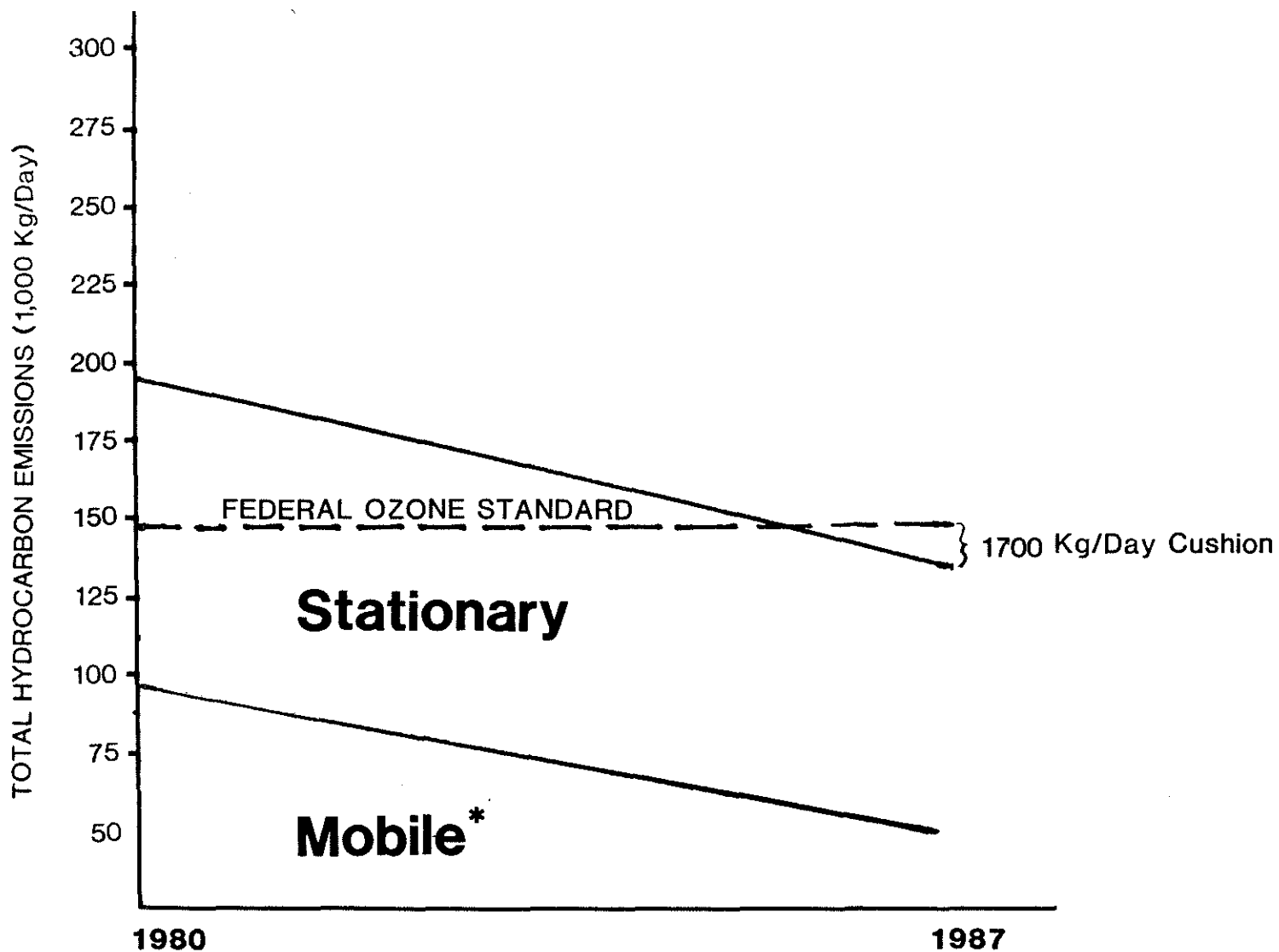
concentration of 0.146 ppm of ozone. Since a 27 percent reduction of total 1980 volatile organic compound emissions is projected by the end of 1987, no additional emission reductions will be needed to attain the ozone ambient air quality standard.

Figure 4.3.3-1 shows the needed reduction in volatile organic compound emissions to meet the federal ozone standard and the projected level of emissions in 1987. Although no additional control measures are required to attain the federal ozone standard, new transportation control measures are being pursued to further reduce emissions, as well as for their other benefits such as energy reduction, congestion relief, etc. These measures are discussed in Section 4.3.3.5.

4.3.3.2 Growth Allocation Plan

The level of hydrocarbon emissions projected in 1987 will be 1,700 kilogram/day less than the emission level needed to attain the .12 federal ozone standard. This margin will increase in future years. While it is recognized that this margin is only about one percent of the total inventory and that the accuracy of the strategy calculation cannot be fully determined, it is felt this margin can be safely administered as a growth cushion for the following reasons:

1. All assumptions in the strategy analysis were approached conservatively;
2. There are some transportation strategies which governments will most likely implement which have not



* Includes OFF ROAD VEHICLES, BOATS, AIRPLANES



**PORTLAND - VANCOUVER AIR QUALITY MAINTENANCE AREA
BASE CASE HYDROCARBON EMISSIONS**

Fig. 4.3.3-1

been included in the strategy calculations (which may produce up to 1,500 kilograms/day reduction);

3. There is a large reservoir of additional strategies which could be considered to further reduce VOC emissions in the future if it turns out that the original strategy reductions were actually insufficient to meet the standards. This reservoir amounts to at least 17,000 kilograms/day.

The surplus hydrocarbon emission reduction of 1,700 kilograms per day will be managed as a growth cushion, proportioned on an 85 percent-15 percent basis (1,450 kilogram per day and 250 kilogram per day) between the State of Oregon and the State of Washington respectively. The percentage split between Oregon and Washington is primarily based on the existing and projected 1987 individual state contribution to total AQMA hydrocarbon emissions. In 1980 the Oregon portion of the AQMA contributed 167,190 kilogram per day, while the Washington portion contributed 31,230 kilogram per day of hydrocarbon emissions. The growth cushion allocation percentage also closely approximates the 1980 proportion of population (84 percent and 16 percent for Oregon and Washington, respectively) and is in the same proportion as the agreed upon split between the two states for emission control needed to meet the ozone standard.

If the hydrocarbon emissions growth cushion is used up, then new industrial sources of volatile organic compound emissions

will have to obtain individual emission offsets unless a new growth cushion is developed.

4.3.3.3 Analysis of Reasonably Available Control Measures

The June, 1979 State Implementation Plan submittal included a list of measures which were considered high priority for analysis based on their expected emission reduction potential. If these measures were not sufficient to attain the federal ozone standard, then additional measures given a lower priority were to be analyzed. Initially, 13 transportation control measures were analyzed. Following this analysis, the Air Quality Advisory Committee (Section 4.3.6.1) requested that three additional control measures be analyzed. The results of this analysis are summarized in Table 4.3.3-1 and briefly described below. A thorough description of the analysis methodology and the cost-effectiveness of each control measure is found in two reports: "Air Quality Control Strategy Analysis, Technical Memorandum #35" (Appendix 4.3-6) and "Cost-Effectiveness of Transportation/Air Quality Control Strategies, Technical Memorandum #37" (Appendix 4.3-7), both published by Metro and submitted to EPA in August, 1980.

Mobile 1 emission factors were used in the analysis of these control measures because the analysis was performed in the spring of 1980 before Mobile 2 emission factors were available. Since the base case analysis used the newer Mobile 2 factors, a direct comparison of the emission reduction

TABLE 4.3.3-1

Summary of Effectiveness
of Alternative Control Measures

	Hydrocarbon Reductions (kg/day)
A. Direct Emission Controls	
1. Annual Inspection/Maintenance for Oregon	5,940
B. Program to Improve Speeds	
1. Ramp Metering	530
C. Incentives to Reduce Travel	
1. Expand Public Transit Service	1,035
2. Park and Ride Lots	80
D. Combination Incentive/Disincentive Programs	
1. Priority Parking for Carpools	2,420
E. Disincentives to Reduce Travel	
1. \$1.00 Surcharge for Work Trips	910
2. High Gasoline Price (\$2.90/gallon)	3,130
F. Attitudinal Changes	
1. Carpool/Vanpool	
5% Vanpools/40% Carpools	1,610
9% Vanpools/60% Carpools	2,210
15% Vanpools/60% Carpools	2,770
2. Bicycling/Work Trips	
3.6% Bicycling	100
5.8% Bicycling	200
11.2% Bicycling	500
3. Bicycling/Non-work Trips	540
G. Free Fare Transit in Off-Peak	1,150
H. Trip Consolidation	
1. Scenario 1	530
2. Scenario 2	710

potential of these measures applied to the 1987 base emissions (145,350 kg/day) would not be technically accurate. However, Metro, DEQ and EPA staff feel that any discrepancies between the Mobile 2 and Mobile 1 numbers would be no more than 10 percent.

Because attainment of the ozone standard is now projected without the implementation of additional control measures, a decision was made not to reanalyze the potential control measures. It must be emphasized, however, that the relative effectiveness of one control measure versus another remains the same; only the magnitude would slightly change. It must also be emphasized that the analysis of some of the measures tested their maximum potential effectiveness and that if they were ever to be implemented, the expected emission reduction would be less than indicated. This is because some measures can never be fully implemented and for other measures, there could never be 100 percent compliance.

Following is a summary of the alternatives. The emission reduction potentials shown, except for annual inspection/maintenance in Oregon, are for the potential reductions in regional emissions if similar controls were implemented in Oregon and Washington.

A. Direct Emission Controls

1. Inspection/Maintenance: The 1987 base case assumes that Portland will have a biennial inspection-

maintenance program. If Portland were to implement an annual inspection/maintenance program in 1982, hydrocarbon emissions in 1987 would be reduced by an additional 5,940 kg/day.

B. Programs to Improve Speeds

1. Ramp Metering: Ramp metering was identified as the only traffic flow improvement that would have a significant impact on regional emissions. Three major highways serve the Portland/Vancouver area: the Banfield (I-84), the Sunset (Highway 26) and Interstate 5 (I-5). If ramp metering were implemented on all of these freeways by 1987, the total hydrocarbon reduction would be approximately 530 kilograms/day.

C. Incentives to Reduce Travel

1. Expanded Public Transit Service: Tri-Met and the transit authority in Clark County, Washington have adopted short-range Transit Development Plans. The level of transit service recommended in these plans would almost be double the existing level of transit service. This increased patronage would result in a reduction in hydrocarbon emissions of 1,035 kilograms/day. It should be noted, however, that while the Tri-Met Board of Directors has adopted the TDP, only funding for the first phase of implementation has been secured.

2. Park and Ride Lots: The Transit Development Plans call for a substantial increase in Park and Ride lots by 1987. Fourteen lots in Oregon and five lots in Clark County were analyzed, having a total of 4,669 spaces. The estimated emission reduction from these lots is 80 kilograms/day.
3. Free Fare Transit in Off-Peak Hours: The Metro travel behavior techniques were used to estimate the effect of providing free transit fares during off-peak hours. As a result of an off-peak free-fare policy, transit ridership in 1987 would increase by 119,000 riders per day. The resulting decrease in regional vehicle travel would result in a reduction in hydrocarbon emissions of 1150 kilograms/day.

D. Combination Incentive/Disincentive Programs

1. Priority Parking for Carpools: This measure assumes that all persons who drive alone to work would be penalized by having to park further away from their employment site than those who carpool. If all persons who drive alone would be required to walk five extra minutes to get to their job location, and those who use transit or are members of carpools would have direct access to their employment sites, travel behavior would change to the degree that hydrocarbon emissions would be reduced by 2,420 kilograms/day.

2. \$1.00 Surcharge on Work Trips: If everyone that drives alone to work was required to pay a \$1.00 surcharge, additional changes in travel behavior would occur. Some people would switch to transit and others would join carpools. Approximately 910 kilograms/day of hydrocarbons would be saved as a result of these changes.

E. Disincentives to Reduce Travel

1. Increased Cost of Gasoline: An important factor influencing the mode of travel chosen by a person is the price of fuel. The price of fuel assumed by Metro in estimating emissions for 1987 was \$1.70 per gallon (in current dollars). This assumes a 15 percent per annum increase in the price of gasoline from 1977 to 1987. If the price of gasoline were to rise to \$2.90 (in 1980 dollars), travel behavior would change to the degree that hydrocarbon emissions would be reduced by 3,130 kg/day.

- F. Attitudinal Changes: If basic attitudes toward driving alone would change, additional gains could be made through increased carpooling/vanpooling and bicycling.

1. Carpool/Vanpool

The effect of changed attitudes, which would result in more carpooling and vanpooling, was estimated by first identifying work trip movements which would likely shift to pools (i.e., longer trips, trips to large employment

centers and trips where other potential poolers are making the same movement). These trips are a subset of all work trips made in the region. Of all the trips that met the defined criteria, Metro assumed that a certain percentage would actually convert to pools. The results for 1987 are summarized in the following table:

<u>Assumed Percent of Eligible* Trips in:</u>		<u>Resultant Percent of All Work Trips in Carpools and Vanpools</u>	<u>Hydrocarbon Reduction (kg/day)</u>
<u>Vanpools</u>	<u>Carpools</u>		
5%	40%	37%	1,610
9%	60%	42%	2,210
15%	80%	47%	2,770

*For vanpools, only trips over 12 miles long were considered eligible, whereas for carpools, trips over three miles long were considered eligible.

For comparison, only 23 percent of all work trips are projected to occur in carpools and vanpools in 1987 without a change in attitudes.

2. Bicycling for Work Trips

If more commuters were to change their attitude about bicycling to work, additional savings would result. Metro established targets for converting auto work trips to bicycle trips. The results of three scenarios tested showed that with attitudinal changes, between 14,000 and 44,000 work trips could be made daily by bicycle in 1987. This would reduce hydrocarbon emissions from 100 to 500 kilograms/day, depending on the scenario. For comparison, there

were approximately 8,700 work trips being made daily by bicycle in 1977.

3. Bicycling for Non-Work Trips

Similarly, if more persons would favorably change their attitude toward bicycling for other kinds of trips such as school, shopping, and social and recreational trips, even greater reductions in emissions could be achieved. If seven percent of these non-work trips (under nine miles in length) would be made by bicycle, there would be an additional savings of 540 kilograms/day. To reach this target, however, the level of bicycle ridership would have to almost triple current levels.

4. Consolidation of Non-Work Trips

Many persons today make separate trips for shopping or appointments, when they could be linked together. For example, a trip is made to the grocery store in the morning and another trip is made to the doctor's office later in the day. If these trips were "chained" together, time, travel, and expense could be saved.

Although there is no identified program which would ensure trip chaining, Metro analyzed this measure to test its potential. Two scenarios were tested. In both, it was assumed that 10 percent of the non-work

trips could be chained. The first scenario tested the chaining of two trips, and the second scenario tested the chaining of three trips. If these levels of trip chaining could be achieved, the hydrocarbon emission reduction would be 530 and 710 kilograms/day, respectively.

G. Programs to Reduce Volatile Organic Compound Emissions from Stationary Sources.

The Department of Environmental Quality has adopted new emission standards for some sources emitting volatile organic compounds. These rules were developed in response to EPA's requirement that reasonably available control measures be adopted for sources for which control technology guidelines have been issued.

In addition to adopting these rules, the Department of Environmental Quality also analyzed the effectiveness of other reasonably available control strategies for stationary sources even though guidelines were not issued. The reductions that could be obtained from these additional stationary source controls are summarized in Table 4.3.3-2. The assumptions used to estimate the reductions are described in Metro's "Air Quality Control Strategy Analysis", Technical Memorandum #35 (See Appendix 4.3-6).

TABLE 4.3.3-2

Potential Future VOC Reductions from
Stationary Sources in the Portland AQMA

<u>Source Category</u>	<u>Emission Reduction (kilograms/day)</u>
1. Service Station Unloading (stage II)	4,440
2. Wood Furniture Coating	negligible
3. Architectural Coating	6,200
4. Auto Refinishing	negligible
5. Dry Cleaning (Stoddard)	386
*6. Barge Loading	2,583
*7. Paper Coating	8,880
*8. Fermentation Processes	4,200

*Little data available on control efficiencies.

4.3.3.4 Projects Already Implemented

The region has already taken many major steps to reduce air pollution from transportation-related sources. In response to the requirements of the Clean Air Act of 1970 and previous State Implementation Plan submittals, many of the Reasonably Available Control Measures (RACM) specified in the Clean Air Act Amendments of 1977 have already been implemented in the region. These control measures are included in the 1980 base year and 1987 attainment year emission inventories. The following is a summary of these measures:

A. Inspection/Maintenance. The 1975 Legislative Assembly enacted legislation implementing a mandatory biennial motor vehicle emission control inspection program. The legislation requires that vehicles registered within the Metro boundary, which incorporates the urban area in parts of three counties around Portland, show evidence of compliance with emission control requirements prior to license renewal. The program operated on a voluntary basis during 1974 and 1975 until a mandatory program began on July 1, 1975.

The Oregon DEQ administers the program. DEQ operates seven motor vehicle emission inspection centers with two lanes each and one mobile unit. \$3,352,000 is budgeted this biennium for operation of the inspection program. The program is totally supported by a \$7.00 certificate fee.

DEQ augments its inspection program operations with a fleet inspection program, which allows for licensed fleets to self-inspect their own vehicles. There are currently 45 licensed inspection fleets. To qualify as a fleet, a company or government agency must have approved exhaust gas analysis equipment. Its employees must complete a department operating training session.

EPA estimates that in 1980 there was a 24 percent fleetwide reduction in hydrocarbon emissions due to the

I/M program and by 1987 there will be a 31 percent reduction. A complete description of the program is found in Appendix 4.3-8.

- B. Improved Public Transit. Commitment to public transit is very high in the region. A regional transportation policy states that no new urban freeways will be built and emphasizes much improved transit services.

Tri-Met, the major transit agency in the region, has made substantial improvements in service during the last several years. Since 1969, average workday transit ridership has increased 230 percent. Although a decrease was experienced in 1981 due to a reduction in real gasoline costs, two fare increases, and very congested peak-hour buses, the trend over the past six years shows a major increase in ridership. New measures which should continue this trend are discussed in Section 4.3.3.5.

<u>Date</u>	<u>Average Daily Tri-Met Ridership (Originating Rides)</u>
*1975	93,000
*1976	106,000
*1977	116,000
*1978	121,000
1979	127,000
1980	136,000
1981	127,600

*In 1979, Tri-Met changed its accounting procedures to exclude transferring pass users from its ridership counts. 1975 through 1978 data is five to 10 percent higher than would be accounted for using the new procedure.

Some of the major improvements made by Tri-Met since 1975 include:

1. Downtown Transit Mall. The Transit Mall is composed of approximately 22 blocks in downtown Portland, giving public transit exclusive right-of-way on two of three lanes. The project was completed during 1978 and has made it easier for buses to enter and leave the downtown area, thus reducing delays in routing and minimizing cost and congestion, with the resultant reduction of pollution in the downtown area.
2. Bus Purchase. In 1977, Tri-Met purchased 100 new buses. All new buses acquired by Tri-Met meet EPA standards for emission control. Tri-Met has also overhauled 250 engines within its existing fleet to meet current (not year of manufacture) EPA emission standards.
3. Bus Shelters. About 700 bus shelters have been installed in the Portland metropolitan area as part of a \$1,100,000 UMTA capital grant.
4. Fareless Square. Fareless Square was instituted in Portland in January, 1975. The Square is an area in the CBD where passengers may ride at no charge except between peak congestion hours of 3:00 p.m. - 7:00 p.m. weekdays when passengers pay normal fares. In September of 1982, when Tri-Met introduces its self-service fare system, Fareless Square will again be in effect at all hours.

Traffic data has shown that there has been no increase in vehicle miles traveled in downtown Portland during the last three years. There is no question that Fareless Square and the Transit Mall have contributed to this trend.

- C. Exclusive Bus and Carpool Lanes. In late 1975, a combination carpool and bus-only lane was established on the Banfield Freeway at a cost of approximately \$1,700,000. The project also consists of park and ride facilities and a special express transit service. It was designed to relieve traffic congestion within the corridor and to decrease the use of the automobile for commuting. Because of the construction of the Banfield Light Rail Transitway and highway improvements, however, the bus and carpool lane will be removed during the summer of 1982.

During 1978, a regional suburban transit station was developed on Barbur Boulevard. The station has park and ride facilities for over 300 vehicles. The project also includes priority bus treatment and serves as a focal point for transit service to nearby suburban communities.

- D. Areawide Carpool Programs. Since 1974, Tri-Met has offered a carpool program that encourages the shared-ride as opposed to single occupant vehicle travel.

The program includes a matching service, employer contacts, various incentives and a continuing promotional effort.

An estimated eight percent (or 50,000) of the Tri-County commuting population are commuting in carpools of three or more people, to and from work, four or more days per week. In addition to three or more person carpools, 68,000 people are sharing rides in groups of two. Of these two groups, approximately 6,000 people are carpooling or sharing rides because of the matching service.

In cooperation with the City of Portland, Tri-Met administers the Downtown Parking Permit Program, providing preferential carpool parking at six-hour meters. A maximum of 500, \$25 monthly permits can be sold under the program. In January 1981, 487 permits were issued to 1,554 people.

In cooperation with the City of Portland, Tri-Met administers a preferential on-street Carpool Parking Program in the Lloyd Center area. Fifty-two free carpool spaces were initially reserved for the program. There is currently a waiting list for these spaces and the program may be expanded.

The Rideshare Project's free Carpool Matching Service responded to 3,388 new carpool applicants during 1980. An average match rate of 61 percent has been maintained over the last year.

- E. Long-Range Transit Improvements. \$190 million in Interstate Transfer funds has been earmarked for the Banfield Corridor Transitway and highway improvements. The project will construct a light-rail line which will link downtown Portland with Gresham and improve the existing substandard highway. The project will also include a number of park and ride lots, ramp metering, and improved feeder bus service. The project has the approval of all the required jurisdictions.
- F. Park and Ride Lots. There are 67 park and ride lots throughout the region being used by over 2,000 vehicles. Of these, 11 are major lots with over 100 stalls. These major lots are well distributed throughout the region in the following locations: Forest Grove, Gresham, Hillsboro, Oregon City, North Portland (Hayden Island), Northeast Portland (at 102nd Avenue and Sandy Boulevard), Southeast Portland (Mall 205), Southwest Portland (at Sunset Boulevard and at Barbur Boulevard), Clackamas Town Center, Washington Square, and the Tanasbourne Shopping Center.

G. Employer Programs to Encourage Carpooling and Vanpooling. Employer programs to encourage car and vanpooling are part of Tri-Met's overall regional ridesharing program. Tri-Met looks at major employers in the region on an individual basis. Then, depending on their size, location and accessibility to transit, they offer various transportation packages to employers. The packages consist of various options such as carpooling, vanpooling or transit. They also recommend transit incentives to be provided to employees. Tri-Met Rideshare representatives are currently working with approximately 250 employers to develop transportation programs for employees. Because of their efforts, over 30 employer-sponsored vanpools are currently operating.

Tri-Met also provides transportation training workshops for company representatives. This year, Tri-Met has trained about 200 individuals as in-house Transportation Coordinators. These individuals represent 90 separate organizations with over 220 locations and approximately 100,000 employees. Transportation Coordinators provide encouragement, assistance and information about ridesharing to fellow employees in addition to their regular job responsibilities.

H. Traffic Flow Improvements. There have been numerous traffic flow improvements in Portland during the last few years. Some of the major improvements are:

1. Computerized traffic signals have been instituted on several major arterials and the Transit Mall. Other areas are being evaluated to see if additional computerization can be accomplished.
2. There is a voluntary program with downtown stores which encourages delivery of retail merchandise in the off-peak hours to help ease peak-hour congestion.
3. Turns have been prohibited at many intersections on the downtown Transit Mall where there is heavy pedestrian traffic. This helps eliminate excessive idling while waiting for pedestrians to cross the street.
4. As has been previously discussed, on-street parking has been banned or limited on several streets in downtown Portland as a measure to help traffic flow.

I. Bicycle Program. Legislation passed in 1971 authorized the expenditure of not less than one percent of the State of Oregon Highway Fund monies for the establishment of bicycle trails and footpaths. The program has resulted in development of approximately 120 km (74 miles) of bikeway in the AQMA. This figure includes bikeways separate from, adjacent to, or shared with roadways as well as sidewalk bikeways.

There is also funding in the annual budget of the City of Portland for constructing curb cuts, upgrading signs,

replacing hazardous sewer grates and providing bypasses around hazardous areas on streets which are not undergoing general repair. The removal of hazardous spots receives first priority for this funding.

In addition, the City of Portland has an ongoing program to promote and encourage the use of bicycles for any trip. The emphasis of the program is to make the street system safer for bicycle riders rather than to provide separate bicycle routes.

Lastly, bicycle routes along the major sections of the Willamette Greenway (a public park along the Willamette River) will be designed over the next two years. The City's goal is to have 100 miles of designated bike routes and capture five percent of work trips by bicycling by 1985.

- J. I-5 North Rideshare Program. In cooperation with the City of Portland and other local agencies, a separately funded two-year Rideshare Program has been developed to increase ridesharing and reduce congestion in the North I-5 corridor.

The combination of the comparatively long trip between Portland, Oregon, and Vancouver, Washington, the single bridge which connects them, and the large number of

commuters in the corridor makes the potential for increasing the number of trips made by transit service and other rideshare alternatives very high.

K. Emission Standards for Industrial Sources.

The Department of Environmental Quality has adopted emission standards that require reasonably available control technology be applied to all sources of volatile organic compounds for which EPA has published a control technology guideline. These emission standards are set forth in Oregon Administrative Rules 340-22-100 through -220. The sources impacted and the dates compliance with the rules is required are shown in Table 4.3.3-3.

Some of these controls have been implemented ahead of schedule. By 1980, the resultant VOC reductions amounted to 7,310 kilograms/day. The 1980 base emission inventory reflects these reductions.

Between 1980 and 1987, full compliance with the emission standards is expected to result in an additional 15,110 kilograms/day reduction in VOC. These reductions are already included in the 1987 attainment year emission inventory.

The Department of Environmental Quality has requested \$49,400 from the Environmental Protection Agency for

TABLE 4.3.3-3

Industrial Source Compliance Schedule

<u>Source Category</u>	<u>Compliance Date</u>
Degreasers	04/01/80
Service Station Loading (Stage I)	04/01/81
Gasoline Delivery Trucks	04/01/81
Bulk Gasoline Terminals	07/31/81
Gasoline Bulk Plants	07/31/81
Dry Cleaners (Perchloroethylene)	01/01/82
Paper and Can Coating	12/31/82
Metal Coating	12/31/82
Cutback Asphalt	04/01/79
Liquid Storage, Second Seals	12/31/81
Printing, Flexographic	07/01/82
Flatwood Coating	12/31/82

enforcement of parts of the rule. The Department also will expend approximately 12 person-months to implement the remaining parts of the rule.

4.3.3.5 Additional Committed Projects

A number of new transportation control measures are being implemented to further reduce mobile source emissions, as well as for their other benefits. Because these measures are not required to attain the federal ozone standard and are not being incorporated into the growth cushion, an estimate of each measure's pollution reduction potential was not determined. The following is a list of programs or projects which are committed and have secure funding. Work has begun on some of the projects with the remainder scheduled to be implemented in the near future.

A. Transit Improvements

In September 1982, Tri-Met will begin implementation of the first phase of its short-range Transit Development Plan (TDP). The first phase includes a fundamental change in routes and schedules in North, Northeast and Southeast Portland. A route grid system will be instituted and the frequency of buses will be greatly improved. It is estimated that these improvements will increase ridership by 25,000 passengers per day in the next two to three years. Tri-Met has budgeted \$7,000,000 in their FY 1983 work program to implement the service improvements.

B. Bus Purchase

Tri-Met has purchased 87 articulated buses at a cost of \$17,080,000. These buses are an important component of the transit service improvements discussed above.

C. Transit Fare Incentives

Tri-Met will establish a five-zone fare structure in June 1982 which will make transit fares more responsive to trip lengths. In addition larger discounts will be offered to holders of monthly passes and a special reduced fare for off-peak hours will be available to transit riders making intrazonal transit trips. Other transit fare incentives will be examined in the future.

D. Ramp Metering

Ramp metering was established on I-5 North from Portland to Vancouver in January 1981 at a cost of \$720,000. The meters have reduced afternoon peak-hour travel times in the corridor by 50 percent and are reducing hydrocarbon emissions by approximately 100 kilograms per day.

E. Traffic Flow Improvements

Numerous traffic flow improvements are being implemented throughout the region. Major projects that will reduce hydrocarbon emissions include:

1. Coliseum Area Traffic Signal and Intertie

Improvements. Improves and connects traffic signals at nine locations at a cost of \$725,000.

2. Hall Boulevard TSM Projects. Establishes signal interties on Hall Boulevard between Tualatin Valley Highway and Denny Road at a cost of \$328,000.
3. Tualatin Bypass. Reroutes travel around the center of Tualatin at a cost of \$1,681,000.
4. N.W. 14th/16th and 18th/19th One-Way Couplets. Changes traffic patterns to remove traffic from residential streets and shifts to streets surrounded by commercial and industrial uses at a cost of \$656,000.

F. McLoughlin Corridor Rideshare Program

The McLoughlin Corridor Rideshare Program will promote ridesharing in one of the most congested travel corridors in the Portland metropolitan area. The project will implement a number of rideshare actions. Specific actions are still to be finalized, but will probably include highway signs advertising carpooling, mailing rideshare information to 40,000 households and 250 firms within the study area, individual contact with businesses to assist them in setting up rideshare programs, and mass media promotion through newspapers, radio and TV.

The rideshare program has a two-year timeframe from the developmental phase to completion of all project elements. Planning is scheduled to begin in early 1982. The program is being coordinated by Metro in cooperation with Tri-Met.

Funding:

\$196,000 from the U.S. Department of Transportation,
Federal Highway Administration. (Comprehensive
Transportation System Management Assistance Program.)
\$65,333 local match.

G. Employer Bicycle Planning Project

The Portland region will be experimenting with a new approach to bicycle promotion. One element is to work with 20 employers, much in the same manner that Tri-Met establishes Employee Rideshare Plans, to establish Bicycle Plans for work commuting. This will be supplemented with a media campaign targeted at encouraging work trip commuting and tolerance of bicyclers from auto drivers. There will also be a survey to define public attitudes towards bicycling and what can be done to help overcome negative attitudes.

Responsibility:

Project Management--Metro

Technical Direction--City of Portland

Schedule:

This is scheduled as a 15-month project which began in January 1982. The primary promotional activities are scheduled for summer of 1982.

Funding:

\$174,000 from the U.S. Department of Transportation, Federal Highway Administration. (Comprehensive Transportation System Management Assistance Program Grant.)

H. State Legislation to Encourage Ridesharing

Several pieces of State legislation (SB 52 and SB 54) that eliminate institutional barriers to ridesharing were passed during the 1981 Oregon legislative session. These bills defined ridesharing, eliminated worker's compensation problems by allowing employers to exempt ridesharing from their liability, and clarified insurance coverage on state employees using state-owned vehicles for ridesharing.

I. Shop and Ride Program

Included in the FY 81-82 Tri-Met work program is a regional shop and ride program. Downtown retailers would provide two free bus tickets to shoppers who demonstrate that they had ridden the bus. The tickets would be valid for the trip home and for a return trip to the retail center. The program would be very similar to the parking validation approach that many retail facilities use now. The stores would be able to buy the transit tickets from Tri-Met at a discount. To ensure the program's viability, a commitment is required from 100 merchants before Tri-Met will enact this program, however.

Schedule:

The Tri-Met Board will decide whether or not to fund this program by mid fiscal year 1982.

J. City of Portland Bicycle Parking Program

The City of Portland will install 42 bicycle racks in downtown Portland, each designed for two bicycles. Thirty additional bicycle storage lockers will be placed downtown, at Portland State University, at the Barbur Boulevard Transit Station and within a few neighborhoods. The goal of the new program is to encourage more Portlanders to ride their bikes to work, or to bike to transit stops and finish their commute trip by bus.

The Portland City Council has also approved a \$14,650 grant to support the Bicycle Commuter Service, a nonprofit organization promoting bicycling.

A recently approved City of Portland Zoning Code change requires all downtown developers to provide bicycle storage spaces equivalent to five percent of their car parking supply.

Responsibility:

City of Portland Bicycle Program.

Schedule:

All bicycle racks and lockers are scheduled to be installed by April 1982.

Funding:

Federal Highway Administration Grant in the amount of \$22,564 plus a local match of \$8,588 for a total program cost of \$31,152. The program will be self sustaining through the purchase of trip tickets from downtown retailers.

K. Employee Flexible Working Hours Program

This program is designed to assist businesses in implementing effective flex-time programs within their companies. The program is comprised of three main components: 1) promotion of the flex-time concept, 2) institution of flex-time programs at selected demonstration firms, and 3) evaluation of the demonstration programs. Tri-Met will have primary responsibility for the promotional campaign. The City of Portland will administer the remaining parts of the program with consultant assistance.

Schedule:

The program began in January 1982 and will last for an 18-month period.

Funding:

\$65,000 from the U.S. Department of Transportation, Federal Highway Administration. (Comprehensive Transportation System Management Assistance Program Grant.)

L. Traffic Signal System Project

The City of Portland has concluded that significant benefits can be gained by interconnecting and efficiently coordinating the existing traffic signal network citywide. Benefits to be derived include:

- reduced fuel consumption
- improved air quality
- reduced traffic accidents
- decreased stops and delay time
- reduced utility and signal maintenance costs
- improved efficiency of the public transit system

Portland is presently developing a five-year traffic signal improvement plan for the City. If met, the goal of a 15 percent reduction in stops and delays would amount to a fuel savings of 1,860 gallons per year per intersection. For the City's present system, this would provide a 1,302,000 gallon per year fuel savings.

Schedule:

The Traffic Signal Plan was completed in 1981, along with a design and implementation schedule for the completion of all recommendations within five years of that date.

Funding:

\$2.5 million from the Department of Transportation,
Federal Highway Administration.

M. Downtown Portland Air Quality Plan

As a part of an overall Downtown Parking Management Program, the City of Portland took several actions aimed specifically at maintaining and improving the environmental quality of downtown. The Air Quality Plan, as adopted by City Council on October 30, 1980, is incorporated as a major part of the Portland Carbon Monoxide State Implementation Plan. Specific provisions of the downtown plan are described in the CO SIP.

N. City of Portland Employee Travel

The City of Portland's Energy Policy includes as one of its objectives a reduction in the amount of work-related local travel by City employees. The objective calls for a 10 percent reduction in travel compared to 1978 levels.

Responsibility:

The City of Portland Fleet Pool Manager monitors the use of fleet vehicles to determine progress towards the 10 percent goal.

Schedule:

The objective was included as part of the City of Portland Energy Policy which was adopted in 1979.

4.3.3.6 Projects Being Pursued

Numerous additional transportation projects which would have a beneficial impact on air quality are being pursued. These projects are in varying stages of development and have uncertain funding at present; thus, they are not committed projects. All are included in Metro's Transportation Improvement Program (TIP), however, and many will be implemented in the coming years. Following is a list of those measures with a brief description of each.

- a. Tri-Met Transit Development Plan: Major service improvements which would double existing transit capacity.
- b. Park and Ride Lots: Construction of new park and ride lots in Oregon City, Maywood Park and Lents.
- c. Westside Corridor Improvements: \$66 million has been reserved for transit expansion and highway improvements on Portland's Westside. Transit options include a light rail transitway or a significant increase in bus service. Highway improvement options include a climbing lane and ramp metering on the Sunset Highway and other traffic flow improvements.
- d. McLoughlin Corridor: \$23 million has been reserved for transit and highway improvements in the McLoughlin Boulevard corridor. Options include a high occupancy

vehicle lane or preferential treatment for high occupancy vehicles.

- e. Ramp Metering: New ramp metering projects on I-5 south from Portland to Tigard and I-205. Longer-range planning is examining ramp metering on I-405 and Highway 217.

- f. Slough Bridge: Reconstruction of I-5 Freeway and interchange near Columbia River to improve traffic flow between Oregon and Washington.

- g. Hollywood District Improvements: Numerous traffic flow improvements in the Hollywood District including signal interconnects, improved circulation, reduced through traffic on residential streets, and bus shelters and bus lanes.

- h. Gateway Area Signal Interconnect: Interconnects signals in the congested Gateway shopping district.

- i. Railroad Avenue/Harmony Road: Upgrades to provide a transit trunk route between Milwaukie and Clackamas Town Center transit stations.

- j. Beaverton-Hillsdale Highway: Provides for bus pullouts, shelters, and signal interconnect from Hillsdale to Raleigh Hills.

- k. Burnside Avenue - Gresham: Widening and signal interconnect from Stark Street to 223rd Avenue.

- l. Oregon City Bypass: Expressway bypass of Oregon City's central business district.

- m. Yeon/Vaughn: Provides a link for regional traffic between southwest end of Fremont Bridge ramp and St. Helens Road. Improves industrial access and eliminates 11 of 13 existing railroad crossings.

In addition to these specific projects, Metro will be adopting a long-range Regional Transportation Plan (RTP). Included in the RTP are objectives of reducing travel demand on the region's highways by: 1) minimizing travel by single occupant automobiles; 2) minimizing travel during peak hours; and 3) minimizing trip length. Specific goals include having 35 percent of all persons traveling to work by auto in the rideshare mode by the year 2000.

A number of specific programs will be enacted in the coming years to achieve these goals and objectives. The programs could include additional parking management programs, a revised regional bicycle plan, regional flex-time programs and new rideshare programs. All these will help the region attain its many goals, including cleaner air.

4.3.4 RULES AND REGULATIONS

Section 3.1 contains the Oregon Administrative Rules (OAR) adopted by the Environmental Quality Commission to carry out the requirements of the Clean Air Act as promulgated by the U.S. Environmental Protection Agency. The rules that are pertinent to the ozone control strategy for the Portland-Vancouver AQMA are:

- * OAR 340-20-220 through -275, the new source review rules;
- * OAR 340-20-300 through -320, the plant site emission limit rules;
- * OAR 340-22-100 through -220, general emission standards for volatile organic compounds;
- * OAR 24-300 through -350, motor vehicle emission control inspection test criteria and standards.

New Source Review Rules

The new source review rules require major new or modified stationary sources locating in a nonattainment area to:

1. Meet lowest achievable emission rates;
2. Demonstrate that the source will comply with the growth increment available or provide emission offsets;
3. Provide an analysis of alternative sites, sizes, production processes and control techniques.

Plant Site Emission Limit Rules

Plant site emission limit rules establish a baseline allowable emission rate for existing emitting volatile organic compounds. These rules do not allow significant growth of stationary source emissions unless a growth margin is available or an offset can be obtained. As a result of these rules, negligible growth in emissions between 1980 and 1987 was assumed for stationary point sources.

General Emission Standards for Volatile Organic Compounds

The emission standards rules fulfill the EPA requirement that reasonably available control technology be applied to all stationary sources emitting volatile organic compounds for which the EPA has issued a control technology guideline.

Inspection/Maintenance

All major urban areas needing an extension beyond 1982 for attainment of the ozone standard are required to implement a vehicle inspection/maintenance program by December 31, 1982. The Oregon inspection/maintenance program has been in mandatory operation since July 1975. The inspection is required for all vehicles registered within the Metro boundary.

Appendix 4.3-8 contains the required information about Oregon's inspection/maintenance program.

4.3.5. REASONABLE FURTHER PROGRESS

The Clean Air Act requires a demonstration that reasonable further progress is being made each year toward the attainment of all air quality standards. Reasonable Further Progress (RFP) is defined as annual incremental reductions in emissions for each pollutant that are sufficient for compliance by the required date. Projected reductions in volatile organic compound emissions are shown in Figure 4.3.3-1. This figure shows anticipated volatile organic compound emissions reductions between 1980 and 1987, based upon the inventory described in Section 4.3.2. The projections conclude that the reduction in volatile organic compound emissions that is needed to meet the federal ozone standard will be achieved by 1987.

4.3.5.1 Annual Report

To monitor RFP, DEQ and Metro will jointly submit a report each July 1 for the preceding calendar year which will comply with the following Environmental Protection Agency requirements:

- a. Identification of growth of major new or modified existing sources, minor (less than 25 tons/year) new sources, and mobile sources;
- b. Reduction in emissions for existing sources;
- c. Update of the emission inventory; and
- d. Comparison of air quality monitoring data with the emission inventory.

If ambient air quality data suggests that RFP is not being maintained, Metro and DEQ will examine the emission inventories, meteorological data, and actual ozone concentrations to determine if a problem exists. If it is determined that RFP is not being maintained, a contingency plan will be implemented.

4.3.5.2 Contingency Provision

In the case of the region not being able to demonstrate annual Reasonable Further Progress, a "contingency plan" process to identify and implement additional control measures that will compensate for any unanticipated shortfalls in emission reductions has been established. The initial determination of annual RFP compliance will be made by DEQ. If their determination is that RFP is not being met, they will contact Metro. Metro will review the annual Transportation Improvement Plan (TIP) to see if any projects that were expected to assist in pollution reductions have been delayed or if projects with an adverse effect have been included.

(Metro has examined the current TIP and has not identified any adverse projects at this time.) If Metro identifies problems with delays, every effort will be made to bring the projects back on line. If any transportation projects with adverse impacts are identified, they will be delayed while other measures are adopted to make up for the shortfall. There are a number of measures which could be implemented if Reasonable Further Progress is not being achieved. These include

additional stationary source controls, annual inspection/maintenance, and additional transportation control measures. Any new measures required for attainment will be adopted through the consultation of state and local government officials process and public involvement process described in Section 4.3.6, and will become part of a revised ozone SIP.

4.3.5.3 Conformity of Federal Actions

U.S. Department of Transportation rules require that the Regional Transportation Plan and Transportation Improvement Program conform with air quality SIPs. Transportation plans and programs are determined to be in conformance with SIP's if they:

1. reflect reasonable progress in implementing those transportation control measures that are called for in the SIP to meet air quality standards; and
2. do not include actions that would reduce the effectiveness of planned transportation control measures.

To determine conformity, Metro will annually assess the TIP to ensure that it includes those projects which are detailed in this SIP as necessary for attainment of the ozone standard. Following Metro's review of the TIP, UMTA and FHWA will make the final determination of conformity.

Because no new projects are required to attain the ozone standard, only those existing projects discussed in Section 4.3.3.4 will need to be included in the TIP to determine conformity. The TIP will also be examined annually to ensure that it does not include projects which would adversely affect those projects which are necessary for attainment of the ozone standard.

4.3.6. STATE IMPLEMENTATION PLAN DEVELOPMENT PROCESS

4.3.6.1 Public Involvement

The air quality planning program in the Portland Air Quality Maintenance Area has been a cooperative effort between Metro, DEQ and representatives of other federal, state, and local governments and agencies in both Oregon and Washington. An important aspect of the planning process, however, was the input received from business, industrial, environmental and civic organizations, as well as from concerned citizens.

The Portland Air Quality Advisory Committee has been the focal point of the air quality planning/public involvement effort in the Oregon portion of the AQMA. This committee is a 24-member body composed of representatives from the general public and diverse interests discussed above. The committee's primary mission is to advise DEQ and Metro on air quality control strategies which are both implementable and designed to attain and maintain State and federal ambient air quality standards. (A list of the members of the committee is shown on Table 4.3.6-1.)

The specific charge of the Air Quality Advisory Committee was to review the inter-relationships between planning for total suspended particulates, CO and ozone control strategies and to provide advice on the compatibilities and tradeoffs between actions involved in controlling stationary and transportation sources of these pollutants. In formulating this advice, the

committee took into account many factors besides air quality impacts. These included non-air quality environmental factors, energy consumption, economic and social impacts, and political and institutional feasibility.

The committee met over 50 times during the course of the development of the particulate, carbon monoxide, and ozone control strategies for this region. For the ozone planning process, the committee was instrumental in:

1. Determining which of the 18 Reasonably Available Control Measures were high priority for analysis;
2. Recommending additional control measures for consideration;
3. Helping to resolve interstate differences between Oregon and Washington;
4. Recommending new programs which are committed to or being considered for implementation; and
5. Recommending that a growth cushion policy be implemented in the Oregon portion of the AQMA.

All committee meetings are open to the public. At every meeting, there is an opportunity for interested citizens to comment on the activities of the committee or any other matter pertaining to air quality.

In addition to the activities of the advisory committee, there were numerous other measures which ensured public participation in and awareness of the planning process.

These measures have all been documented to EPA in progress reports and include:

1. An air quality/transportation slide show which explained alternatives available for implementation. The show was shown at over forty meetings of business and civic groups, neighborhood organizations, etc. Feedback on alternative measures was obtained at all meetings;
2. A random sample public opinion survey regarding the various transportation control measures being considered for implementation;
3. Four issues of an air quality newsletter, Air Times, received by over 400 individuals and groups;
4. A brochure outlining in simple terms the air quality problems in the Portland airshed and steps that individuals can take to help abate the problem;
5. Two clean air fairs in a square in downtown Portland;
6. A rideshare conference attended by over 100 firms in the region;
7. Seven television air quality public service announcements.
8. An appearance by Metro and DEQ staff on the the radio talk show "Talkabout"; and
9. Special air quality/transportation workshops with the Portland League of Women Voters and the Oregon Environmental Council.

4.3.6.2 Interstate Coordination

The regional emission inventories incorporated in this plan

were jointly developed by the Metropolitan Service District and the Department of Environmental Quality in Oregon, and the Regional Planning Council of Clark County, Washington. Regional emission inventories adopted in each jurisdiction's plan are thus identical.

4.3.6.3 Consultation Among State and Local Officials

The ozone State Implementation Plan proceeds through a review that is specifically designed to involve political jurisdictions within the region from both Oregon and Washington.

First, the plan is reviewed by Metro's Transportation Policy Alternatives Committee (TPAC), composed of representatives of the cities and counties in the metropolitan area, as well as the Oregon Department of Transportation, the Washington Department of Transportation, Oregon DEQ, the Port of Portland, transit agencies in Oregon and Washington, and the Regional Planning Council of Clark County, Washington.

Once TPAC reviews the recommendations, they will go to Metro's Regional Development Committee. This Committee is composed of six Metro Councilors, who are all locally elected officials. The Committee looks at issues as they relate to land use, public facilities and other matters of regional concern.

The recommendations will also go to Metro's Joint Policy Advisory Committee on Transportation (JPACT) for their review and recommendation. JPACT is charged with transportation and air quality advisory responsibility to the Metro Council and is composed of locally elected Mayors and City Councilors, County Commissioners, Metro Councilors and heads of special districts and State agencies from both Oregon and Washington jurisdictions. (Membership of JPACT is shown in Table 4.3.6-2.)

The recommendations and comments from the Planning Committee are then forwarded to the full Metro Council. This locally elected Council is responsible to a geographic constituency covering the entire urbanized area, maximizing public accountability. The Council adopts the SIP by resolution. Comments from both citizens and local agencies are accepted at the same Council meeting that the plan is considered for adoption.

The Metro Council then submits their adopted plan to the Oregon Environmental Quality Commission. DEQ also reviews the Plan and submits a staff report to the Commission with their recommendation of the Plan and a summary of the Air Quality Advisory Committee's recommendations.

The Environmental Quality Commission has the final responsibility for authorization and adoption of a State Air

Quality Plan. Following a review of the Metro Council action, the DEQ recommendation and a public hearing to receive comment, the Commission adopts the final Oregon Ozone State Implementation Plan for the Portland area. The Plan is then forwarded by the Governor to EPA for federal approval.

TABLE 4.3.6-1

Membership of the Portland AQMA Advisory Committee

1. City of Portland
2. Metropolitan Service District**
3. Multnomah County
4. Clackamas County
5. Washington County
6. Oregon Department of Transportation
7. Port of Portland
8. Western Oil and Gas Association
9. Associated Oregon Industries (AOI)
10. Portland Chamber of Commerce
11. Oregon Environmental Council
12. League of Women Voters
13. Oregon Lung Association
14. Public-at-Large*
15. Public-at-Large*
16. Public-at-Large*
17. Public-at-Large*
18. Representative from Academic Institution
19. Labor Council Representative
20. Tri-Met (Public Transit Agency)
21. Washington Department of Ecology**
22. Southwest Air Pollution Control Authority**
23. Clark County Regional Planning Council**
24. Oregon Department of Environmental Quality**

* One each from the City of Portland and Multnomah, Clackamas and Washington Counties.

** Non-voting member.

TABLE 4.3.6-2

JPACT MEMBERSHIP

1. Lloyd Anderson, Executive Director, Port of Portland
2. Bob Bothman, Administrator, Oregon Department of Transportation
3. County Executive Donald E. Clark, Multnomah County
Commissioner Dennis Buchanan (alternate)
4. Commissioner Larry Cole, Cities in Washington County
5. Ed Ferguson, District Administrator, Washington Department of Transportation
6. Commissioner Jim Fisher, Washington County
7. John Frewing, Tri-Met Board
8. Marge Kafoury, Metro Councilor
Bob Oleson, Metro Councilor (alternate)
9. Corky Kirkpatrick, Metro Councilor
10. Commissioner Robin Lindquist, Cities in Clackamas County
11. Mayor Al Myers, Cities in Multnomah County
12. Councilor Dick Pokornowski, City of Vancouver
Councilwoman Rose Besserman (alternate)
13. Commissioner Mildred Schwab, City of Portland
Mayor Frank Ivancie (alternate)
14. Commissioner Robert Schumacher, Clackamas County
15. Commissioner Vern Veysey, Clark County
16. Charles Williamson, Metro Councilor
17. Bill Young, Director, Department of Environmental Quality

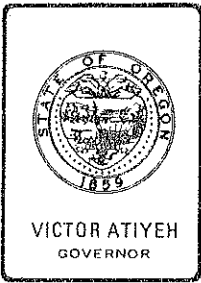
4.3.6.4 Basic Transportation Needs

The EPA requires funding and implementation of public transportation measures to maintain mobility where transportation control strategies are implemented. While no additional transportation control strategies are called for in this plan to attain the ozone standard, the region is continuing its emphasis on high levels of transit and ridesharing as a means of providing mobility to the general public, while helping to relieve congestion on the highway system, reduce pollutant emissions and conserve energy. This is evidenced by the numerous transit and rideshare projects discussed in Sections 4.3.3.4, 4.3.3.5 and 4.3.3.6 of this Plan.

In addition, the region's recommended RTP through the year 2000 calls for a quality of transit service that is reasonably comparable to alternative modes of travel. Transit ridership, under this Plan, is expected to increase to 3.2 times today's levels, while overall travel demand increases only 1.5 times. An increase in ridesharing for work trips of 1.5 times current levels is also called for in the RTP. Together, these programs should provide for the basic transportation needs of the Portland metropolitan area's citizens.

RB/srb

4990B/291



Department of Environmental Quality

522 SOUTHWEST 5TH AVE. PORTLAND, OREGON

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

Prepared: March 26, 1982
Hearing Date: May 24, 1982

NOTICE OF PUBLIC HEARING

A CHANCE TO BE HEARD ABOUT:

Proposed Revision to the State
Clean Air Act Implementation Plan
for the Portland-Vancouver Interstate
Air Quality Maintenance Area (Oregon Portion):
Carbon Monoxide Control Strategy
and Ozone Control Strategy

The Department of Environmental Quality is proposing to amend its State Implementation Plan (SIP) in accordance with the federal Clean Air Act Amendments of 1977. The carbon monoxide control strategy will bring the Portland area into compliance with the carbon monoxide standard by December 31, 1985. The ozone control strategy will bring the Portland area into compliance with the ozone standard by December 31, 1987. The DEQ will submit the strategies adopted by the Environmental Quality Commission to the U.S. Environmental Protection Agency for approval and incorporation into the Oregon State Implementation Plan. A hearing on this matter will be held in Portland on May 24, 1982.

WHAT IS THE DEQ PROPOSING:

Interested parties should request a copy of the complete proposed State Implementation Plan amendments.

Highlights of the carbon monoxide control strategy are:

- ** The use of the Biennial Auto Inspection Maintenance program, public transit, carpooling, and other ridesharing measures to reduce carbon monoxide emissions.
- ** The City of Portland has adopted a parking management program with a ceiling on the number of parking spaces in downtown Portland.

Highlights of the Ozone Control Strategy are:

- ** The use of the Biennial Auto Inspection Maintenance program and the implementation of the Banfield Light Rail Transit project and other measures to reduce Volatile Organic Compound emissions.

** Emission standards for certain existing industrial sources such as paper and can coating operations, perchloroethylene dry cleaners, and flexographic printing.

WHO IS AFFECTED BY THIS PROPOSAL:

The residents of the Portland area and owners of certain commercial and industrial operations that emit vapors leading to ozone formation.

HOW TO PROVIDE YOUR INFORMATION:

Written comments should be sent to the Department of Environmental Quality, Air Quality Division, Box 1760, Portland, Oregon 97207, and should be received by May 24, 1982.

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

<u>City</u>	<u>Time</u>	<u>Date</u>	<u>Location</u>
Portland	12:00 p.m. (Noon)	May 24, 1982	DEQ Conference Room Room 1400, Yeon Bldg. 522 SW 5th Avenue

WHERE TO OBTAIN ADDITIONAL INFORMATION:

Copies of the proposed rules may be obtained from:

Howard Harris
DEQ Air Quality Division
Box 1760
Portland, Oregon 97207
503-229-6086

LEGAL REFERENCES FOR THIS PROPOSAL:

This proposal amends OAR 340-20-047. It is proposed under authority of ORS 468.020, 468.295, and 468.305.

LAND USE PLANNING CONSISTENCY:

The Department has concluded that the proposals do affect land use.

With regard to Goal 6 (air, water and land resources quality) the rules are designed to enhance and preserve air quality in the affected area and are considered consistent with the goal.

Goal 11 (public facilities and services) is deemed unaffected by the proposals.

Public comment on any land use issue involved is welcome and may be submitted in the same fashions as are indicated for testimony in this NOTICE OF PUBLIC HEARING.

It is requested that local, state, and federal agencies review the proposed action and comment on possible conflicts with their programs affecting land use and with Statewide Planning Goals within their expertise and jurisdiction.

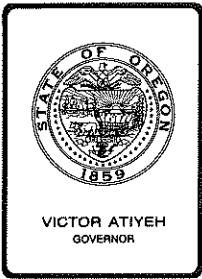
The Department of Environmental Quality intends to ask the Department of Land Conservation and Development to mediate any apparent conflict brought to our attention by local, state or federal authorities.

FURTHER PROCEEDINGS:

After public hearing the Commission may adopt rule amendments identical to the proposed amendments, adopt modified rule amendments on the same subject matter, or decline to act. The adopted regulations will be submitted to the Environmental Protection Agency as part of the State Clean Air Act Implementation Plan. The Commission's deliberation should come on July 16, 1982 as part of the agenda of a regularly scheduled Commission meeting.

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

HH:a
AA1980 (1)



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: Hearing Officer

Subject: Hearing Report on May 24, 1982, Hearing.
"Proposed Revisions to the State Clean Air
Act Implementation Plan (SIP) for the
Portland-Vancouver Interstate Air Quality
Maintenance Area (Oregon Portion): Ozone
Control Strategy"

Summary of Procedure

Pursuant to public notice, a public hearing was convened at the Yeon Building, Room 1400, located at 522 SW Fifth Avenue in Portland, at 12:07 p.m. on May 24, 1982. The purpose was to receive testimony regarding proposed revisions to the SIP for carbon monoxide and ozone control strategies in the Portland portion of the Interstate Air Quality Maintenance Area. This report summarizes the testimony related to the ozone control strategy.

Summary of Written Testimony

Mr. Joe Weller, Oregon Lung Association (OLA) stated that by 1987 Portland is expected to achieve ozone attainment by a very small margin, 1% or 2% of the total reduction required. OLA maintains that even a minimal modeling error could throw the predicted attainment date off by years. OLA emphasized that the proposed ozone SIP revision treats the predicted margin as if it existed now for growth allocation. OLA indicated that past hydrocarbon emission estimates have been in error with initial reduction estimates altered to reflect that no change had taken place in ozone levels. OLA recommended that the predicted surplus in hydrocarbon emission reductions be treated as a safety margin rather than as a growth cushion, with institution of an offset policy to deal with industrial growth. Mr. Weller submitted written testimony for the OLA after his oral presentation and attached the minutes of the December 15, 1981, Portland Air Quality Advisory Committee meeting.

Portland Air Quality Advisory Committee stated that it is a group of over 20 individuals representing a broad spectrum of air quality interests. For the ozone portion of the SIP, the Committee stated that attainment will be achieved with currently committed measures including the vehicle inspection program, downtown parking management, ridesharing programs, and industrial controls. Pursuit by the region of additional measures which will further reduce emissions was acknowledged. The Committee cited the importance of the Growth Allocation Plan which allows new or expanding industry to operate without first finding costly and time consuming offsets, up to the maximum amount of the growth cushion. The difference on the approach to growth management between Washington (offsets) and Oregon (growth cushion) was mentioned. The Committee stated that after considerable discussion, it supports the growth management approach contained in the present SIP. The Committee urged adoption of the ozone SIP by the Environmental Quality Commission.

City of Portland stated that currently committed control measures are projected to bring the region into attainment with the ozone standard by 1987. The City pointed out that additional measures are being pursued which will further reduce emissions. The City highlighted the Growth Allocation Plan with its growth cushion as being an important element of the plan along with area-wide programs including vehicle inspection, transit improvements, and rideshare projects. The City stated that it supports adoption of the plan by the Environmental Quality Commission.

Mr. Lloyd Anderson, Port of Portland expressed support of the ozone portion of the SIP and mentioned the Port's involvement in the development of the plan. The Port recommends that the SIP be adopted.

Dr. Andrew Moschogianis, Oregonians for Clean Air cited the high pollution potential in the valley, and stated that despite this, DEQ is proposing to allow industry to abandon the offset program for Volatile Organic Compounds based upon a predicted one percent surplus in emission reductions for this pollutant. He pointed out that a 675 tons per year emission reduction surplus amounts to over one pound of VOC for every man, woman and child in the region and such an amount as a growth cushion constitutes a clear disregard for the welfare of the people of the region. Dr. Moschogianis declared that projected emission reductions do not adequately take into consideration the range of error inherent in the computer modeling process. Oregonians for Clean Air strongly protest the growth cushion approach proposed for the SIP and urge the deletion of the growth cushion portions of the SIP.

Oral and Written Testimony was offered by:

Joe Weller, Oregon Lung Association

Hearing Report on May 24, 1982 Hearing
June 8, 1982
Page 3

Testimony received in written form only:

Portland Air Quality Advisory Committee
City of Portland
Lloyd Anderson, Port of Portland
Andrew Moschogianis, Oregonians for Clean Air

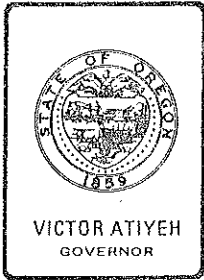
Recommendations

The hearing officer makes no recommendations. Respectfully submitted,


Howard W. Harris
Hearing Officer

Attachments: 1. Notice of Public Hearing
2. Testimony of Oregon Lung Association
3. Testimony of Portland Air Quality Advisory Committee
4. Testimony of City of Portland
5. Testimony of Port of Portland
6. Testimony of Oregonians for Clean Air

J.F. Kowalczyk:a
229-6459
June 8, 1982
AA2252 (1)



Department of Environmental Quality

522 SOUTHWEST 5TH AVE. PORTLAND, OREGON

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

Prepared: March 26, 1982
Hearing Date: May 24, 1982

NOTICE OF PUBLIC HEARING

A CHANCE TO BE HEARD ABOUT:

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Clean Air Act Implementation Plan
for the Portland-Vancouver Interstate
Air Quality Maintenance Area (Oregon Portion):
Carbon Monoxide Control Strategy
and Ozone Control Strategy

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WHAT IS THE DEQ PROPOSING:

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Highlights of the carbon monoxide control strategy are:

- ** The use of the Biennial Auto Inspection Maintenance program, public transit, carpooling, and other ridesharing measures to reduce carbon monoxide emissions.
- ** The City of Portland has adopted a parking management program with a ceiling on the number of parking spaces in downtown Portland.

Highlights of the Ozone Control Strategy are:

- ** The use of the Biennial Auto Inspection Maintenance program and the implementation of the Banfield Light Rail Transit project and other measures to reduce Volatile Organic Compound emissions.

** Emission standards for certain existing industrial sources such as paper and can coating operations, perchloroethylene dry cleaners, and flexographic printing.

WHO IS AFFECTED BY THIS PROPOSAL:

The residents of the Portland area and owners of certain commercial and industrial operations that emit vapors leading to ozone formation.

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<u>City</u>	<u>Time</u>	<u>Date</u>	<u>Location</u>
Portland	12:00 p.m. (Noon)	May 24, 1982	DEQ Conference Room Room 1400, Yeon Bldg. 522 SW 5th Avenue

WHERE TO OBTAIN ADDITIONAL INFORMATION:

Copies of the proposed rules may be obtained from:

Howard Harris
DEQ Air Quality Division
Box 1760
Portland, Oregon 97207
503-229-6086

LEGAL REFERENCES FOR THIS PROPOSAL:

This proposal amends OAR 340-20-047. It is proposed under authority of ORS 468.020, 468.295, and 468.305.

LAND USE PLANNING CONSISTENCY:

The Department has concluded that the proposals do affect land use.

With regard to Goal 6 (air, water and land resources quality) the rules are designed to enhance and preserve air quality in the affected area and are considered consistent with the goal.

Goal 11 (public facilities and services) is deemed unaffected by the proposals.

Public comment on any land use issue involved is welcome and may be submitted in the same fashions as are indicated for testimony in this NOTICE OF PUBLIC HEARING.

It is requested that local, state, and federal agencies review the proposed action and comment on possible conflicts with their programs affecting land use and with Statewide Planning Goals within their expertise and jurisdiction.

The Department of Environmental Quality intends to ask the Department of Land Conservation and Development to mediate any apparent conflict brought to our attention by local, state or federal authorities.

FURTHER PROCEEDINGS:

After public hearing the Commission may adopt rule amendments identical to the proposed amendments, adopt modified rule amendments on the same subject matter, or decline to act. The adopted regulations will be submitted to the Environmental Protection Agency as part of the State Clean Air Act Implementation Plan. The Commission's deliberation should come on July 16, 1982 as part of the agenda of a regularly scheduled Commission meeting.

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

HH:a
AA1980 (1)



Oregon Lung Association INC. SINCE 1915

319 S.W. Washington, Suite 520 Portland, Oregon 97204 (503) 224-5145

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

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 Tomleson of DEQ. Heidtmann distributed

Portland Air Quality Advisory Committee

P.O. Box 4760
Portland, Oregon 97207
(503) 229-6092

TESTIMONY OF THE PORTLAND AIR QUALITY ADVISORY COMMITTEE ON THE OZONE STATE IMPLEMENTATION PLAN FOR THE OREGON PORTION OF THE PORTLAND-VANCOUVER AQMA

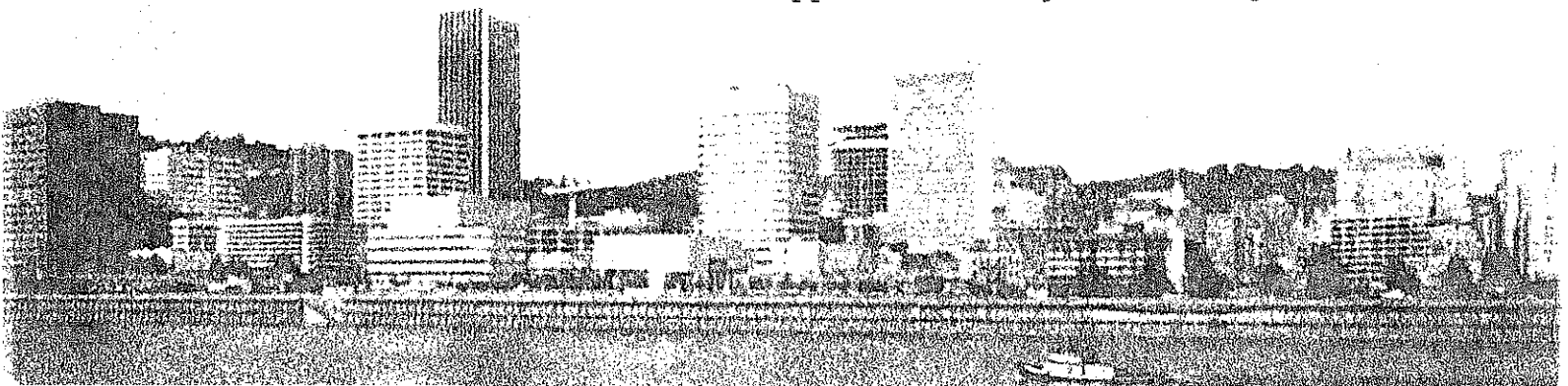
The Portland Air Quality Advisory Committee is a group of over twenty individuals representing a broad spectrum of air quality interests. The Committee has been meeting for over two years, assisting the Department of Environmental Quality and Metropolitan Service District in developing Portland's clean air plans.

Our Committee recommends that the Ozone SIP be adopted. We commend Metro and the DEQ for development of a strong program that is projected to attain the federal ozone standard by 1987. This will be achieved with currently committed measures including a strong vehicle inspection program, downtown Portland parking management, good transit and rideshare programs, and industrial controls.

Even though the region is projecting attainment, additional measures are being pursued to further reduce emissions, as well as for their other benefits. These measures include substantial transit service improvements, ramp metering, new rideshare programs, flextime and bicycle programs, and traffic flow improvements.

An important feature in the Ozone SIP is the Growth Allocation Plan. This plan allows new or expanding industries which emit hydrocarbons to enter the airshed without finding emission offsets, up to the maximum amount of the growth cushion. This is important to firms wishing to locate or expand in this region because finding offsets can be a very costly and time-consuming process. However, it must be emphasized that new industry will still be required to apply stringent air pollution controls.

An effort was made to develop a common growth management strategy in both the Oregon and Washington portions of the airshed. However, Washington intends to manage their portion of the airshed by use of an emissions offset program. The Committee recognized the difference between the two approaches to growth management



and, after considerable discussion, supports the present SIP.

The Air Quality Advisory Committee would appreciate the opportunity to assist Metro and DEQ in reviewing annual progress toward attaining the ozone standard.

The Committee recognizes this SIP as an attainment plan that allows for managed economic development and we urge adoption by the Environmental Quality Commission.

RB:lmk



CITY OF
PORTLAND, OREGON

BUREAU OF PLANNING

Mildred A. Schwab, Commissioner
Terry D. Sandblast, Director
621 S.W. Alder
Portland, Oregon 97205
(503) 248-4253

Code Administration 248-4250

Land Use 248-4260

Transportation Planning 248-4254

TESTIMONY ON THE STATE IMPLEMENTATION PLAN
FOR
OZONE

THE CITY OF PORTLAND RECOMMENDS THAT THE ENVIRONMENTAL QUALITY COMMISSION ADOPT THE "STATE IMPLEMENTATION PLAN REVISION FOR OZONE" AS SUBMITTED BY THE METROPOLITAN SERVICE DISTRICT (METRO) AND OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ). METRO AND DEQ SHOULD BE COMMENDED FOR THEIR WORK IN PREPARATION OF A STRONG ATTAINMENT PLAN.

CURRENTLY COMMITTED CONTROL MEASURES ARE PROJECTED TO BRING THE REGION INTO ATTAINMENT WITH THE OZONE STANDARD BY 1987. THESE MEASURES INCLUDE INDUSTRIAL CONTROLS, THE BIENNIAL VEHICLE INSPECTION PROGRAM, PORTLAND DOWNTOWN PARKING MANAGEMENT PROGRAM, AND TRANSIT AND RIDE-SHARE PROJECTS. ADDITIONAL MEASURES ARE BEING PURSUED, HOWEVER, WHICH WILL FURTHER REDUCE EMISSIONS.

THESE ADDITIONAL REDUCTIONS HAVE ALLOWED THE REGION TO PROPOSE MANAGEMENT OF A GROWTH CUSHION AS THE MEANS OF ACCOMMODATING NEW OR EXPANDING FIRMS. WITH THIS GROWTH ALLOCATION PLAN, NEW INDUSTRIES THAT EMIT HYDROCARBONS WOULD HAVE NO RESTRICTIONS PLACED ON THEM BEYOND THE USE OF APPROPRIATE INDUSTRIAL CONTROLS AS IS THE CASE WITH EXISTING INDUSTRY. RATHER THAN BEING REQUIRED TO UNDERGO THE COSTLY AND TIME-CONSUMING PROCESS OF LOCATING OFF-SETS, FIRMS WILL BE ALLOWED TO ENTER THE AIRSHED UP TO THE MAXIMUM AMOUNT OF THE GROWTH CUSHION.

THE IMPORTANCE OF THE GROWTH CUSHION WAS IDENTIFIED IN THE 1980 PORTLAND AREA GROWTH MANAGEMENT STUDY WHICH WAS FUNDED BY THE FEDERAL AIR QUALITY TECHNICAL ASSISTANCE DEMONSTRATION GRANT PROGRAM. IN THIS STUDY, THE CITY WORKED WITH OTHER LOCAL GOVERNMENTS

AND AGENCIES TO DEVELOP A SYSTEM FOR ALLOWING NEW GROWTH IN THE NON-ATTAINMENT AREA WITHOUT ALLOWING DEGRADATION OF THE AIRSHED. SINCE THERE IS PREDOMINANCE OF SMALL FIRMS AND A LARGE POTENTIAL FOR AREA SOURCE EMISSION REDUCTIONS IN THIS REGION, THE GROWTH CUSHION WAS CITED AS THE MOST EQUITABLE STRATEGY FOR ACCOMMODATING GROWTH IN TERMS OF REGULATION AND COST. THE STUDY'S ADVISORY COMMITTEE, WHICH WAS COMPOSED OF REPRESENTATIVES OF VARIOUS INTERESTS, UNANIMOUSLY SUPPORTED THE STUDY CONCLUSIONS.

THE CITY OF PORTLAND URGES THE ENVIRONMENTAL QUALITY COMMISSION TO ADOPT THIS ATTAINMENT PLAN.



Port of Portland

Box 3529 Portland, Oregon 97208
503/231-5000
TWX: 910-464-6151

May 24, 1982

Environmental Quality Commission
P.O. Box 1760
Portland, OR 97207

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
RECEIVED
MAY 24 1982

AIR QUALITY CONTROL

TESTIMONY ON OZONE STATE IMPLEMENTATION PLAN

The purpose of this letter is to express the Port of Portland's support of the Oregon State Implementation Plan (SIP) for Ozone. For the past two years, the Port has met with and provided comments to the Department of Environmental Quality (DEQ) and Metro as the SIP was being developed. We feel the proposed SIP contains the measures needed to attain the federal ozone standard by 1987, while at the same time allowing for new industrial growth to occur.

The Port appreciated the opportunity to participate in the development of the Ozone SIP and recommends that the SIP be adopted.

Lloyd Anderson
Executive Director

03E416

OREGONIANS FOR CLEAN AIR

P.O. BOX 182
 OREGON CITY, OREGON 97045

June 1, 1982

State of Oregon
 DEPARTMENT OF ENVIRONMENTAL QUALITY
 RECEIVED
 JUN 01 1982

Department of Environmental Quality
 522 S.W. 5th Ave.
 Portland, Oregon

AIR QUALITY CONTROL

Re: Proposed Revision to the State
 Clean Air Act Implementation Plan
 for the Portland-Vancouver Interstate
 Air Quality Maintenance Area (Oregon Portion):
 Carbon Monoxide Control Strategy
 and Ozone Control Strategy

The SIP Revision for Ozone speaks of our polluted airshed as:

"...almost completely surrounded by mountains and hills. Temperature inversions frequently occur, trapping emissions in the valley and resulting in elevated levels of air pollution...Ozone is a clear and toxic gas."

Yet upon a predicted one percent surplus of reduced Volatile Organic Compounds over the next five years, DEQ is proposing to allow industry to abandon the offset program for this ozone precursor.

A twenty-seven percent reduction in Volatile Organic Compounds emissions in the area predicted by modeling projections will be one percent, or about 675 tons per year (TPY) short of exceeding permissible pollution levels. To consider that projected amount, over one pound of VOC for every man, woman and child in the region, as a "growth cushion" for industry, is a clear disregard for the welfare of the people of the region.

Projected reductions in emissions do not adequately take into consideration the range of error that is likely from estimating ambient air quality by even the most reliable of present computer modeling techniques. The assumptions used in the modeling could further contribute to modeling error given the present distinct possibility of federal lowering of standards for motor vehicle permissible emission rates.

*We strongly protest the proposed "growth cushion" approach as part of the SIP Revision for Ozone.

*Oregonians for Clean Air proposes that the "growth cushion" portions of the SIP be deleted from the text and that the SIP be implemented thusly.

Allowing the area to abandon the offset program is certainly an important part of the Proposed Revisions, yet there was no mention of it in the section "WHAT IS THE DEQ PROPOSING:" in the NOTICE OF PUBLIC HEARING, prepared March 26, 1982. OCA protests the omission of any mention of the proposed Growth Allocation Plan in the Notice of Public Hearing.

Respectfully,



Dr. Andrew A. Moschogianis
Chairman



AAM:pam

Portland-Vancouver AQMA
VOC Growth Cushion Account

Date	Allocation Description	Amount Kg/Day	Balance Kg/Day			
4/16/82	Initial Amount	+1700	1700			
4/16/82	Tentative Allocation to State of Washington	-202	1498			
5/21/82	ODOT I-205 6-Lane to 4-Lane Configuration	-62	1436			
5/27/82	Metro Adjustment to Transportation Emissions	-350	1086			

STATEMENT OF NEED FOR RULEMAKING

Pursuant to ORS 183.335(2), this statement provides information on the intended action to amend a rule.

Legal Authority

Federal Clean Air Act as Amended 1977 (PL 95-95).

ORS Chapter 468, including Section 020 which gives the Commission authority to adopt necessary rules and standards, Section 295 which authorizes the Commission to establish air quality standards for the State, and Section 305 which authorizes the Commission to prepare and develop a comprehensive plan.

Need for the Rule

The Portland metropolitan area currently exceeds the federal ozone standard. For a designated nonattainment area that cannot attain standards by December 31, 1982, the Clean Air Act requires submittal of a detailed control strategy plan by July 1, 1982. The plan must show attainment of standards as soon as practicable, but not later than December 31, 1987. The proposed control strategy brings the area into attainment by December 31, 1987.

Principal Documents Relied Upon

1. Clean Air Act Amendments of 1977, PL 95-95, 8/7/77.
2. DEQ Updated Emission Inventory.
3. EPA, State Implementation Plans; Approval of 1982 Ozone and Carbon Monoxide Plan Revisions for Areas Needing an Attainment Date Extension; and Approved Ozone Modeling Techniques; Final Policy and Proposed Rulemaking, Federal Register/Vol. 46, No. 14/Thursday, January 22, 1981/Rules and Regulations.
4. EPA (1980), Guidelines for Use of City-Specific EKMA in Preparing Ozone SIPs, EPA-450/4-80-027.
5. EPA (1980), Emission Inventory Requirements for 1982 Ozone State Implementation Plans, EPA-450/4-80-016.

Fiscal Impact Statement Including Impact on Small Business

The only major transportation project specifically identified as a control strategy element in the plan is the Banfield Light Rail Transit project. This project is budgeted for \$190 million in Interstate Transfer funds.

The proposed revisions to the ozone control plan would not impose any new costs on the private sector. By reference, the plan includes controls on existing Round 1 and Round 2 Volatile Organic Compound emission sources that were adopted by the Environmental Quality Commission on June 8, 1979 and September 19, 1980. With an emissions growth cushion in effect, the plan would eliminate the possibly significant costs to new industry of obtaining emissions offsets.

HH:a
AA1977 (1)

U.S. ENVIRONMENTAL PROTECTION AGENCY

REGION X

1200 SIXTH AVENUE

SEATTLE, WASHINGTON 98101

April 27, 1982

REPLY TO
ATTN OF: M/S 532State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
 RECEIVED
 MAY 3 1982

Richard Howsley
 Executive Director
 Regional Planning Council of Clark County
 Post Office Box 5000
 Vancouver, Washington 98663

AIR QUALITY CONTROL

Dear Mr. Howsley:

Al Ewing has asked me to respond to your letter of April 6, asking if EPA is going to recognize a one percent (1%) growth margin for the Portland-Vancouver Air Quality Maintenance Area.

Based on our review of the draft SIP, I believe that Oregon's growth margin provision is approvable. The margin is small in mathematical terms, but the conservative overall approach used by the Oregon Department of Environmental Quality (DEQ) and the Metropolitan Service District in their planning process leads to an assumption that the margin is at least as large as predicted, perhaps larger. The DEQ will monitor the consumption of the growth margin with a tracking system. If evidence indicates that the growth margin is inadequate then Oregon's new source review rules require that offsets will have to be used until attainment of the ozone standard in the Portland-Vancouver air shed is demonstrated.

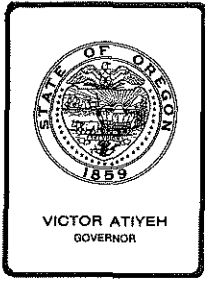
Approval of the Portland growth margin will not affect the approvability of your plan. Even if Portland adopts a growth margin program and you do not, EPA would still be able to approve the Vancouver offset program.

If you have further questions please call me at (206) 442-1941 or George Abel of my staff at (206) 442-1983.

Sincerely,

Clark L. Gaulding, Chief
 Air Programs Branch

cc: Al Ewing, WOO
 Jim Herlihy, OOO
 Ed Taylor, SWAPCA
 ✓ John Kowalczyk, DEQ
 Hank Droege, DOE
 Richard Brandman, MSD
 George Abel, EPA



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, July 16, 1982, EQC Meeting

Proposed Adoption of the Carbon Monoxide Control Strategy
for the Portland-Vancouver Interstate AQMA (Oregon Portion)
as a Revision to the State Implementation Plan

BACKGROUND AND PROBLEM STATEMENT

Background

On March 3, 1978, the Environmental Protection Agency (EPA) designated the Oregon portion of the Portland-Vancouver Air Quality Maintenance Area (AQMA) as nonattainment for carbon monoxide (CO). CRAG (succeeded by Metro) as the designated lead agency, initially performed a CO analysis which showed that implementation of all practicable measures would fail to meet the 8-hour CO standard by the federal deadline of December 31, 1982. Consequently, on June 8, 1979, the EQC adopted a revised CO State Implementation Plan (SIP) for the Oregon portion of the Portland-Vancouver AQMA with an extension request beyond 1982 for the attainment of the 8-hour CO standard. The Governor submitted the CO plan, containing the extension request, to EPA on June 20, 1979. EPA approved the extension request on June 29, 1980, (45 FR 42278) stipulating that the State submit a detailed SIP control strategy before the statutory deadline of July 1, 1982. EPA also required the plan to show attainment of standards as soon as practicable, but no later than December 31, 1987.

Since that time a plan to bring the Portland-Vancouver AQMA (Oregon portion) into attainment with the federal 8-hour CO standard has been developed. Under the plan the downtown Portland CO problem area would become the redefined CO nonattainment area (refer to Figure 4.2-3, p.15 of Attachment 1). The plan will bring the area into attainment by December 31, 1985. The proposed plan, along with the ozone control strategy plan, would replace the old Portland Transportation Control Strategy (TCS). The old TCS would be deleted from the SIP as part of the revision. The proposed control strategy plan is shown in Attachment 1.

A public hearing was held on May 24, 1982 to secure comment. No major issues were raised as a result of the public hearing. The City of Portland and the Portland Air Quality Advisory Committee submitted testimony in support of the plan. The final Public Hearing Notice is shown in Attachment 2. The Hearing Report is included in Attachment 3.

Problem Statement

The CO plan is needed in order to meet the requirements of the Clean Air Act Amendments of 1977 and is to be submitted to EPA before July 1, 1982. EPA has acknowledged that submission of the plan within the month of July will demonstrate that a reasonable effort was made to meet the deadline and therefore, possible federal sanctions related to industrial growth and federal transportation and sewage treatment plant assistance grants under Sections 176 and 316 of the Act will be avoided.

Authority for the Commission to Act

ORS Chapter 468, Section 020, gives the Commission authority to adopt necessary rules and standards; Section 305 authorizes the Commission to prepare and develop a comprehensive plan. Attachment 4 contains the Statement of Need for Rulemaking and the Fiscal and Economic Impact Statement.

ALTERNATIVES AND EVALUATION

Alternative Course of Action

If the proposed rule is not adopted, Section 176 of the Clean Air Act Amendments of 1977 states that the Administrator of the EPA shall not approve any projects or award any federal transportation assistance grants other than for safety, mass transit, or transportation improvement projects related to air quality improvement or maintenance. Other sanctions related to sewage treatment grants and industrial growth could be imposed. It is doubtful whether EPA could or would develop a CO attainment plan for the area lacking State action; therefore, failure to act would likely leave the area without any adopted strategy to attain the State and federal air quality standard.

Rule Development Process

As the designated lead agency, Metropolitan Service District (Metro) had overall responsibility for producing the CO control strategy. However, by agreement with the City of Portland, the City was given primary responsibility for writing the CO plan for the region since the CO nonattainment area was within the city boundary. As a part of the plan development, a control measure analysis was performed and submitted to EPA on November 26, 1982. As a result of February 19, 1982 comments from EPA on the draft control plan, some changes were made and incorporated into the final plan document that went to public hearing. Also, some changes were made and put into the final plan document in response to comments by the

Portland Air Quality Advisory Committee (PAQAC). No oral testimony related to the CO plan was offered at the public hearing. Written testimony supporting the CO plan was submitted by the City of Portland and PAQAC (refer to Hearing Report in Attachment 2). The plan has been through the A-95 review process.

Major Elements of the Proposed Plan and Principal Impacts

The proposed plan contains the following elements for reducing CO emissions and attaining the 8-hour CO standard.

1. Continue the Biennial Auto Inspection/Maintenance program.
2. Operate Downtown Transit Mall and purchase 7 new articulated buses and 75 standard coaches.
3. Restore Fareless Square to all hours of the day.
4. Expand bus service on I-5 freeway corridor.
5. Operate Rideshare Programs: a) continue City Carpool permit program for 6-hour parking meters; b) implement McLoughlin Corridor Rideshare program; c) pursue State legislation that would remove institutional barriers to ridesharing.
6. Maintain and manage downtown parking inventory of 40,855 spaces, implemented through the services of a full-time parking manager.

New major sources (100 tons/year of carbon monoxide) locating in the redefined carbon monoxide nonattainment area of downtown Portland would be subject to offsets. Location of such sources in the downtown carbon monoxide problem area would appear to be highly unlikely.

The Biennial Auto Inspection/Maintenance program has a 2-year budget of \$3,352,000, entirely supported by a \$7.00 certificate fee. Transportation projects in the plan are budgeted to receive \$2,966,152 in federal funds and \$73,921 of local matching funds. The downtown parking management program has a first year budget of \$56,000, funded by an EPA grant and the Portland Development Commission. The City of Portland has committed to provide ongoing funding for a full-time parking manager.

The major impact of the parking management program is to restrain future growth in the amount of automobile access to downtown Portland while at the same time not inhibiting the economic growth of the downtown. The focus of the program is to limit the number of single occupant commuter vehicles in the downtown, but to ensure an adequate supply of short term customer and shopper parking.

SUMMATION

1. A plan to meet the requirements of the Clean Air Act Amendments of 1977 has been developed to bring the Portland-Vancouver AQMA (Oregon portion) into attainment with the federal 8-hour carbon monoxide (CO) standard by December 31, 1985. The official boundary of the CO nonattainment area would be redefined to coincide with the CO plan downtown boundary (Attachment 1, Fig. 4.2-3, p.15). The proposed plan would replace the old Portland Transportation Control Strategy which would be deleted from the SIP (Attachment 1).
2. A public hearing was held on May 24, 1982 to obtain comment (Attachments 2 and 3).
3. By agreement between Metro and the City of Portland, the City was given the primary responsibility for writing the region's CO plan. Some changes have been incorporated into the proposed plan to reflect comments by EPA as well as those of the Portland Air Quality Advisory Committee.
4. The plan consists of continuation of the existing Biennial Auto Inspection/Maintenance program, transit improvements, rideshare programs, and a parking management program.
5. The cost of the Biennial Auto Inspection/Maintenance program is entirely supported by a \$7.00 certificate fee. The first year cost of the downtown parking management program is \$56,000.
6. Failure to adopt the proposed rule could lead to sanctions under Sections 176 and 316 of the Federal Clean Air Act. Sections 176 and 316 affect federal assistance grants for certain transportation projects and sewage treatment plant construction, respectively. New major source growth sanctions could also be imposed.

DIRECTOR'S RECOMMENDATION

Based on the Summation, the Director recommends that the EQC adopt the carbon monoxide attainment strategy for the Portland-Vancouver AQMA (Oregon portion) and direct the Department to forward it to EPA as a revision of the State Implementation Plan.

Bill

WILLIAM H. YOUNG
Director

EQC Agenda Item No. N
July 16, 1982
Page 5

- Attachments: 1) Proposed Portland-Vancouver AQMA (Oregon Portion) SIP
for CO, 1982
2) Public Hearing Notice
3) Hearing Officer's Report
4) Statement of Need and Fiscal and Economic
Impact Statement

J.F. Kowalczyk:a
229-6459
June 21, 1982
AA2245 (1)

ATTACHMENT 1

OAR 340-20-047 is hereby amended by replacing Section 4.2 with the following material: Control Strategy for Portland-Vancouver Interstate Air Quality Maintenance Area (AQMA) (Oregon Portion) State Implementation Plan Revision for Carbon Monoxide 1982, pp. i-iv, 1-84; appendices to be added. Section 4.2 hereby replaces the Portland Transportation Control Strategy, April 13, 1973 as a part of the State Implementation Plan.

SECTION 4.2
CONTROL STRATEGY FOR
PORTLAND-VANCOUVER INTERSTATE
AIR QUALITY MAINTENANCE AREA (AQMA) (OREGON PORTION)
STATE IMPLEMENTATION PLAN REVISION
FOR CARBON MONOXIDE
1982

City of Portland
Metropolitan Service District
Oregon Department of Environmental Quality

STATE IMPLEMENTATION PLAN FOR CARBON MONOXIDE

Published as a joint effort by the City of Portland, the Metropolitan Service District, and the Oregon Department of Environmental Quality.

This report was paid for in part by a grant from the U.S. Environmental Protection Agency. Grant funds were provided to the City of Portland from the Metropolitan Service District (Metro).



City Council

Mayor Francis J. Ivancie
Commissioner Mildred Schwab
Commissioner Charles R. Jordan
Commissioner Mike Lindberg
Commissioner Margaret Strachan

Bureau of Planning

Terry Sandblast, Director
Steve Dotterer, Chief Planner
Cynthia J. Kurtz, Planner III

Metropolitan Service District

Andrew Cotugno, Transportation Director
Richard Brandman, Air Quality Manager

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4.2.0 PORTLAND-VANCOUVER AIR QUALITY MAINTENANCE AREA (AQMA) STATE IMPLEMENTATION PLAN (SIP) FOR CARBON MONOXIDE

4.2.0.1 Introduction

The Clean Air Act Amendments of 1977 (CAAA) require states to submit plans to demonstrate how they will attain and maintain compliance with national ambient air standards for those areas designated as "non-attainment." The Act further requires these plans to demonstrate compliance with primary standards no later than December 31, 1982. An extension up to December 31, 1987, is possible if the state can demonstrate that despite implementation of all reasonably available control measures the December 31, 1982, date cannot be met.

On March 3, 1978, the Oregon portion of the Portland-Vancouver Interstate AQMA was designated by the Environmental Protection Agency (EPA) as a non-attainment area for carbon monoxide (CO). In accordance with Section 174 of the Clean Air Act Amendments of 1977, former Governor Straub designated the Columbia Regional Association of Governments (CRAG) as the lead agency for the development of the CO State Implementation Plan (SIP) revisions for the Portland AQMA. On December 12, 1978, Governor Straub redesignated the Metropolitan Service District (Metro) as lead agency, effective January 1, 1979, in accordance with the voter approved May 23, 1978, ballot measure which abolished CRAG and transferred its responsibilities and powers to a reorganized Metro.

On June 20, 1979, the Governor submitted a CO plan for the Oregon portion of the Portland-Vancouver AQMA to EPA with a request for an extension beyond 1982 for the attainment of the CO standard.

The EPA printed an approval of this request in the Federal Register on June 24, 1980, (45 FR 42278) with the condition that New Source Review Regulations (OAR 340-20-190 through 197) would be approved by the Department of Environmental Quality (DEQ) within six months (by December 24, 1980) meeting the following conditions:

- i) A specific emission offset program with regulations to be adopted and submitted.
- ii) The rules governing multiple sources under single ownership be modified so as to require that other sources owned by the company applying for a permit be in compliance "with all applicable emission limitations and standards under the Act."

The approval allowed for an extension of the Portland CO attainment date beyond December 31, 1982, but before December 31, 1987, with a specific date to be identified in the alternatives analysis due to EPA on July 1, 1980.

All of the non-attainment problems identified for 1982, with the exception of a single highway section in Tigard, Oregon,

were within the Central Business District (CBD) of the City of Portland. Based on this information, Metro agreed that it would be appropriate for the City of Portland to perform the evaluation of the projected growth in population, employment, traffic conditions and the resulting air quality conditions for downtown Portland in 1982 and 1987.

Metro would evaluate further the projected non-attainment area in Tigard. It was also agreed that the City of Portland should have primary responsibility for writing the CO plan for the region. The City began the analysis of the transportation control measures in November 1979. The results were submitted to EPA on November 26, 1980.

4.2.0.2 Summary of Plan

- a. It is estimated that CO motor vehicle emissions represent 95 percent of the total CO emissions generated in the Portland area in 1977. In 1987, 85 percent of the emissions are still projected to be from motor vehicles.
- b. The air quality analysis in this SIP revision indicates that a few streets in the CBD of the City of Portland are projected to violate the eight-hour CO ambient air quality standard beyond 1982. By the end of 1987, all streets are projected to be in compliance with the CO standard without new controls. The controls adopted in this plan are projected to bring the region into attainment by 1985.
- c. A request to extend the attainment deadline for the CO ambient air quality standards to December 31, 1985, is being included in this SIP revision. The EPA requirements for requesting this extension have been met.
- d. A description of previously implemented transportation control measures is included in this SIP revision along with new measures that have been adopted to bring the area into attainment.
- e. The analysis of Highway 217 in Tigard demonstrated that there is projected to be no CO problem in Tigard beyond 1982.
- f. A redesignation of the boundaries of the CO non-attainment area to the areas actually exceeding standards is included in this SIP revision.

4.2.1 AMBIENT AIR QUALITY

The federal and State CO primary ambient air quality standards related to health effects are: 10 milligrams/cubic meter (mg/m^3), maximum eight-hour average, and 40 milligrams/cubic meter, maximum one-hour average. Both standards are not to be exceeded more than once per year at any monitoring location.

CO air quality standard violations have been recorded at four CO monitoring locations. (Refer to Appendix 4.2-1 for more details.) Table 4.2-1 is a summary of data collected at each site since 1970 indicating the highest and second highest CO concentrations, and Table 4.2-2 shows the number of days per month with eight-hour concentrations greater than the CO air quality standard ($10 \text{ mg}/\text{m}^3$).

CO air quality has improved substantially since implementation of the Portland Transportation Control Strategy, with the number of health standard exceedances in the downtown reduced by 82 percent between 1971 and 1979. The one-hour CO standard ($40 \text{ mg}/\text{m}^3$) has not been exceeded at any monitored site since 1971. Second worst day air quality based on the eight-hour standard has shown a 37 percent reduction during the same period.

Table 4.2-1

CARBON MONOXIDE SUMMARY (mg/m³)*

LOCATION	ANNUAL STATISTICS		1 HOUR AVERAGES		8 HOUR AVERAGES			
	YEAR	GEOMETRIC MEAN	MAXIMUM	2ND HIGHEST	NO. OF DAYS > 10mg/m ³	PERCENT	MAXIMUM	2ND HIGHEST
<u>Portland</u>								
718 W Burnside	1970	3.11	50.6	48.3	89		25.5	20.8
(CAMS)	1971	3.47	48.3	41.4	116		22.1	21.8
2614176	1972	3.76	42.6	39.1	120		28.9	27.0
	1973	3.72	39.1	36.8	109		25.6	22.4
	1974	3.06	27.6	27.6	75		18.7	17.8
	1975	1.74	39.1	36.8	51		21.6	21.1
	1976	1.76	34.5	33.3	25		17.2	15.2
	1977	2.80	25.3	25.3	44		17.5	17.4
	1978	2.62	31.0	26.4	36		16.3	15.2
	1979	2.27	31.0	31.0	21		24.1	13.2
	1980	1.68	27.9	23.7	19		13.9	13.4
4112 NE Sandy Blvd.	1973	3.85	32.2	30.0	120		23.4	21.5
Hollywood District	1974	3.08	47.3	33.4	58		25.5	22.0
2614069	1975	2.01	27.6	27.6	39		21.3	19.1
Began 12/72	1976	2.03	23.0	23.0	27		16.6	14.2
	1977	2.46	25.3	24.1	33		17.4	16.5
	1978	2.61	26.4	25.3	39		16.3	16.2
	1979	2.12	25.8	24.2	17		19.7	16.7
	1980	2.21	27.1	22.9	12		14.5	13.4
4th & Alder	1975 ²	-	32.2	25.3	14		14.9	12.7
2614185	1976	2.24	24.1	21.8	32		15.9	14.7
Began 9/75	1977	2.42	23.0	23.0	14		14.9	14.8
	1978	2.13	23.0	20.7	9		13.2	12.4
	1979	1.65	36.8	27.6	5		14.5	13.8
	1980	1.60	26.0	24.9	11		18.9	15.0
1420 NE Halsey	1975 ²	-	23.0	23.0	14		17.8	13.6
2614186	1976	-	28.8	26.4	26		17.6	16.3
Began 10/75	1977	2.06	24.1	23.0	23		15.9	15.7
Discontinued 9/80	1978	1.04	23.0	21.8	19		16.6	16.2
	1979	1.26	23.0	21.8	13		16.8	10.9
	1980	1.02	23.0	15.1	3		13.3	10.5

* milligrams per cubic meter

SOURCE Oregon Department of Environmental Quality; Oregon Air Quality Report 1980

Table 4.2-2

 NUMBER OF DAYS PER MONTH WITH 8-HOUR CARBON MONOXIDE CONCENTRATIONS
 GREATER THAN 10 mg/m³ (PORTLAND)

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	YEAR TOTAL		
PORTLAND															
718 W Burnside (CAMS) -- 2614176															
1967	16	7	10	8	1	2	0	3	11	20	14	15	107		
1968	17	10	17	8	14	3	4	12	12	24	27	19	167		
1969	23	20	15	10	5	5	0	3	10	15	14	-	120		
1970	15	9	9	2	1	5	1	2	6	7	12	19	88		
1971	16	11	9	6	1	6	2	5	11	15	16	18	116		
1972	15	15	12	10	3	5	6	3	11	10	19	11	120		
1973	14	10	11	4	4	4	2	3	8	12	21	16	109		
1974	7	6	6	6	2	3	1	3	1	9	16	15	75		
1975	10	6	1	1	1	3	0	6	1	11	9	2	51		
1976	6	1	0	0	0	0	0	1	1	5	2	9	25		
1977	5	3	2	0	1	1	0	2	8	7	6	9	44		
1978	12	0	5	1	0	0	0	0	2	1	10	5	36		
1979	5	2	0	0	0	0	0	0	0	2	3	9	21		
1980	4	1	0	0	0	1	0	0	0	2	6	5	19		
SW 4th & Alder* -- 2614185															
1972	*	*	*	*	*	0	0	4	2	6	18	21	51		
1973	16	15	10	8	9	18	10	19	12	19	18	15	170		
1974	4	4	3	6	3	1	3	6	9	13	17	10	79		
1975	1	7	1	1	0	0	2	-	3	4	3	5	27		
1976	1	1	2	0	0	1	0	0	3	7	8	10	33		
1977	8	2	1	1	0	1	0	1	0	0	0	0	14		
1978	1	0	0	0	0	0	0	0	0	1	4	3	9		
1979	2	1	1	0	0	0	0	0	1	0	0	0	5		
1980	1	2	0	0	0	0	0	0	1	2	1	4	11		
4112 NE Sandy Blvd -- 2614069															
1972	Station started December 1972											18	18		
1973	20	19	11	3	6	2	2	1	7	15	19	15	120		
1974	0	7	1	2	0	0	0	2	4	13	14	15	58		
1975	8	7	4	0	0	0	0	0	2	7	6	5	39		
1976	3	1	0	0	0	0	0	1	0	2	7	13	27		
1977	9	3	0	0	0	0	0	1	0	4	7	9	33		
1978	11	5	5	0	0	0	0	0	2	1	8	7	39		
1979	5	2	0	0	0	0	0	0	0	1	5	4	17		
1980	2	1	0	0	0	0	0	0	0	1	2	6	12		
1420 NE Halsey -- 2614186															
1975	Station started October 1975											1	4	9	14
1976	1	1	0	0	0	0	0	0	0	2	7	15	26		
1977	8	1	0	1	0	0	0	0	0	2	3	8	23		
1978	2	0	3	0	0	0	0	0	1	1	5	7	19		
1979	6	1	0	0	0	0	0	0	0	0	3	3	13		
1980	2	1	0	0	0	0	0	0	Discontinued 9/80						
MEDFORD															
Brophy Building -- 1520119															
1976	Station started December 1976											27	27		
1977	20	15	6	5	2	0	22	21	17	22	26	20	176		
1978	17	14	18	8	4	4	14	21	16	20	24	24	184		
1979	15	5	7	5	2	3	4	13	11	19	22	15	121		
1980	9	8	2	0	1	1	1	3	4	7	12	20	68		

*Prior to September 1975, site was located at 600 SW 5th (No. 2614066)

SOURCE Oregon Department of Environmental Quality; Oregon Air Quality Report 1980

4.2.2 REGIONAL EMISSION INVENTORY FOR CARBON MONOXIDE

The following methodology was used in 1979 to identify violating links. The CO emission inventory consists of estimates of CO emissions for the base year of 1977 along with projections for the years 1982 and 1987. The following sections describe the methodology used to calculate industrial and area source (except motor vehicles) CO emissions (Section 4.2.2.1) and transportation related CO emissions (Section 4.2.2.2). Section 4.2.2.3 summarizes the emissions on a tons/year basis for the region.

4.2.2.1 Industrial and Area Source (Except Motor Vehicles) Emissions

Industrial and area source CO emissions for the base year (1977) were obtained from DEQ's emission inventory. Emission and activity factors used to develop the base year CO emission inventory were based on the latest available information provided by EPA and other appropriate sources. In accordance with EPA guidelines, all industrial sources having the potential to emit 100 tons per year or more have been included in the inventory. Based upon the 1977 CO emission inventory, industrial and area source (e.g., commercial and residential space heating, open burning, etc.) emissions represented only five percent of total CO emissions within the Oregon portion of the Portland-Vancouver Interstate AQMA.

Growth factors used to project industrial emissions for the years 1982 and 1987 were based upon forecasts of employment developed by the former Columbia Region Association of Governments (CRAG) in A Regional Employment, Population and Household Forecast, (Technical Memorandum #23, April, 1978). Area source (except motor vehicles) CO emission growth was based upon projections of population, households, and where appropriate, employment derived from the above cited CRAG Technical Memorandum.

4.2.2.2 Motor Vehicle Emissions Methodology

A computer modeling technique was used to determine emissions from motor vehicles. The technique requires, as inputs, such parameters as population and employment levels, land use patterns, average vehicle emission data and a network of major roadways. In order to determine the variability of emissions by location within the region, the AQMA was divided into 493 grids where each grid is 2 km by 2 km in size. The modeling technique that was used amounts to a two-step procedure where the first step is the determination of vehicle miles traveled (VMT) on roadways located in each grid. The Urban Transportation Planning System (UTPS) package of transportation models developed by the Urban Mass Transportation Administration (UMTA) was used to make this determination.

The second step is the determination of total daily emissions

for each grid, given its VMT. This was done using the computer program SAPOLLUT which is part of the software package PLANPAC-BACKPAC developed by the Federal Highway Administration.

The inventory is based upon assumptions relative to present and future conditions in three general categories: (1) population, employment and land use patterns, (2) network assumptions, and (3) vehicle emission factors.

No direct forecasts of population and employment levels or land use were made for the specific years 1982 and 1987; rather, projections for the year 2000 were made and by using the base year 1977 data, interpolations were made to estimate conditions for the two future years. In order to determine conditions for the year 2000, a shift-and-share approach was taken in order to estimate future employment in the region. The approach requires a projection of national employment levels and is based on the assumption that any differences between regional and national employment rates that have been observed in the past will continue into the future. With future employment levels in the region determined in this fashion, total population was derived from combined assumptions of family size and age distribution. The entire process is described in detail in A Regional Employment, Population and Household Forecast, published by CRAG in 1978 (Technical Memorandum No. 23).

Growth allocation within the region was based upon such factors as existing land use, vacant available land, accessibility of the vacant available land to the population and employment centers of the region, and availability of transportation systems. The process is described in detail in Second Round Regional Growth Allocation for the CRAG Transportation Study Area Year 2000, published by CRAG in 1978 (Technical Memorandum No. 26).

The population forecasts that were used for this analysis are consistent with, although somewhat higher than, population projections made for the "208" Waste Water Management Plan. The reasons the forecasts are different are several. The first is that the projections used for the transportation plan are four years newer than the "208" numbers and, thus, incorporate the adopted Urban Growth Boundary (UGB) for the region. The transportation projections were also made based on a more sophisticated forecasting methodology, incorporating factors such as vacant available land and accessibility to the vacant land.

A comparison of the population forecasts used in the "208" water quality plan and for transportation planning purposes are shown below for the year 1987. The totals are by county for the Transportation Study Area, which approximates the urban area surrounding Portland, Oregon and Vancouver, Washington.

<u>County</u>	<u>"208"</u>	<u>Interim II Transportation</u>
Multnomah	595,710	615,239
Washington	273,870	271,127
Clackamas	201,810	222,973
Clark	<u>180,823</u>	<u>202,778</u>
	1,252,213	1,312,117

One should also be aware that the region is currently in the process of adopting new population and allocation forecasts incorporating information from the 1980 census. Preliminary indications are that the region has grown more quickly than anticipated. This new projection will be used in the future for both water quality and transportation planning purposes.

The highway network that the emission inventory for 1977 is based upon consists of an amalgamation of all major and minor arterials in the AQMA. The network for the future years of 1982 and 1987 is similar with the addition of the following major projects in the 1987 network:

<u>Project</u>	<u>Type</u>	<u>Length (km)</u>
Completion of I-205	Six-lane freeway with a proposed busway and bikeway	9.2
Connection of I-505-US 30	Four-lane arterial	3.1

Oregon City Bypass	Arterial	6.2
Banfield LRT	Additional highway lanes and light rail lanes	13.0

Vehicle emission factors were based upon the EPA publications Mobile Source Emission Factors for Low Altitude Areas--Final Document (EPA-200/9-78-006 March, 1978). Emission reduction credits for Oregon's biennial motor vehicle inspection/maintenance program were based upon a methodology developed by EPA's Office of Emission Control Technology. Assumptions regarding inputs, e.g., vehicle distributions, hot/cold start ratios, ambient temperature, etc., to motor vehicle emission factors are documented in Appendix 4.2-3.

4.2.2.3 Summary of Carbon Monoxide Emissions

The emissions inventories for the calendar years 1977, 1982 and 1987 are summarized by source category in Table 4.2.-3 below. A detailed emissions inventory is contained in Appendix 4.2-4.

4.2.2.4 Reduction Targets

The emission reduction targets for CO are allocated 100 percent to the transportation sector as opposed to other area sources and industrial sources. This is because almost all of the CO emissions in downtown Portland, which is the only remaining CO violation area in the region, are from transportation sources.

Table 4.2-3

Summary of Carbon Monoxide Emissions (Tons per year)
Within the Oregon Portion of the Portland-Vancouver Interstate AQMA

<u>Source</u>	<u>1977</u>	<u>1982</u>	<u>1987</u>
Industrial and other Area Sources	12,763	14,084	14,857
Motor Vehicles	764,727	429,592	342,361
Woodstoves	<u>27,705</u>	<u>62,044</u>	<u>79,000</u>
Total	805,195	505,720	436,218

4.2.3 GEOGRAPHIC DESCRIPTION OF THE NON-ATTAINMENT AREA

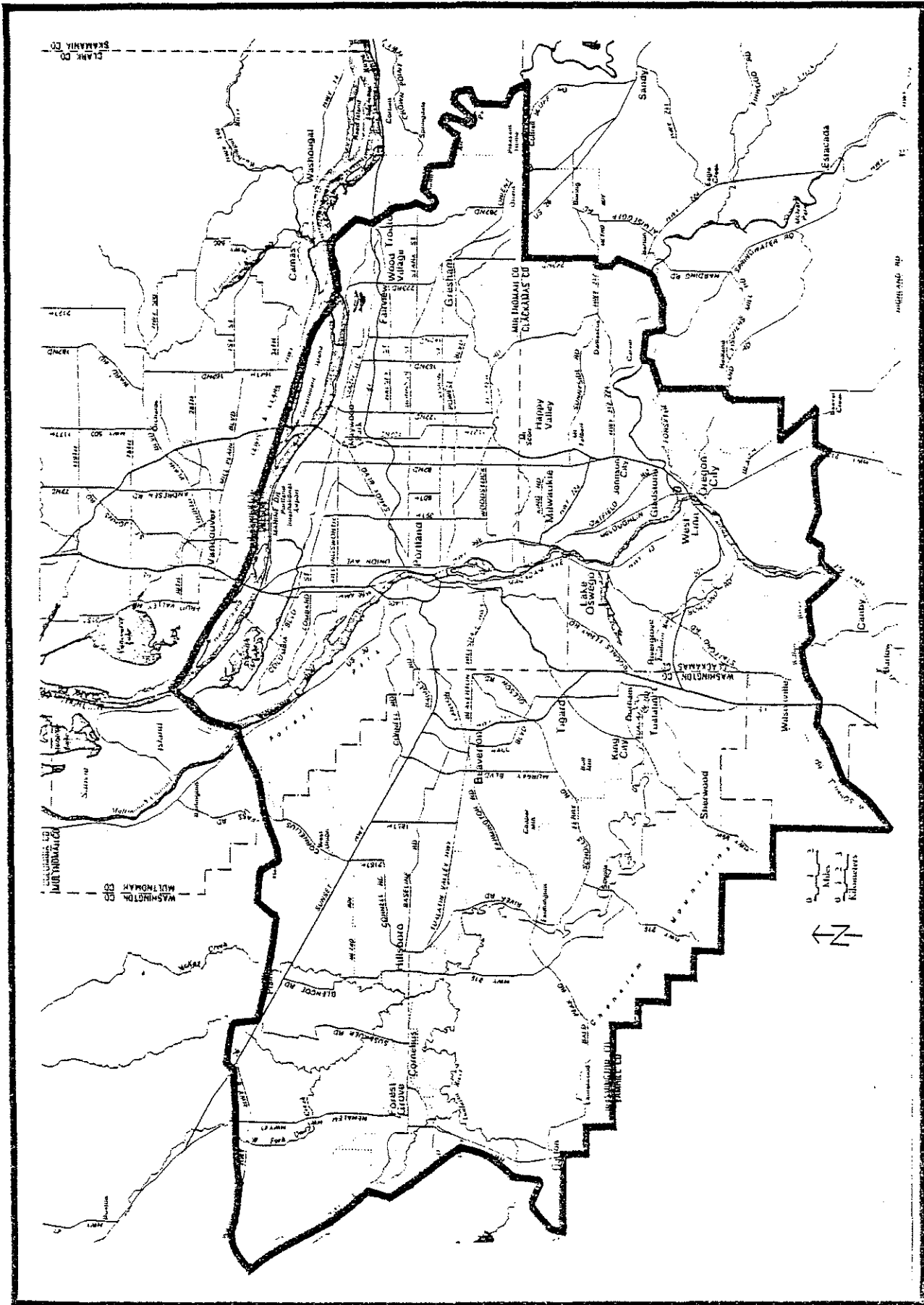
4.2.3.1 Air Quality Maintenance Area

On March 3, 1978, the Oregon portion of the Portland-Vancouver Interstate AQMA was designated as a non-attainment area for CO by the US EPA (43FR 8962). This area is identified in Figure 4.2-1. The area contains the urbanized portions of three counties--Clackamas, Multnomah and Washington--having an estimated combined population of 962,000 persons covering 1800 km² (695 mi²) of land.

Geographically, this area lies at the north end of the Willamette Valley and is almost completely surrounded by mountains and hills. Temperature inversions frequently occur trapping emissions in the valley, resulting in elevated levels of air pollutants.

4.2.3.2 Non-Attainment Area

Figure 4.2-2 indicates the extent of the CO problem in 1982 using emission factors and traffic volumes. The 1979 CO analysis showed that only two problem areas would remain beyond 1982: 1) the Portland CBD and 2) a short segment of Highway 99W in Tigard, Oregon. Subsequent analysis indicates that only the CBD would not attain the eight-hour CO standard by 1982.

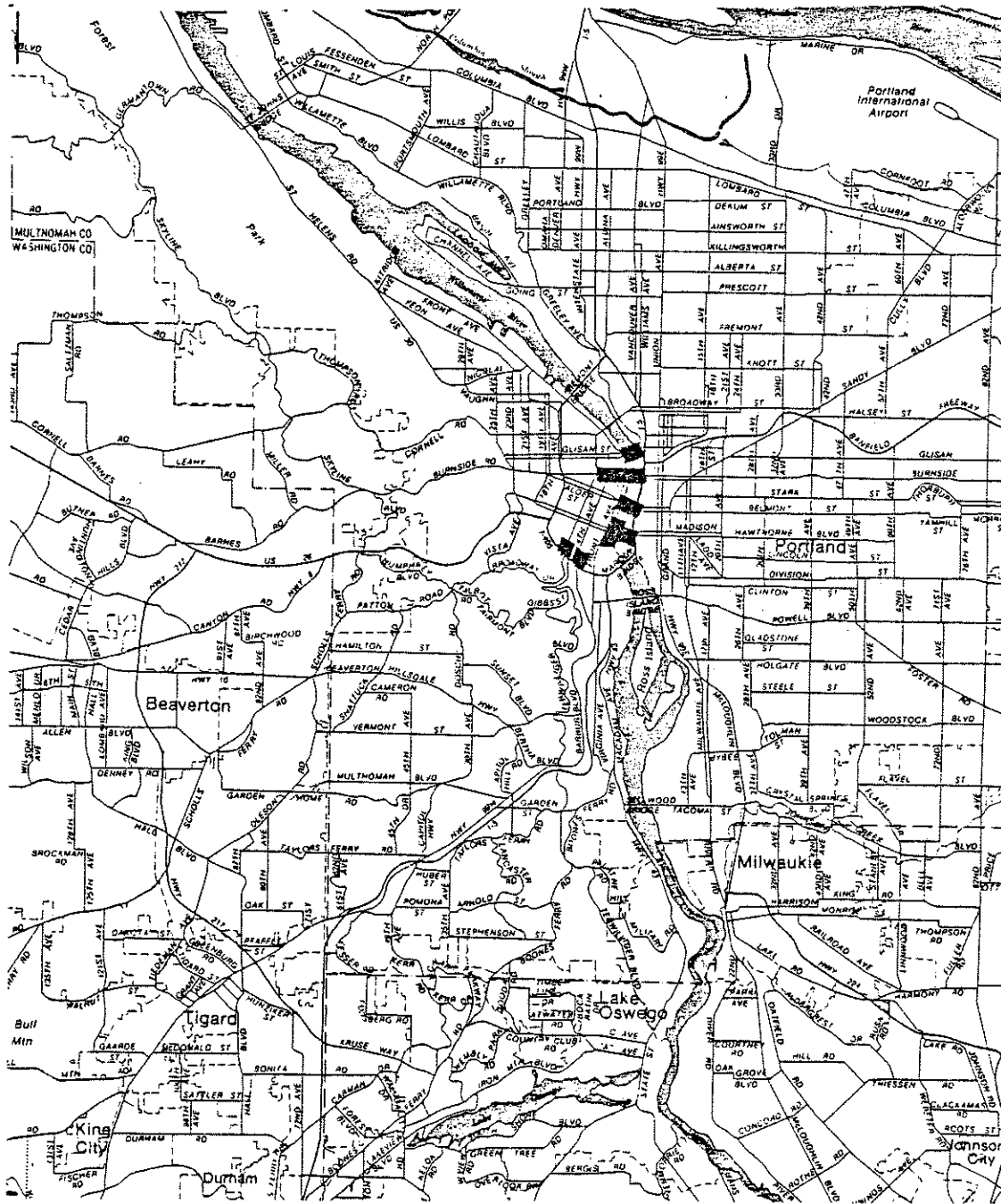



**PORTLAND-VANCOUVER AIR QUALITY MAINTENANCE AREA
(Oregon Portion)**



FIGURE 4.2-1

FIGURE 4.2-2
 Potential Violations of the CO Standard in 1982



 Indicates Potential Violation of CO Standard

4.2.3.3 Redefinition of the Non-Attainment Area

The control programs laid out in this SIP address a regionwide strategy for maintaining standards in addition to specific controls within the areas actually exceeding standards. The redefinition of the boundaries of the CO non-attainment area within the Portland AQMA is shown in Figure 4.2-3. The boundaries are defined as the west bank of the Willamette River, the Broadway Bridge and Broadway ramp, Hoyt Street, I-405 (the Stadium Freeway), and the Marquam Bridge.

4.2.3.4 Evaluation of Identified Non-Attainment Areas

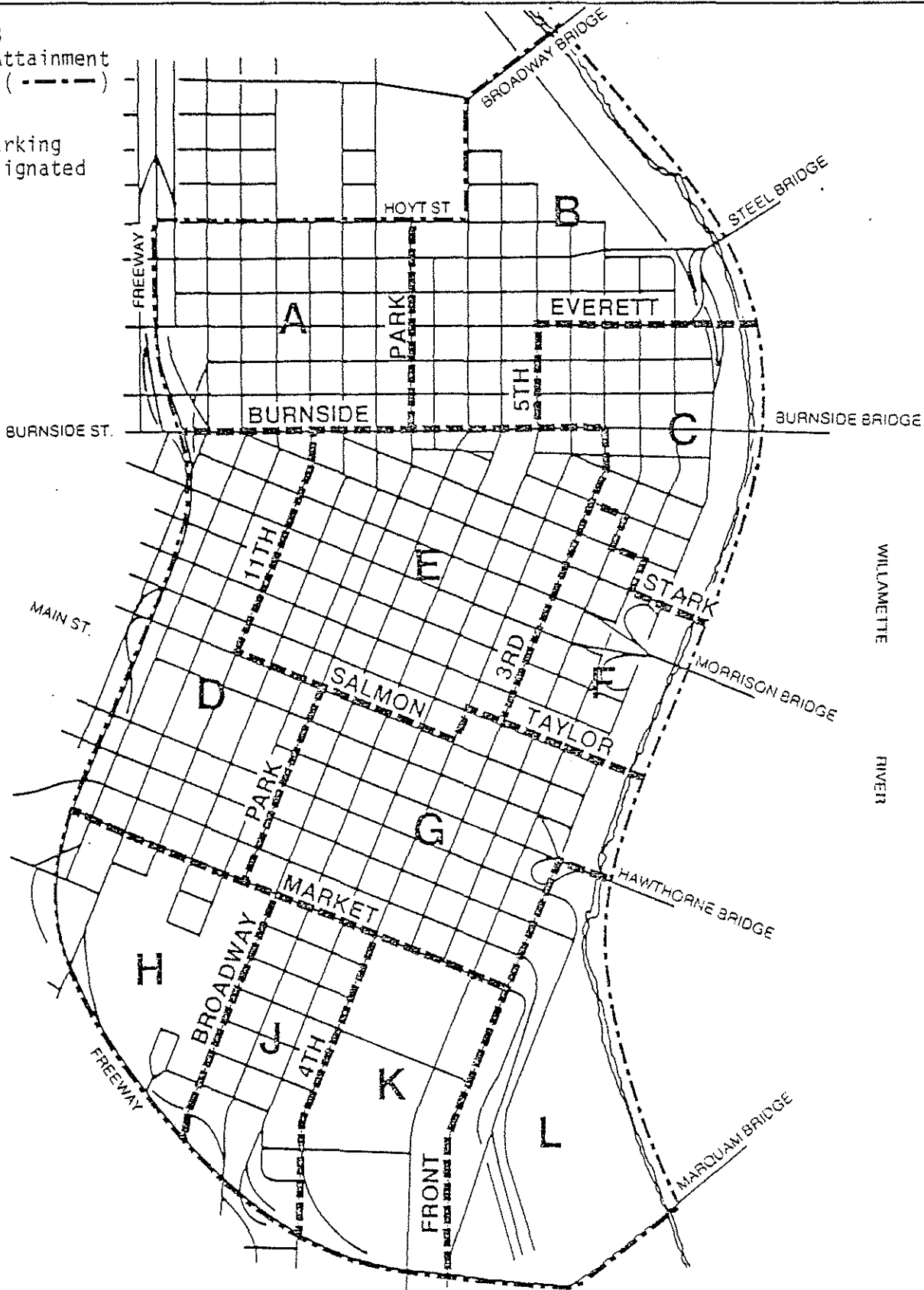
As part of the regional analysis, each arterial was tested for potential violation of the eight-hour CO standard by developing conservative meteorological conditions typical of second highest measured CO concentrations in 1977. CO concentration is very sensitive to distance from the roadway. The determination of potential violations was based upon the following distances from the edge of the roadway.

Streets in the CBD	12 feet
Arterials	25 feet
Freeways	75 feet

The evaluation methodology is described in detail in Appendix 4.2-2.

Figure 4.2-3
 Actual Non-Attainment
 Area for CO (-----)

(Downtown Parking
 Sectors Designated
 A - L)



SOURCE:

UPDATED
 DOWNTOWN
 PARKING AND
 CIRCULATION
 POLICY

a. Tigard

Analysis performed for the 1979 CO SIP showed that a short segment of Highway 99W in Tigard, Oregon would have sufficient traffic volumes and capacity restraints to create the potential for violations of the eight-hour CO standard beyond 1982. Other than in the City of Portland's CBD, this was the only highway segment in the region projected to have this potential.

Because no CO monitoring is done in Tigard, there has been no confirmation that there is an existing problem at this site. Given the 1979 SIP findings, however, Metro performed additional analysis to determine if the computer's projection of non-attainment for the section of Highway 99W appeared to be reasonable.

Consultation with the Oregon Department of Transportation (ODOT) in 1979 indicated that a traffic flow improvement project was scheduled for Highway 99W, including the potential violating link between Hall Boulevard and Highway 217. The project included special left turn bays and traffic signal synchronization. This project has since been completed.

Using actual traffic volumes and speeds measured by ODOT, and CO screening tables from the DEQ, Metro's analysis shows that the traffic volumes on Highway 99W are much

lower than the threshold volume that would indicate a potential CO problem. For this reason and because of the traffic flow improvement project already implemented, no further analysis or mitigation is warranted for this highway section. Documentation of this work is found in Appendix 4.2-13.

b. Portland Downtown Violation Area

Once the work for the regional emission inventory had been completed, specific violation areas were identified. One of these areas was the CBD of the City of Portland. Because of the unique circulation patterns within this area, it was necessary to complete a microanalysis of motor vehicle emissions and the projected increase in vehicles for the downtown area separate from the regional network.

The downtown study was divided into three parts:

- 1) projecting economic growth of downtown through 1990;
- 2) projecting increases in vehicles entering the downtown; and
- 3) assessing the current CO levels and levels in 1982 and 1987.

b.1 Economic Analysis

The economic work was based on a review of downtown Portland since 1974. The year 1974 was chosen as the

base year for projecting because major changes in downtown development activities began to occur then.

While office space continued to grow at a substantial rate, downtown also witnessed a large increase in new retail space. At the same time, the City of Portland began a concentrated effort to attract housing downtown, both with new construction and rehabilitation of older units. At least 2,000 additional hotel/motel rooms have been added. These trends, given prevailing conditions of demand, are expected to represent the future of downtown much closer than previous periods.

Overall, the downtown is projected to absorb approximately four million square feet of additional office space and 500,000 square feet of retail space by 1990 in a variety of locations and types of structures. This implies 27 stories of new office space constructed annually downtown, and significant upgrading of structures and business establishments already in existence there. (See Appendix 4.2-5.) In addition, 1,500 new or rehabilitated dwelling units and 800 motel rooms are also likely to be constructed.

Along with approximately 60,000 office and 8,000 retail employees downtown, roughly 12,000 persons are currently employed in manufacturing, wholesale, medical, education,

nonprofit, amusement and recreation, hotel and residential employment categories. Employment in these categories is not expected to grow as fast as office or retail employment. In fact, some of these land uses will be replaced by offices. In particular, employment in manufacturing and wholesaling, medical uses and education show little prospect of growing downtown. Nonprofit amusement and recreation employment and hotel and residential employment show opportunities for growth, though not at the rate of office employment. A combined growth rate of 1.5 percent was estimated for these categories, adding another 180 employees annually to downtown. Portland is thus projected to average a 3.2 percent annual increase in office employment and a 1.3 percent annual increase in retail employment. Total average new jobs per year should be just under 3,000.

Table 4.2-4

Annual Projected Employment Growth in

Downtown Portland by Employment Category (1980-1990)

<u>Emp. Category</u>	<u>1980 Base Employees</u>	<u>Annual Space Growth (sq. ft.)</u>	<u>Space/Emp. Coefficient</u>	<u>Annual Increase in Emp.</u>	<u>Percent Increase in Emp.</u>
Office	60,000	383,000	200	1,915	3.2%
Retail	8,000	50,000	500	100	1.3
Other	<u>12,000</u>	<u>-</u>	-	<u>180</u>	<u>1.5</u>
Total	80,000	433,000		2,095	3.1*

*Weighted

b.2 Transportation Analysis

The transportation analysis concentrated on two primary tasks:

1. Estimating the existing number of vehicles and characteristics of traffic in the downtown area, and
2. Estimating the likely changes in traffic volumes within this area given various policy and plan options.

Existing Characteristics of Downtown Traffic

In addition to determining average daily trips, it was necessary to establish the percent of these trips by hour, travel distance, average speed of travel, average percentage of heavy-duty vehicles for each street and highway link in the study area, location of off-street parking facilities having 100 or more spaces and number of parking starts by hour in those facilities.

There were 802 links in the study area. This data was developed for each link in the study area's street and highway network. Links were defined by nodes, representing intersections or points at which the road changed direction. The CO analysis required that all road links be represented as straight lines; therefore, curved roads had to be divided into two or more segments.

Actual counts for 1978 and 1979 were available for 221 of the area's links. Volumes in the remaining links were estimated by averaging, interpolations, and extrapolations depending on proximity of major generators, turning movements and proportion of through traffic. Average daily trips are listed for each link in Appendix 4.2-6.

In general, the counts for 1978 and 1979 were about the same. November and December had higher traffic volumes than other months. Friday tended to be higher than other weekdays.

The traffic counts also record volumes by hour. The percent of daily traffic in each hour was established from the counts on those links where counts were available. Hourly percentages on the links without counts were interpolated. The resulting hourly pattern code is listed in Appendix 4.2-6 for each link. (The hourly pattern codes are explained in Appendix 4.2-7.) It was found that the highest volumes of traffic usually occur in the 11-hour period between 7 a.m. and 6 p.m.

Travel distances for the links were scaled from available maps and are listed in Appendix 4.2-6.

During November and December of 1979 (the same time period as the collection of air samples in downtown locations), traffic speeds were measured at 18 sites for traffic on one lane at each site. The measured average speeds for the various sites ranged from 13.3 to 24.9 miles per hour. Estimates of average speeds on links other than those where speed measurements were taken were based on signal locations, positions of links relative to freeway ramps and to the center of downtown, and speeds on the nearest similar links. Estimated average speeds for all street and highway links are listed in Appendix 4.2-6. (Speed measurement sites are shown in Appendix 4.2-8.)

The percentage of heavy-duty vehicles was estimated for each street link by adding the percentage of buses to an estimated percentage of trucks (ranging from about four percent trucks on the south side of downtown upward to about seven percent at the north side of downtown). Percentages of heavy-duty vehicles assigned to each link in the study area are listed in Appendix 4.2-6.

The size and location of off-street parking facilities in downtown are recorded by the City Bureau of Traffic Engineering. There were 95 facilities with 100 parking spaces or more in November and December of 1979. These facilities are located by link in Appendix 4.2-9 which

also lists the number of spaces, the assigned number of starts during the 11-hour peak period (7 a.m. - 6 p.m.), the percentage of cold starts, the average speed and the distance of travel within the parking facility. The number of starts and percentage of cold starts were based on the classification and location of the parking facility. Private parking facilities were assumed to have lower turnover rates than public or customer facilities and facilities in the retail core were assumed to have higher turnover rates and shorter parking durations.

Changes in Downtown Traffic Volumes Under Alternative Conditions (for 1987)

Increases in average daily trips associated with each link were projected for 1987 using parking-space by land-use ratios, turnover rates, economic projections and conditions under four possible parking situations. With no measure in place to regulate parking or encourage additional ridesharing, it was estimated that average daily trips to downtown would increase by 60,000. If existing measures were kept in place, the projected increase was only 17,000 trips per day. However, the economic work showed that the effect would be an almost certain stifling of development. A third scenario of increasing the amount of downtown parking, but tightening the requirements by which parking spaces were appropriated

to new development, would result in an estimated 38,500 new trips per day by 1987. A fourth scenario was made based on the assumption of increasing the parking allowed in the downtown by two percent, tightening the requirements for the number of allowable parking spaces in new development projects and adopting other measures to encourage ridesharing. Under this scenario, the increase in trips per day by 1987 was also 17,000.

b.3 Carbon Monoxide Analysis

The next step was an assessment of the resulting CO levels in 1982 and 1987 under these various traffic increases. A short-term CO monitoring program was undertaken at eight locations throughout the CBD (during the worst case CO season, November and December) and results were compared with DEQ sites. Violation levels were measured during this period at several places in downtown. Recorded parameters on days with the highest concentrations were employed to calibrate the computer model used to predict future CO levels. (Appendix 4.2-10.)

The computer program used to predict concentrations in downtown was the model APRAC version 2. Selection of APRAC was partly based on its ability to incorporate the effects of street canyon topography within its calculations. Both the emission module and the diffusion

module were used on this analysis.

The emission module calculates total CO emissions for a specific traffic link. Necessary inputs to this module are:

1. Total average daily traffic (ADT)
2. Percentage of Average Daily Traffic by Hour
3. Link speed
4. Link length
5. Average percentage of heavy-duty vehicles as compared to total volume
6. Parking lots with 100 or more parking spaces
7. Emission factors calculated from the EPA publication "Mobile Source Emission Factors, Final Document"
8. Distribution of vehicle age and type specific to Oregon
9. Hot and cold-start factors

As part of the emission module, a .25 kilometer grid network was superimposed over the study area. All links or portions of links falling within a specific grid were identified and their emission rates summed, yielding an emission rate for each of the grids in the study area.

The diffusion module uses the results of the emission module to predict the CO concentrations resulting from

upwind sources. Necessary inputs are:

1. Receptor location
2. Street canyon topography based on building height, street width, and both horizontal and vertical distance from the monitoring probe to the nearest traffic lane
3. Direction and wind speed
4. Mixing height
5. Cloud cover

Emission rates from links located upwind from a specific receptor were identified and summed. These total rates were then input to a Gaussian calculation. Additional calculations are used to approximate the localized CO build-up where receptors were located within a street canyon. (Refer to Appendix 4.2-11.)

This system was used to compare the effects on CO build-up under each of the four parking and traffic scenarios described on Table 4.2-5. (Appendix 4.2-12.) The results of this work showed that none of the possible traffic projections brought the downtown into compliance by 1982, but under each scenario, attainment was possible by 1987. There were variations between those two dates as shown on Table 4.2-5.

Table 4.2-5
Projected Compliance Year

By Plan Option

For Each Grid Cell

<u>Grid Cell*</u>	<u>Option 1 (&3)</u>	<u>Option 2</u>	<u>Option 4</u>
303	1982	1982	1982
305	1982	1982	1982
307	1982	1982	1983
308	1982	1982	1982
405	1982	1983	1983
407	1985**	1986**	1986**
504	1982	1982	1982
505	1982	1983	1983
507	1983	1984	1984
508	1984	1985	1985
604	1982	1982	1982
607	1984	1985	1985
608	1982	1982	1982
609	1982	1982	1982
706	<u>1982</u>	<u>1983</u>	<u>1983</u>
All grids in compliance by:	1984	1985	1985

* Grid cells not listed are projected to be in compliance by 1982 under all options.

** Compared to monitoring results, grid cell 407 projected significantly higher. This prediction deleted in final analysis.

- Option 1 Maintains parking inventory at or close to current level; implements a parking management plan; tightens parking space per square foot of floor space limits (parking ratios).
- Option 2 Eliminates the parking inventory; tightens parking ratio limits.
- Option 3 Maintains parking inventory at current level; maintains parking spaces per square foot of new floor space ratios at current level; no parking management plan.
- Option 4 Eliminates the parking inventory; maintains or tightens parking ratio limits, no parking management plan.

b.4 Alternatives Analysis

Reasonably Available Control Measures listed in the Clean Air Act as Amended in 1977 were evaluated. Categories that were selected for additional action as a part of the Downtown Carbon Monoxide Plan are starred.

1. Annual Inspection Maintenance (I/M)

Residents of the Portland region are currently required to have their vehicles inspected on a biennial basis. The reduction gained from this program is discussed in more detail in Section 4.2.4. Annual inspection was evaluated but will not be pursued at this time unless it is necessary in order to meet the ozone standard.

*2. Programs for Improved Public Transit

While transit ridership into downtown now captures approximately 40 percent of all work trips and 15 percent of all shopper trips, it was assumed that the new transit measures detailed in Section 4.2.4 would capture 55 percent of all work trips and 20 percent of all shopper trips. Although emission reductions from these measures were not quantified, they would lead to lower emissions.

Because of the parking restrictions, the creation of new jobs in the downtown area (which corresponds to

the boundaries of the non-attainment area) is dependent on an increased level of transit service to the downtown. Transit improvements also provide increased mobility, especially for the elderly, handicapped and transit-dependent population of the region, and reduce fuel consumption.

Because of the benefits, the region has placed tremendous emphasis on public transit programs. This is evidenced by a jump in market penetration (persons who use transit at least twice per month) from 23 percent in 1977 to 28 percent in 1980.

3. Exclusive Bus and Carpool Lanes

Preferential treatment for high-occupancy vehicles has been recommended in the McLoughlin Boulevard corridor. Improvements in the corridor may include an exclusive high-occupancy vehicle (HOV) lane. The decision regarding which projects to implement in the corridor will be made in early 1982. Due to the time required to implement this project, an HOV lane on McLoughlin Boulevard would not assist in bringing the downtown into attainment prior to the requested 1985 deadline.

*4. Areawide Carpool Programs

Portland has had a carpool matching service

regionwide since 1972. In addition, many employers have similar programs within their firms. One area that will be evaluated further will be to prioritize a portion of both publicly and privately-owned spaces in existing downtown lots and garages for car or vanpools.

It was estimated that a three percent reduction in CO emissions would be realized in 1983 and 1984 through some type of program. This would not be sufficient by itself to bring the area into attainment earlier than the 1985 deadline. However, the program would have other benefits such as conserving fuel and will be pursued as a part of the adopted Downtown Carbon Monoxide Plan. (See Section 4.2.4.)

5. Limitations in Use of Road Surfaces

Because of the limited number of streets in the downtown area, further limitations on road surfaces would cause mobility and congestion problems.

Only one street in the downtown area, Park Avenue, has the potential for such action without severe economic and mobility constraints. Plans are to install dividers to discourage through-traffic on this street. Actual construction of this project

will be completed at the same time as the crosstown alignments of light rail (1985). Other than lanes for transit movement mentioned in No. 6 of this section, no other road limitations are planned at this time. The potential air quality impacts of the Park Avenue dividers are too small to quantify.

6. Long-Term Transit Improvements

Construction of a light-rail transit (LRT) line in the Banfield freeway corridor is scheduled to begin in 1982 with completion anticipated in 1985. The light-rail project is anticipated to make substantial contributions towards improving the mobility of residents of Multnomah County and the City of Portland. It will also reduce congestion, reduce fuel consumption and stimulate significant economic development in addition to the environmental benefits of reduced emissions. (See Section 4.2.4.)

In addition to the Banfield light rail project, planning is now underway for either greatly expanded bus service or a light-rail line west of Portland to Beaverton and Hillsboro, and south of Portland to Milwaukie and Oregon City. If light rail is implemented, the effect would be removal of some of the existing diesel buses in downtown. Either

alternative would reduce the dependency on the private automobile for the trips made in these corridors. However, neither of these projects would be implemented in time to show air quality improvements by 1982 or 1987. Since the social, economic, mobility and energy effects of two additional transit-intensive corridors would be positive, the region will continue to vigorously seek funding for these projects.

*7. Programs to Control Parking

Control of parking demonstrated the largest reduction of any of the alternative control measures. Review of four alternative parking policies in downtown (as shown on Table 4.2-6) showed a variation of 12 percent in CO levels in downtown from the different parking programs. Limitations on parking within a confined area such as downtown Portland can result in severe negative economic and mobility impacts unless simultaneous actions are taken to improve transit (such as the transit improvement work discussed in No. 2) and equitable management of the parking supply for the benefit of all downtown interest. The measures that can alleviate some of these negative effects of parking controls are discussed in more detail in Section 4.2.4.

Table 4.2-6

Elements in Alternative Programs to Control Parking

Parking Option No. 1

- maintains the parking inventory at or close to the current level
- implements a parking management plan
- tightens parking space per square foot of floor space ratios

Parking Option No. 2

- eliminates the parking inventory
- no parking management plan
- eliminates parking space per square foot of floor space ratios

Parking Option No. 3

- maintains present inventory at current level
- no parking management plan
- maintains parking space per square foot of floor space ratios at current level

Parking Option No. 4

- increases the parking inventory to meet market demands
- no parking management plan
- equal or tighter parking space per square foot of floor space ratios

8. Park and Ride Lots

An extensive network of park and ride lots already exists in the Portland region and is discussed in Section 4.2.4. Most park and ride lot users are coming into the downtown area. Thus, the greatest pollution reduction will be realized in that geographic area because fewer vehicles are entering the downtown. Even so, the highest expected reduction in CO emissions resulting from the addition of 13 major new lots (4,669 spaces) in the region was one percent in each of 1983 and 1984, which is not sufficient to bring the area into attainment prior to 1985.

Because their emission reduction potential is so low, park and ride lots will not be pursued solely for air quality purposes. Tri-Met, the park and ride lot implementing agency, is still considering major new park and ride lots as part of their long-range planning, however. This program is also discussed in Section 4.2.4.

9. Pedestrian Malls

Portions of Ankeny and Flanders Streets between Second and First Avenues have been proposed as pedestrian malls under private development proposals. Until such time as light-rail alignments

are selected and completed within the downtown area, City of Portland traffic engineers have determined that additional street closures would result in congestion problems and creation of additional CO hot spots. Because of this, the City did not pursue this measure further.

10. Employer Programs to Encourage Carpooling, Vanpooling and Mass Transit

The region has a rideshare program that is targeted towards working with individual employers to establish Employee Rideshare Programs for their firms. These programs have positive effects in terms of energy, mobility, economics and social welfare, as well as reduced air pollution emissions. It was not possible to accurately quantify emission reductions from this program; however, the region intends to aggressively continue to support this effort. Section 4.2.4 provides further details on this measure.

*11. Program to Encourage Use of Bicycles

The City of Portland has an on-going bicycle planning program. It is currently estimated that 1.5 percent of downtown work trips are by bicycle.

A scenario of capturing 3.5 percent of eligible* work trips on bicycles was assessed. If achieved, this level of bicycling would provide a one percent reduction of CO emissions in 1983. Since use of bicycles also improves mobility and energy objectives, the City has included additional bicycling efforts in the Downtown Carbon Monoxide Plan. (See Section 4.2.4.)

*12. Staggered Work Hours (Flex-time)

The advantages of flex-time include diffusion of peak traffic load, reductions in overloaded peak-hour buses, increases in vehicle speeds during peak hours and change in travel modes away from the single-occupant vehicle. These advantages can decrease fuel consumption and increase mobility for flex-time participants.

In May 1980, the Portland City Council adopted a formal flex-time policy for City employees. The City is now completing a survey to see how many employees have benefitted from the policy. Other flex-time programs are incorporated in Employee

*Eligible work trips were defined as trips less than nine miles (one-way); 3.5 percent is a weighted average which assumes greater participation for shorter work trips.

Rideshare Programs. (See No. 10.)

Analysis showed that a more aggressive flex-time policy in downtown Portland can reduce CO levels by two percent in 1983; therefore, additional efforts were committed to as a part of the Downtown Carbon Monoxide Plan. (See Section 4.2.4.)

13. Road User Charges

Road user charges have been evaluated in the past. Given the storage capacity on the bridges and the arterial system feeding into the downtown from the East Side, road charges on the bridges could create pollution problems on the East Side. They could also have negative effects on fuel consumption due to increased East Side congestion and would affect the economic vitality of the downtown retail sector. Due to these considerations, user charges were not considered as a pollution reduction control measure suitable for Portland.

*14. Parking Surcharge

Parking costs appear to be one of the most effective means of controlling the number of vehicles entering the downtown non-attainment area and, therefore, one of the most effective pollution reduction measures. However, the same negative effects that were laid

out in No. 7 can apply here if special attention is not paid to the mobility and economic consequences of this type of control.

It was estimated that a two to seven percent reduction in CO could be realized from parking cost measures. Therefore, the City has committed to several actions that will assist in controlling parking costs, without creating a blanket surcharge on all downtown parking. The overall effect of the adopted policies, however, will be to increase the cost of long-term parking downtown. (See Section 4.2.4.)

15. Control of Extended Idling

Oregon law allows drivers to turn right on a red light in order to decrease idling time when it is not necessary. In the downtown area, right turns have been completely eliminated in areas where there is high pedestrian traffic to further reduce idling time. No other measures for controlling idling have been identified.

*16. Traffic Flow Improvements

Traffic flow improvements were judged to have good potential as an emission reduction measure for Portland. Traffic flow improvements that were

adopted as part of the Downtown Carbon Monoxide Plan are aimed at improving the circulation for downtown traffic and discouraging through traffic from using downtown streets. (See Section 4.2.4.) These measures will result in decreases in congestion and fuel consumption as well as lower emissions.

17. Conversion of Fleet to Cleaner Engines or Fuels

It was determined that significant market penetration of alternative fuels was not possible prior to 1985; so, this measure will not assist in an earlier attainment date. However, efforts are still being made to encourage use of alternative fuels. Some diesel buses will be replaced by electric vehicles as a part of the Banfield light-rail project. (See No. 3.) Conversion of City fleet vehicles to cleaner fuels (both alcohol and electric vehicles) is being pursued on a demonstration basis. These projects, if successful, will reduce fuel consumption as well as lower emissions.

18. Minimization of Cold Start Conditions

Given the warm temperatures year round in the Portland area, no measures that would provide significant CO reductions were identified.

Table 4.2-7

Summary of Control Measure Effectiveness(% Reduction Achieved)

<u>Year</u>	<u>(%)¹</u>	<u>Carpool</u>	<u>Park & Ride</u>	<u>Bicycles</u>	<u>Flex-Time</u>	<u>\$1 Surcharge</u>	<u>Annual I/M</u>
1982	21	0	0	0	0	0	0
1983	13	3	1	1	2	2-7	10
1984	4	3	1	1	2	2-7	10

¹ Percent emission reduction necessary, in addition to parking limitation, to attain a 9.5 mg/m³ (10mg/m³ - 0.5 significance level) CO concentration for the highest recorded hot spot in downtown Portland (Grid 508).

4.2.4 CONTROL STRATEGY COMMITMENTS

4.2.4.1 Level of Control Required

The carbon monoxide design concentration is 17.1 mg/m³, eight-hour average, derived through a statistical analysis of data for the years 1977, 1978 and 1979 from the Central Air Monitoring Station in downtown Portland. The design value represents the third highest eight-hour concentration in three years, as per verbal guidance from EPA. The corresponding required emission reduction is approximately 40 percent.

By continuing projects already implemented (Section 4.2.4.2) and by implementing the adopted Downtown Carbon Monoxide Plan (Section 4.2.4.3 (h)), the nonattainment area is projected to be in attainment by December 31, 1985.

4.2.4.2 Projects Already Implemented or Underway (prior 1979)

The region has already taken many major steps to reduce air pollution from transportation-related sources. In response to the requirements of the Clean Air Act of 1970 and the previous SIP, many of the Reasonably Available Control Measures (RACM) specified in the Clean Air Act Amendments of 1977 have already been implemented in the region. The following is a summary of those measures:

- a. Inspection/Maintenance. The 1975 Legislative Assembly enacted legislation implementing a mandatory biennial

motor vehicle emission control inspection program. The legislation requires that vehicles registered within the Metro boundary, which incorporates the urban area in parts of three counties around Portland, show evidence of compliance with emission control requirements prior to license renewal. The program operated on a voluntary basis during 1974 and 1975 until a mandatory program began on July 1, 1975.

The Oregon DEQ administers the program. DEQ operates seven motor vehicle emission inspection centers with two lanes each and one mobile unit. The general location of these stations are in Southeast Portland, Northeast Portland, Northwest Portland, Milwaukie, Gresham, Tigard and Hillsboro.

DEQ augments its inspection program operations with a fleet inspection program, which allows for licensed fleets to self-inspect their own vehicles. There are currently 45 licensed inspection fleets. To qualify as a fleet, a company or government agency must have approved exhaust gas analysis equipment. Its employees must complete a department operating training session.

The findings from an EPA study indicate that the Portland inspection program achieved mass emission reductions of 34 percent for CO and 24 percent for hydrocarbons for

1975-1977 model year cars over a one-year period. The program is projected to be sufficient to achieve the EPA's minimum requirement of a 25 percent reduction in both CO and hydrocarbons by December 31, 1987.

- b. Improved Public Transit. Commitment to public transit is very high in the region. A regional transportation policy states that no new urban freeways will be built and emphasizes much improved transit services.

Tri-Met, the major transit agency in the region, has made substantial improvements in service during the last several years. Since 1969, average workday transit ridership has increased 230 percent. Although slight decreases have been experienced over the past few months, the trend over the past six years shows a major increase in ridership.

<u>Date</u>	<u>Average Daily Tri-Met Ridership</u>
1975	93,000
1976	106,000
1977	116,000
1978	121,000
1979	134,000
1980	145,000
1981 (first six months)	141,000

Some of the major improvements made by Tri-Met since 1975 include:

1. Downtown Transit Mall. The Transit Mall is composed of approximately 22 blocks in downtown Portland, giving public transit exclusive right-of-way on two of three lanes. The project was completed during 1978 and has made it easier for buses to enter and leave the downtown area, thus reducing delays in routing and minimizing cost and congestion, with the resultant reduction of pollution in the downtown area.
2. Bus Purchase. In 1977, Tri-Met purchased 100 new buses. By the fall of 1981, 87 new articulated buses will be delivered with an additional 75 standard coaches due to be purchased in 1982. All new buses acquired by Tri-Met will meet EPA standards for emission control. Tri-Met has also overhauled 250 engines within its existing fleet to meet current (not year of manufacture) EPA emission standards.
3. Bus Shelters. About 700 bus shelters have been installed in the Portland metropolitan area as part of a \$1,100,000 UMTA capital grant.
4. Fareless Square. Fareless Square was instituted in Portland in January, 1975. The Square is an area in the CBD where passengers may ride at no charge except between peak congestion hours of 3:00 p.m. -

7:00 p.m. weekdays when passengers pay normal fares. In June of 1982, when Tri-Met introduces its self-service fare system, Fareless Square will again be in effect at all hours. In 1977, Fareless Square was expanded to include all of downtown Portland in an effort to reduce auto vehicle use in the area. The program has been very successful. There are approximately 3,000 free trips being made per average weekday in the zone. Traffic data has shown that there has been no increase in vehicle miles traveled in downtown Portland during the last three years. There is no question that Fareless Square and the Transit Mall have contributed to this trend.

- c. Exclusive Bus and Carpool Lanes. In late 1975, a combination carpool and bus-only lane was established on the Banfield Freeway at a cost of approximately \$1,700,000. The project also consists of park and ride facilities and a special express transit service. It was designed to relieve traffic congestion within the corridor and to decrease the use of the automobile for commuting. Because of the construction of the Banfield Light Rail Transitway and highway improvements, however, the bus and carpool lane will be removed during the summer of 1982.

During 1978, a regional suburban transit station was developed on Barbur Boulevard. The station has park and ride facilities for over 300 vehicles. The project also includes priority bus treatment and serves as a focal point for transit service to nearby suburban communities.

- d. Areawide Carpool Programs. Since 1974, Tri-Met has offered a carpool program that encourages the shared-ride as opposed to single occupant vehicle travel. The program includes a matching service, various incentives and a continuing promotional effort.

An estimated eight percent (or 50,000) of the Tri-County commuting population are commuting in carpools of three or more people to and from work four or more days per week. Approximately 30 percent, or 15,400, of these carpools are from within the City of Portland. In addition to three or more person carpools, 68,000 people are sharing rides in groups of two. Of these two groups, approximately 6,000 of these people are carpooling or sharing rides because of the matching service.

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3735B/256

In cooperation with the City of Portland, Tri-Met administers the Downtown Parking Permit Program, providing preferential carpool parking at six-hour meters. A maximum of 500, \$25 monthly permits can be sold under the program. In January 1981, 487 permits were issued to 1,554 people.

In cooperation with the City of Portland, Tri-Met administers a preferential on-street Carpool Parking Program in the Lloyd Center area. Fifty-two free carpool spaces were initially reserved for the program; there is currently a waiting list for these spaces and the program may be expanded.

The Rideshare Project's free Carpool Matching Service responded to 3,388 new carpool applicants during 1980. An average match rate of 61 percent has been maintained over the last year.

- e. Long-Range Transit Improvements. \$190 million in Interstate Transfer funds has been earmarked for the Banfield Corridor Transitway and highway improvements. Current plans are to fund the development of a light-rail line which will link downtown Portland with Gresham. It is planned that the project will include a number of park and ride lots and improved bus feeder service. The project has the approval of all the required jurisdictions.

f. Park and Ride Lots. There are 67 park and ride lots throughout the region being used by over 2,000 vehicles. Of these, 11 are major lots with over 100 stalls. These major lots are well distributed throughout the region in the following locations: Forest Grove, Gresham, Hillsboro, Oregon City, North Portland (Hayden Island), Northeast Portland (at 102nd Avenue and Sandy Boulevard), Southeast Portland (Mall 205), Southwest Portland (at Sunset Boulevard and at Barbur Boulevard), Clackamas Town Center, Washington Square, and the Tannasbourne Shopping Center.

g. Employer Programs to Encourage Carpooling and Vanpooling. Employer programs to encourage car and vanpooling are part of Tri-Met's overall regional ridesharing program. Tri-Met looks at major employers in the region on an individual basis. Then, depending on their size, location and accessibility to transit, they offer various transportation packages to employers. The packages consist of various options such as carpooling, vanpooling or transit. They also recommend transit incentives to be provided to employees.

Tri-Met Rideshare representatives are currently working with approximately 250 employers to develop transportation programs for employees. As a result of the Project's efforts, some of the City of Portland's

major employers having active employee rideshare programs are: FMC, Freightliner, Tektronix, Hyster Corporation and Multnomah County.

Tri-Met also provides transportation training workshops for company representatives. This year, Tri-Met has trained about 200 individuals as in-house Transportation Coordinators. These individuals represent 90 separate organizations with over 220 locations and approximately 100,000 employees. Transportation Coordinators provide encouragement, assistance and information about ridesharing to fellow employees in addition to their regular job responsibilities.

Over 30 employer-sponsored vanpools are currently operating.

The Rideshare Project is working with Swan Island and Rivergate employment areas, the East Side Industrial Council and the North Industrial area to develop transportation programs.

- h. Traffic Flow Improvements. There have been numerous traffic flow improvements in Portland during the last few years. Some of the major improvements are:
1. Computerized traffic signals have been instituted on several major arterials and the Transit Mall. Other

areas are being evaluated to see if additional computerization can be accomplished.

2. There is a voluntary program with downtown stores which encourages delivery of retail merchandise in the off-peak hours to help ease peak-hour congestion.
3. Turns have been prohibited at many intersections on the downtown Transit Mall where there is heavy pedestrian traffic. This helps eliminate excessive idling while waiting for pedestrians to cross the street.
4. As has been previously discussed, on-street parking has been banned or limited on several streets in downtown Portland as a measure to help traffic flows.

- i. Bicycle Program. Legislation passed in 1971 authorized the expenditure of not less than one percent of the State of Oregon Highway Fund monies for the establishment of bicycle trails and footpaths. The program has resulted in development of approximately 120 km (74 miles) of bikeway in the AQMA. This figure includes bikeways separate from, adjacent to, or shared with roadways as well as sidewalk bikeways.

There is also funding in the annual budget of the City of Portland for constructing curb cuts, upgrading signs, replacing hazardous sewer grates and providing bypasses around hazardous areas on streets which are not undergoing

general repair. The removal of hazardous spots receives first priority for this funding.

In addition, the City of Portland has an ongoing program to promote and encourage the use of bicycles for any trip. The emphasis of the program is to make the street system safer for bicycles riders rather than to provide separate bicycle routes.

City streets targeted for review and possible action include a bike link between the Hawthorne Bridge and 45th and SE Salmon, a bike route on SE Woodstock, bike signs on SE 26th between Steele and SE Powell, plus the completion of a bike link from the boundary of Beaverton to downtown Portland. In addition, bicycle routes along the major sections of the Willamette Greenway (a public park along the Willamette River) will be designed over the next two years. The City's goal is to have 100 miles of designated bike routes and capture five percent of work trips by bicycling by 1985.

- j. Expanded Bus Service on I-5 Corridor. In cooperation with the City of Portland and other local agencies, a separately funded two-year Rideshare Program has been developed to increase ridesharing and reduce congestion in the North I-5 corridor.

The combination of the comparatively long trip between Portland, Oregon, and Vancouver, Washington, the single bridge which connects them, and the large number of commuters in the corridor makes the potential for increasing the number of trips made by transit service and other rideshare alternatives very high.

4.2.4.3 Projects and Programs Identified for Implementation
(Since 1979)

Since the region's Carbon Monoxide State Implementation Plan submission in 1979, the following projects and programs have been identified for implementation. Work has been started on some of the projects with the remainder scheduled to begin in the near future. All are proposed for inclusion in the current Carbon Monoxide Plan.

a. McLoughlin Corridor Rideshare Program

Overview:

The McLoughlin Corridor Rideshare Program will emphasize ridesharing in one of the most congested travel corridors in the Portland metropolitan area. The project will test a number of rideshare actions. Specific actions are still to be finalized, but will probably include highway signs advertising carpooling, mailing rideshare information to 40,000 households and 250 firms within the study area, individual contact with businesses to assist them in setting up rideshare programs, and mass media

promotion through newspapers, radio and TV. The region has also committed \$24.5 million for physical improvements in the McLoughlin Boulevard Corridor. There is a strong possibility that these improvements will include an exclusive bus lane.

Responsibility:

Metro in cooperation with Tri-Met.

Schedule:

The rideshare program has a two-year timeframe from the developmental phase to completion of all project elements. Planning is scheduled to begin in fall of 1981.

Funding:

\$196,000 from the U.S. Department of Transportation, Federal Highway Administration. (Comprehensive Transportation System Management Assistance Program.) \$65,333 local match.

b. Employer Bicycle Planning Project

Overview:

The Portland region will be experimenting with a new approach to bicycle promotion. One element is to work with 20 employers, much in the same manner that Tri-Met establishes Employee Rideshare Plans, to establish Bicycle Plans for work commuting. This will be

supplemented with a media campaign targeted at encouraging work trip commuting and tolerance of bicyclers from drivers. There will also be a survey to define public attitudes towards bicycling and what can be done to help overcome negative attitudes.

Responsibility:

Project Management--Metro

Technical Direction--City of Portland

Schedule:

This is scheduled as a 15-month project to begin in late fall of 1981. The primary promotional activities are scheduled for summer of 1982.

Funding:

\$174,000 from the U.S. Department of Transportation, Federal Highway Administration. (Comprehensive Transportation System Management Assistance Program Grant.)

c. State Legislation to Encourage Ridesharing

Overview:

Several pieces of State legislation (SB 52 and SB 54) that eliminate institutional barriers to ridesharing were passed during the 1981 Oregon legislative session. These bills define ridesharing, eliminate Workers' Compensation

problems by allowing employers to exempt ridesharing from their liability and clarify insurance coverage on state employees using State owned vehicles for ridesharing.

Responsibility:

Local Employers..

Schedule:

Effective Immediately.

Funding:

None required.

d. Shop and Ride Program

Overview:

Proposed in the FY 81-82 Tri-Met work program is a regional shop and ride program. Downtown retailers would provide two free bus tickets to shoppers who demonstrate that they had ridden the bus. The tickets would be valid for the trip home and for a return trip to the retail center. It would be very similar to the parking validation approach that many retail facilities use now. The stores would be able to buy the transit tickets from Tri-Met at a discount.

Responsibility:

Tri-Met.

Schedule:

The Tri-Met Board will decide whether or not to fund this program by mid fiscal year 1982.

e. City of Portland Bicycle Parking Program

The City of Portland will install 42 bicycle racks downtown, each designed for two bicycles. In addition, 30 bicycle storage lockers will be placed downtown, at Portland State University, at the Barbur Boulevard Transit Station and within a few neighborhoods. The goal of the new program is to encourage more Portlanders to ride their bikes to work, or to bike to transit stops and finish their commute trip by bus.

The City Council has also approved a \$14,650 grant to support the Bicycle Commuter Service, a nonprofit organization promoting bicycling.

A recently approved City Zoning Code change requires all downtown developers to provide bicycle storage spaces equivalent to five percent of their car parking supply.

Responsibility:

City of Portland Bicycle Program.

Schedule:

All bicycle racks and lockers are scheduled to be installed by April 1982.

Funding:

Federal Highway Administration Grant in the amount of \$22,564 plus a local match of \$8,588 for a total program cost of \$31,152. The program will be self sustaining through the purchase of trip tickets from downtown retailers.

f. Employee Flexible Working Hours Program

Overview:

This program is designed to assist businesses in implementing effective flex-time programs within their companies. The program is comprised of three main components: 1) promotion of the flex-time concept, 2) institution of flex-time program at selected demonstration firms, and 3) evaluation of the demonstration programs.

Responsibility:

Tri-Met will have primary responsibility for the promotional campaign. The City of Portland will administer the remaining parts of the program with consultant assistance.

Schedule:

Program will begin October 1, 1981 and last for an 18-month period.

Funding:

\$65,000 from the U.S. Department of Transportation, Federal Highway Administration. (Comprehensive Transportation System Management Assistance Program Grant.)

g. Traffic Signal System Project

The City of Portland's Bureau of Traffic Engineering operates a traffic signal control system of approximately 710 traffic signals. Within downtown Portland, 202 intersections are controlled. An additional 368 signals are interconnected by hardware into nine separate subsystems. The remaining 140 signals are not directly interconnected, but many are hand coordinated with adjacent signals. With the introduction of the light rail into the downtown area, the need for changes in existing traffic signalization techniques became obvious. The City has concluded that significant benefits can be gained by interconnecting and efficiently coordinating the existing signal network citywide.

Benefits to be derived include:

- reduced fuel consumption
- improved air quality
- reduced traffic accidents
- decreased stops and delay time
- reduced utility and signal maintenance costs
- improved efficiency of the public transit system

Portland is presently developing a five-year traffic signal improvement plan for the City. If met, the goal of a 15 percent reduction in stops and delays would amount to a fuel savings of 1,860 gallons per year per intersection. For the City's present system, this would provide a 1,302,000 gallon per year fuel savings.

Responsibility:

City of Portland, Bureau of Traffic Engineering.

Schedule:

The Traffic Signal Plan will be completed in 1981, along with a design and implementation schedule for the completion of all recommendations within five years of that date.

Funding:

\$2.5 million from the Department of Transportation, Federal Highway Administration.

h. Downtown Portland Air Quality Plan

Overview:

As a part of the overall Downtown Parking Management Program, the City of Portland took several actions aimed specifically at maintaining and improving the environmental quality of the area. The Air Quality Plan, as adopted by City Council on October 30, 1980, is

incorporated as a major part of the selected control strategy. The specific provisions of that plan are as follows:

1. Maintain and Manage Downtown Parking Inventory

(a) At the end of any quarter of any year, the total inventory of parking spaces available for use in downtown will not exceed 40,855.

(Parking spaces for residential and hotel uses approved after May 29, 1973, are exempt from this total inventory.) Periodic review of the total inventory available for use in downtown will be made by the City's Parking Manager for the review and consideration of the City Planning Commission and the City Council.

(b) Approval of new parking will be made based on maximum floor-space ratios established in Section 9 of the Parking and Circulation Policy. The Parking Manager will recommend the number of spaces to be made available for long-term and short-term use, general public use, carpools and bicycle storage. In addition, the Parking Manager will recommend conditions affecting the future use of approved parking.

(c) Changes in the number and use of existing parking will be monitored and steps taken to coordinate any enforcement of the policy.

- (d) An inventory of existing parking, including type and usage, will be made and updated regularly.
- (e) Implementation of the parking policy and the Air Quality Plan will be accomplished through the Downtown Parking Management Program.

2. Measures to Improve Downtown Circulation

The City will:

- (a) Establish, to the extent possible, separate, complete and effective systems for the movement of automobile traffic, transit vehicles, pedestrians and bicycles, and establish a basis for reducing conflicts among those movements. Access to new off-street parking facilities shall be limited to streets designated in Section 20 of the parking policy.
- (b) Actively pursue a program of improvements for road connections outside downtown in order to reduce the need for through traffic to use downtown streets.
- (c) Not improve downtown streets in such a way as to increase through traffic.
- (d) Develop a program for signing public parking facilities which is consistent throughout downtown, and located on the principal traffic streets.

3. Measures to Encourage the Use of Flex-time

The City will:

- (a) Initiate a program to encourage increased use of flex-time in downtown. The City's employee program for flex-time will be expanded.
- (b) Set up a program involving a private sector consultant contacting major downtown employers in order to inform them of mechanisms for setting up flex-time programs.

4. Measures to Encourage Use of Bicycles

The City will:

- (a) Institute a program for including bicycle storage in all new parking facilities.
- (b) Designate principal bicycle streets, intended to form a system of principal downtown routes for bicycle riders. Decisions on design treatment and traffic operations on the principal bicycle streets shall give preference to the safety and convenience of bicycle travel.
- (c) Develop recommendations on bicycle parking in City garages and other publicly-owned parking facilities.

5. Measures to Control On-Street Parking

The City Will:

- (a) Review the rates for curb parking on an annual basis and establish these curb rates to closely equal the hourly short-term rates of the City's garages.
- (b) Develop a program for curb parking removal, retention or replacement which maximizes the objectives of the parking policy.

6. Measures to Encourage Ridesharing

The City will:

- (a) Assist the Tri-Met Marketing staff in an assessment of the particular requirements of a rideshare program for downtown. Develop guidelines for the Parking Manager for application to new development proposals. The rideshare program can include:
 - (1) preferred or subsidized parking for carpools or vanpools;
 - (2) purchase/lease or sponsorship of vanpools;
 - (3) transit fare subsidies;
 - (4) flexible work hours program.
- (b) Develop recommendations for adoption by the City Council on reserved public carpool facilities within existing City garages and any additional parking facilities the City should build or acquire.

- (c) Examine the feasibility of public off-street parking facilities for exclusive use by carpools.
- (d) Require convenient carpool parking within all new developments.

7. Transit Improvement Measures

The City will:

- (a) In cooperation with Tri-Met, prepare a program of local transit service improvements.
- (b) Designate as non-automobile oriented streets any downtown street that is to be held for future public transit and pedestrian improvements.
- (c) Encourage the use of transit for work trips to the downtown by periodically reviewing the rates for City garages and establishing rates that discourage all day parking.

In addition, the City will request an extension of the attainment deadline for meeting CO standards in the downtown to December, 1985; prepare an annual review of the progress in implementing this Air Quality Plan; and review air quality conditions in 1982 to compare predicted CO levels to monitored concentrations and traffic volume trends. Special attention will be given by the Parking Manager to developments wanting to locate

in those areas in the downtown with projected 1982 air quality violations (Grids 407, 508, 608, see attached map). The entire Downtown Parking and Circulation Plan is contained in Appendix 4.2-14.)

Responsibility:

The Plan will be implemented through a full-time Program Manager on staff to the City of Portland, Bureau of Planning.

Schedule:

The Program Manager will begin the program by July 1, 1981.

Funding:

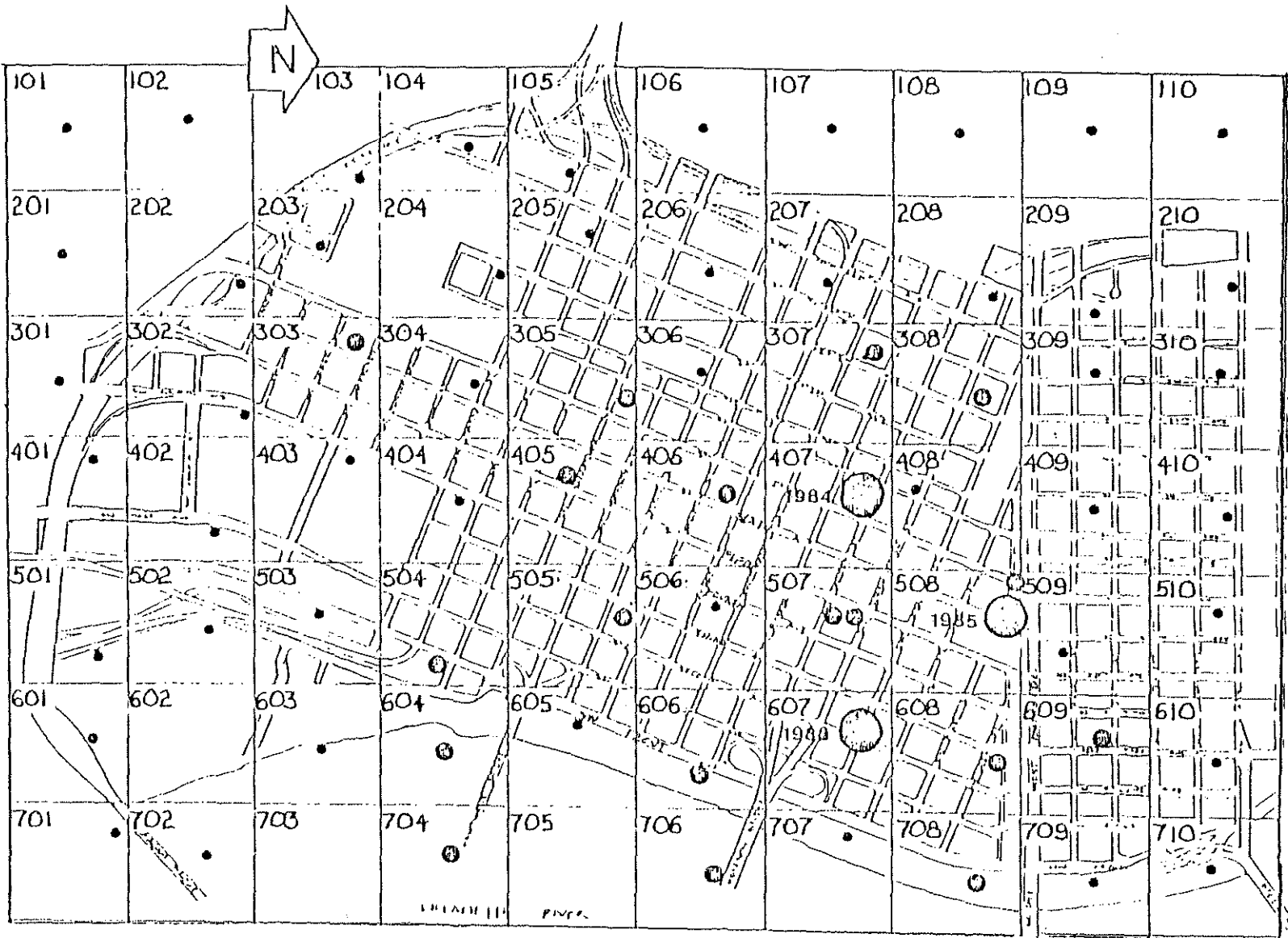
A budget of \$56,000 has been acquired for the first year operations; \$28,000 from an EPA Air Quality Grant and \$28,000 from the Portland Development Commission. This will fund a full-time manager and a part-time assistant. Subsequent years will require only one full-time person and will be funded by the City of Portland with supplemental grant funding as appropriate.

i. City of Portland Employee Travel

Overview:

The City of Portland's Energy Policy includes as one of the objectives a reduction in the amount of work-related

Figure 4.2-4
 Areas of Downtown Portland Projected to be in
 Violation of CO Standards after 1982



1982 CO CONCENTRATIONS (mg/m³)
 • RECEPTOR
 • < 7
 ○ 7 - 9.5
 ● > 9.5

SOURCE: Portland Downtown Parking and Circulation Policy

local travel by City employees. The objective designates as the goal a 10 percent reduction in comparison to the base year travel pattern, which is 1978, through monitoring and reporting systems.

Responsibility:

The City of Portland Fleet Pool Manager monitors the use of fleet vehicles to determine progress towards the 10 percent goal.

Schedule:

The objective was included as part of the City of Portland Energy Policy which was adopted in 1979.

4.2.5 RULES AND REGULATIONS

The Oregon Revised Statutes (ORS) 468.275 through .620 authorize the Oregon Environmental Quality Commission to adopt programs necessary to meet and maintain State and federal standards. The mechanism for implementing these programs is the Oregon Administrative Rules (OAR). The rules that are pertinent to the carbon monoxide control strategy for the Oregon portion of the Portland-Vancouver AQMA are:

- * OAR 340-20-220 through -275, the new source review rules;
- * OAR 340-20-300 through -320, the plant site emission limit rules;
- * OAR 340-24-300 through -350, the motor vehicle emission control inspection test criteria and standards;
- * OAR 340-31-025, the State standard for carbon monoxide is set equal to the primary and secondary federal standard.

New Source Review Rules

The new source review rules require major new or modified stationary sources locating in a non-attainment area to:

1. Meet lowest achievable emission rates;
2. Demonstrate that the source will comply with the growth increment available or provide emission offsets;
3. Provide an analysis of alternative sites, sizes, production processes and control techniques.

Plant Site Emission Limit Rules

Plant site emission limit rules establish a baseline allowable emission rate for existing sources of carbon monoxide that are subject to regular permit requirements. These rules do not allow significant growth of stationary source emissions unless a growth margin is available or an offset can be obtained.

Inspection/Maintenance

All major urban areas needing an extension beyond 1982 for attainment of the ozone standard are required to implement a vehicle inspection/maintenance program by December 31, 1982. The Oregon inspection/maintenance program has been in mandatory operation since July 1975. The inspection is required for all vehicles registered within the Metro boundary. Testing in the Portland region is performed for carbon monoxide, as well as for hydrocarbons.

Appendix 4.3-8 contains the required information about Oregon's inspection/maintenance program.

4.2.6 REASONABLE FURTHER PROGRESS; REPORTING PROGRAM INDICATORS; AND CONTINGENCY PLAN

4.2.6.1 Reasonable Further Progress

The Clean Air Act requires a demonstration that Reasonable Further Progress (RFP) is being made each year towards the attainment of all air quality standards. RFP is defined as annual incremental reductions in emissions sufficient to achieve compliance with standards by the required date.

The CO plan submitted to EPA in July 1979 showed an RFP line that would bring the Portland non-attainment area into compliance with national ambient air quality standards by December of 1986. The Downtown Carbon Monoxide Plan that has been adopted by the Portland City Council and is laid out in this plan submittal will bring the area into attainment by December 31, 1985.

4.2.6.2 Monitoring Plan

A monitoring plan to periodically assess the extent to which the transportation measures are actually resulting in meeting this RFP requirement has been established. The primary indicator used to make this judgment will be ambient air quality monitoring. However, the number of downtown parking spaces and vehicles entering the downtown will also serve as indicators.

FIGURE 4.2-5

Carbon Monoxide Emissions vs. Time in the Central Business District of Portland

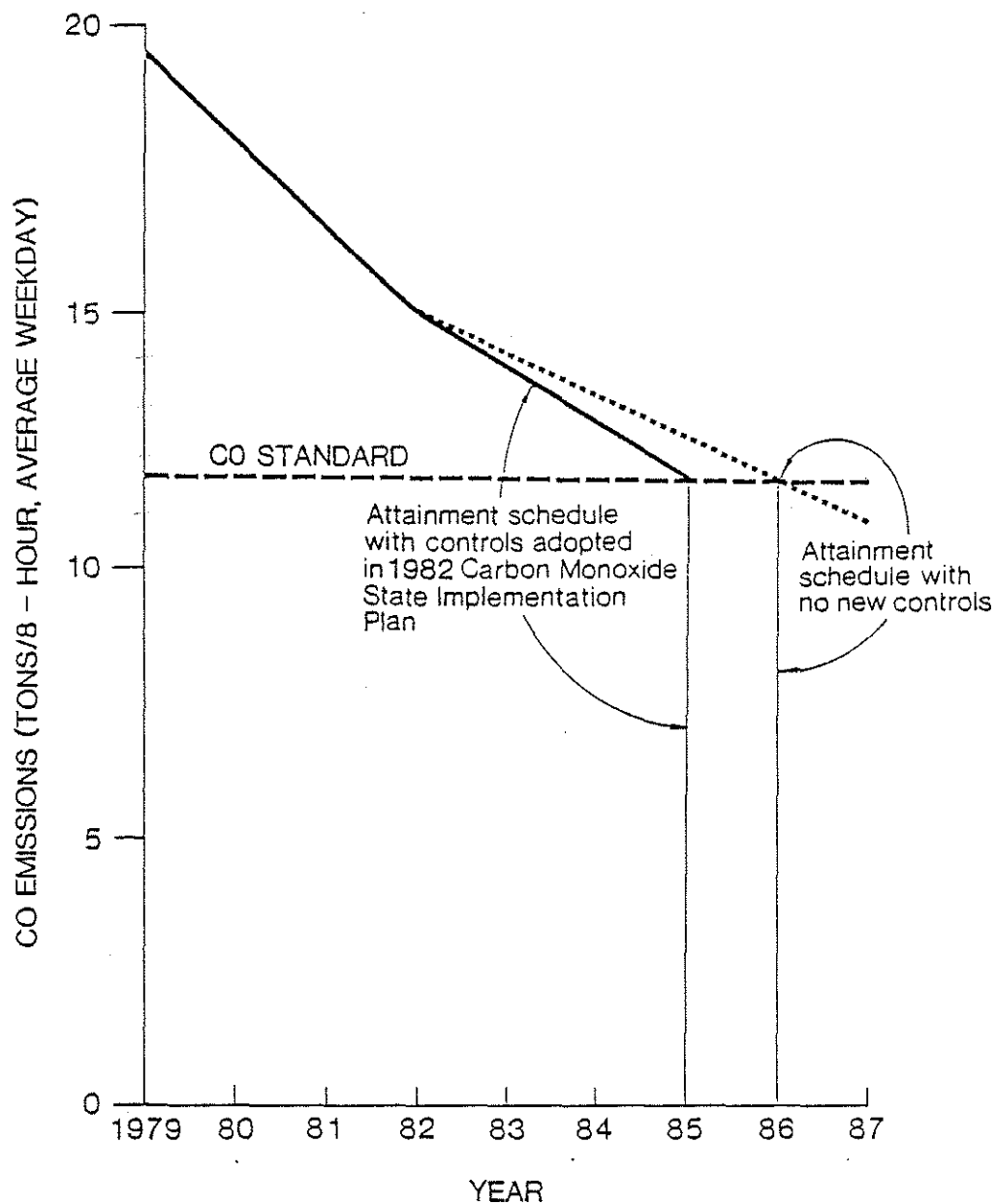
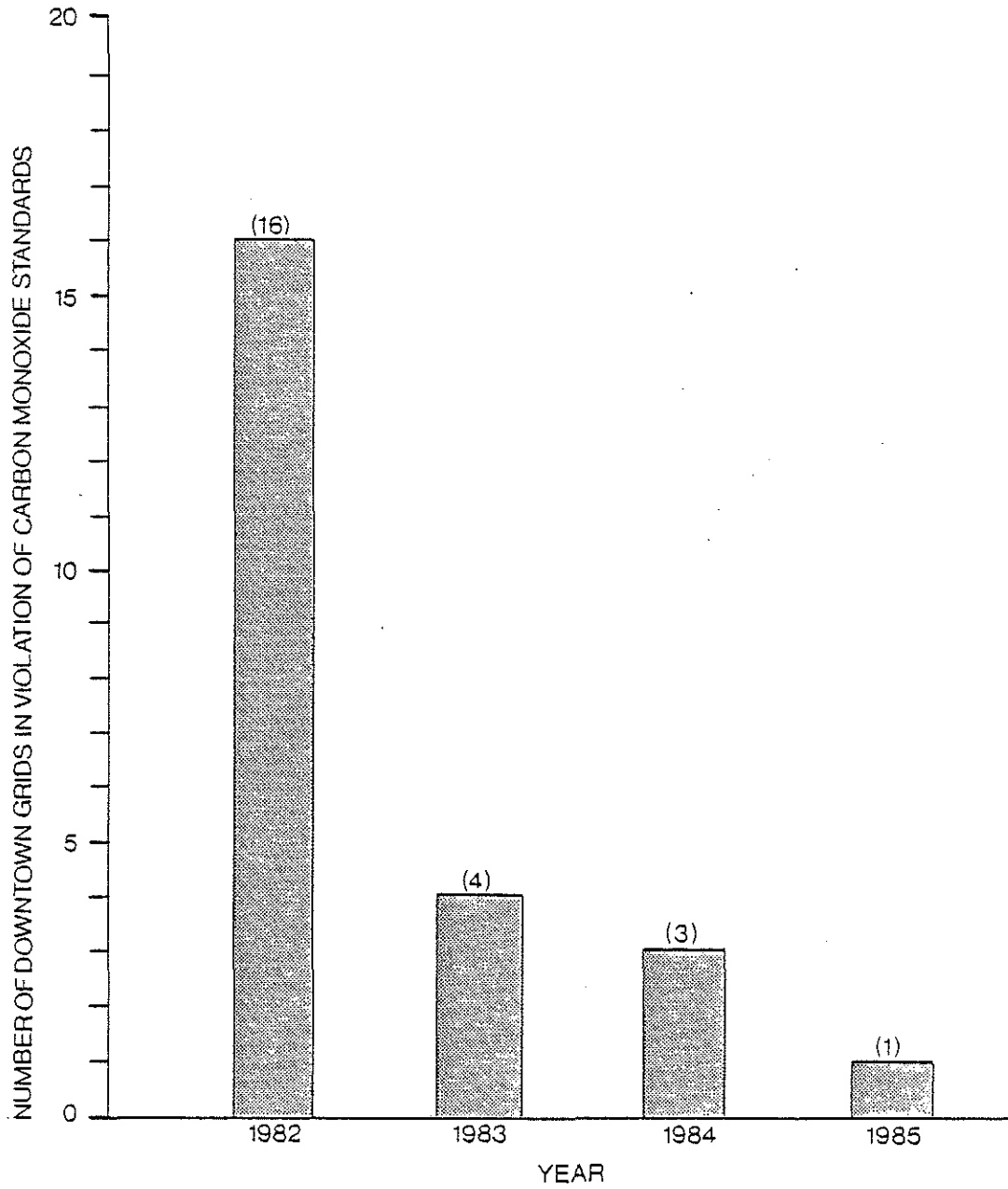


FIGURE 4.2-6

Decreasing Number of Areas with Carbon Monoxide Violations in the Central Business District of Portland (1982-1985)



The City of Portland will submit quarterly reports on the inventory of parking spaces within the downtown area, showing the number of spaces in use, the number of spaces exempt from the inventory and the number of committed parking spaces which have been approved for new development, with anticipated completion dates. The accounting of spaces will be reported by geographic sector.

The ambient monitoring data will be collected by the DEQ through the regional CO monitoring network.

DEQ and Metro will jointly submit a report each July 1 for the preceding calendar year which will comply with the following EPA requirements:

- a. Identification of growth of major new or modified existing sources, minor new sources (less than 100 tons/year), and mobile sources;
- b. reduction in emissions for existing sources;
- c. update of the emission inventory;
- d. status of parking inventory;
- e. ambient CO measurements; and
- f. determination of RFP compliance.

4.2.6.3 Contingency Provision

In the case of the region not being able to demonstrate annual RFP, a "contingency plan" process to identify and implement additional control measures that will compensate for any

unanticipated shortfalls in emission reductions has been established. The initial determination of annual RFP compliance will be made by DEQ. If their determination is that RFP is not being met, they will contact Metro and the City of Portland. Metro will review the Annual Transportation Improvement Plan (TIP) to see if any projects that were expected to assist in pollution reductions have been delayed or if projects with an adverse effect have been included. (The region has examined the current TIP and has not identified any adverse projects at this time.) The City will review the Downtown Carbon Monoxide Plan to see if measures scheduled for adoption have been delayed. If either agency identifies problems with delays, every effort will be made to bring the projects back on line. If any transportation projects with adverse impacts are identified, they will be delayed while other measures are adopted to make up for the shortfall. Any new measures that need to be adopted will become part of a revised SIP and will be adopted through the consultation of State and local government officials, and the public hearing processes described in Section 4.2.7.

4.2.6.4 Conformity of Federal Actions

U.S. Department of Transportation rules require that the Regional Transportation Plan and Transportation Improvement Program conform with air quality State Implementation Plans. Transportation plans and programs are determined to be in conformance with SIP's if they:

- a. reflect reasonable progress in implementing those transportation control measures that are called for in the SIP to meet air quality standards; and
- b. do not include actions that would reduce the effectiveness of planned transportation control measures.

To determine conformity, Metro will annually assess the Transportation Improvement Program (TIP) to ensure that it includes those projects which are detailed in this SIP as necessary for attainment of the carbon monoxide standard. Following Metro's review of the Transportation Improvement Program, UMTA and FHWA will make the final determination of conformity.

Attainment of the carbon monoxide standard in Portland is very closely tied to all phases of the City of Portland's Downtown Air Quality Plan. While many of the specific measures called for in the Air Quality Plan are not transportation projects and are thus not included in the Transportation Improvement Program, Metro will annually review the TIP to ensure that it does include those transportation measures called for in the Air Quality Plan. The TIP will also be examined annually to ensure that it does not include projects which would adversely affect those projects which are necessary for attainment of the carbon monoxide standard.

All projects will still be evaluated in accordance with procedures specified in the National Environmental Policy Act. For major projects which require an Environmental Impact Statement, a micro-scale air quality analysis will be performed. If the analysis indicates that the project will contribute to or exacerbate a violation of air quality standards, all practicable mitigation measures will be incorporated into the design of the project. Regardless of the initial conformity finding in the TIP, projects and facilities will comply with all provisions and requirements of the SIP.

4.2.7 STATE IMPLEMENTATION PLAN DEVELOPMENT PROCESS

4.2.7.1 Public Involvement

Two advisory committees were intimately involved in the development of the Portland Downtown Parking and Circulation Policy and Air Quality Plan. One of these committees was made up of representatives from downtown business and neighborhood associations; the other was a technical support group with representatives from various City bureaus and other agencies, such as the Portland Development Commission, Tri-Met, DEQ and Metro.

Between September of 1979 and September of 1980, the Citizens Advisory Committee (Table 4.2-8) met seven times; the Technical Advisory Committee (Table 4.2-9) met 10 times; and the two committees met together an additional six times.

The Committees' recommendations were forwarded to the Portland Planning Commission. This began a series of three public hearings, the first before the Portland Planning Commission, the second before the Portland City Council and the third before DEQ. Based on the contents of the Plan and the majority of testimony presented, each public body accepted and endorsed the Policy and Plan. These documents were then incorporated in the SIP and forwarded to Metro for review.

Metro public review includes the Portland Air Quality Advisory Committee. This committee is a 24-member body whose primary mission is to advise DEQ and Metro on an air quality control strategy which is implementable and is designed to attain and maintain State and federal ambient air quality standards. (A list of the members of the committee is shown on Table 4.2-10.) The specific charge of the committee is to review the inter-relationships between planning for total suspended particulates, CO and ozone control strategies and to provide advice on the compatibilities and tradeoffs between actions involved in controlling stationary and transportation sources of these pollutants. In formulating such advice, the committee takes into account many factors besides air quality impacts. These include non-air quality environmental factors, energy consumption, economic and social impacts, and political and institutional feasibility.

Table 4.2-8

Downtown Portland Parking, Circulation and Air Quality
Technical Advisory Committee

<u>Member</u>	<u>Representing</u>
Don Bergstrom	Traffic Engineer, City of Portland,
Richard Brandman	Metropolitan Service District
Larry Dully	Portland Development Commission
Howard Harris	Department of Environmental Quality
Cynthia Kurtz	Bureau of Economic Development, City of Portland
Tom Matoff	Tri-Met
Doug Obletz	Portland Development Commission
Rod O'Hiser	Bureau of Planning City of Portland
Doug Wentworth	Tri-Met

Table 4.2-9

Downtown Portland Parking and Circulation and Air Quality Plan
Citizens Advisory Committee

<u>Member</u>	<u>Representing</u>
Craig Bayless	The Gilley Company
Don Chapman	Association for Portland Progress
Dean Gisvold	Former Downtown Plan Citizen Advisory Committee; President
Stan Goodell	Building Owners and Managers
Doug Goodman	City Center Parking
Harrison King	Retail Trade Bureau
Jack Kondrasuk	Oregon Environmental Council
Bill Naito	Norcrest China Company
Dick Norman	Historic Landmarks Commission
Leslie Olmstead	Chamber of Commerce
Ray Polani	Citizens for Better Transit
Andy Raubeson	Burnside Consortium
Jessica Richman	Downtown Community Association
Jeanne Roy	Air Quality Advisory Committee

Table 4.2-10

Membership of the Portland AQMA Advisory Committee

1. City of Portland
2. Metropolitan Service District**
3. Multnomah County
4. Clackamas County
5. Washington County
6. Oregon Department of Transportation
7. Port of Portland
8. Western Oil and Gas Association
9. Associated Oregon Industries (AOI)
10. Portland Chamber of Commerce
11. Oregon Environmental Council
12. League of Women Voters
13. Oregon Student Public Interest Research Group (OSPIRG)
14. Public-at-Large*
15. Public-at-Large*
16. Public-at-Large*
17. Public-at-Large*
18. Representative from Academic Institution
19. Labor Council Representative
20. Tri-Met (Public Transit Agency)
21. Washington Department of Ecology**
22. Southwest Air Pollution Control Authority**
23. Clark County Regional Planning Council**
24. Oregon Department of Environmental Quality**

* One each from the City of Portland and Multnomah, Clackamas and Washington Counties.

** Non-voting member.

There was a concerted effort to make this committee representative of both the community at large and of those with a specific interest in air quality planning. This is an important prerequisite which ensures that the recommended strategies which evolve will have taken into account many divergent points of view. Thus, members of the committee represent the general public (i.e., no specific interest group), industry, environmental groups, the business community, citizen organizations, and State and local officials involved in air quality planning from both Washington and Oregon.

All committee meetings are open to the public. At every meeting, there is an opportunity for interested citizens to comment on the activities of the committee or any other matter pertaining to air quality.

4.2.7.2 Consultation Among State and Local Officials

Once the State Implementation Plan is forwarded to Metro, it proceeds through a review that is specifically designed to involve political jurisdictions within the region.

First, the plan is reviewed by Metro's Transportation Policy Alternatives Committee (TPAC), composed of representatives of the cities and counties in the metropolitan area, as well as ODOT, the Washington Department of Transportation (WDOT), DEQ, the Port of Portland and transit agencies in Oregon and Washington.

Once TPAC reviews the recommendations, they will go to Metro's Regional Development Committee. This Committee is composed of six Metro Councilors, who are all locally elected officials. The Committee looks at issues as they relate to land use, public facilities and other matters of regional concern.

The recommendations will also go to Metro's Joint Policy Advisory Committee on Transportation (JPACT) for their review. JPACT is charged with transportation and air quality advisory responsibility to the Metro Council and is composed of locally elected Mayors and City Councilors, County Commissioners, Metro Councilors and heads of special districts and State agencies. (Membership of JPACT is shown in Table 4.2-11.)

The recommendations and comments from the Planning Committee are then forwarded to the full Metro Council. This locally elected Council is responsible to a geographic constituency covering the entire urbanized area, maximizing public accountability. The Council adopts the SIP by resolution. Comments from both citizens and local agencies are accepted at the Council meeting that the plan is considered for adoption.

The Metro Council then submits their adopted plan to the Oregon Environmental Quality Commission. DEQ also reviews the Plan and submits a staff report to the Commission with their recommendation of the Plan and a summary of the Air Quality

Advisory Committee's recommendations.

The Environmental Quality Commission has the final responsibility for authorization and adoption of a State Air Quality Plan. Following a review of the Metro Council action, the DEQ recommendation and a public hearing to receive comment, the Commission adopts the final Oregon Carbon Monoxide Implementation Plan for the Portland area. The Plan is then forwarded by the Governor to EPA for federal approval.

Table 4.2-11

JPACT MEMBERSHIP

1. Lloyd Anderson, Executive Director
Port of Portland
2. Ernie Bonner
Metro Councilor
3. Bob Bothman, Administrator
Oregon Department of Transportation
4. Commissioner Don Clark
Multnomah County
5. Commissioner Larry Cole
Cities in Washington County
6. Ed Ferguson, District Administrator
Washington Department of Transportation
7. Commissioner Jim Fisher
Washington County
8. John Frewing
Tri-Met Board
9. Commissioner Robin Lindquist
Cities in Clackamas County
10. Mayor Al Myers
Cities in Multnomah County
11. Councilor Dick Pokornowski
City of Vancouver
12. Commissioner Mildred Schwab
City of Portland
13. Commissioner Robert Schumacher
Clackamas County
14. Commissioner Vern Veysey
Clark County
15. Charles Williamson
Metro Councilor
16. Bill Young, Director
Department of Environmental Quality

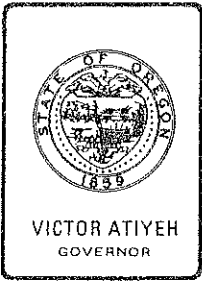
4.2.7.3 Basic Transportation Needs

The Environmental Protection Agency requires funding and implementation of public transportation measures to maintain mobility where transportation control strategies are implemented. While no additional transportation control strategies are called for in this Plan to attain the carbon monoxide standard, the region is continuing its emphasis on high levels of transit and ridesharing as a means of providing mobility to the general public, while helping to relieve congestion on the highway system, reduce pollutant emissions and conserve energy. This is evidenced by the numerous transit and rideshare projects discussed in Sections 4.2.4.2 and 4.2.4.3 of this Plan.

In addition, the region's recommended Regional Transportation Plan through the year 2000 calls for a quality of transit service that is reasonably comparable to alternative modes of travel. Transit ridership, under this Plan, is expected to increase to 3.2 times today's levels, while overall travel demand increases only 1.5 times. An increase in ridesharing for work trips of 1.5 times current levels is also called for in the Regional Transportation Plan. Together, these programs should provide for the basic transportation needs of the Portland metropolitan area's citizens.

RB/srb

4163B/267



Department of Environmental Quality

522 SOUTHWEST 5TH AVE. PORTLAND, OREGON

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

Prepared: March 26, 1982
Hearing Date: May 24, 1982

NOTICE OF PUBLIC HEARING

A CHANCE TO BE HEARD ABOUT:

Proposed Revision to the State
Clean Air Act Implementation Plan
for the Portland-Vancouver Interstate
Air Quality Maintenance Area (Oregon Portion):
Carbon Monoxide Control Strategy
and Ozone Control Strategy

The Department of Environmental Quality is proposing to amend its State Implementation Plan (SIP) in accordance with the federal Clean Air Act Amendments of 1977. The carbon monoxide control strategy will bring the Portland area into compliance with the carbon monoxide standard by December 31, 1985. The ozone control strategy will bring the Portland area into compliance with the ozone standard by December 31, 1987. The DEQ will submit the strategies adopted by the Environmental Quality Commission to the U.S. Environmental Protection Agency for approval and incorporation into the Oregon State Implementation Plan. A hearing on this matter will be held in Portland on May 24, 1982.

WHAT IS THE DEQ PROPOSING:

Interested parties should request a copy of the complete proposed State Implementation Plan amendments.

Highlights of the carbon monoxide control strategy are:

- ** The use of the Biennial Auto Inspection Maintenance program, public transit, carpooling, and other ridesharing measures to reduce carbon monoxide emissions.
- ** The City of Portland has adopted a parking management program with a ceiling on the number of parking spaces in downtown Portland.

Highlights of the Ozone Control Strategy are:

- ** The use of the Biennial Auto Inspection Maintenance program and the implementation of the Banfield Light Rail Transit project and other measures to reduce Volatile Organic Compound emissions.

** Emission standards for certain existing industrial sources such as paper and can coating operations, perchloroethylene dry cleaners, and flexographic printing.

WHO IS AFFECTED BY THIS PROPOSAL:

The residents of the Portland area and owners of certain commercial and industrial operations that emit vapors leading to ozone formation.

HOW TO PROVIDE YOUR INFORMATION:

Written comments should be sent to the Department of Environmental Quality, Air Quality Division, Box 1760, Portland, Oregon 97207, and should be received by May 24, 1982.

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

<u>City</u>	<u>Time</u>	<u>Date</u>	<u>Location</u>
Portland	12:00 p.m. (Noon)	May 24, 1982	DEQ Conference Room Room 1400, Yeon Bldg. 522 SW 5th Avenue

WHERE TO OBTAIN ADDITIONAL INFORMATION:

Copies of the proposed rules may be obtained from:

Howard Harris
DEQ Air Quality Division
Box 1760
Portland, Oregon 97207
503-229-6086

LEGAL REFERENCES FOR THIS PROPOSAL:

This proposal amends OAR 340-20-047. It is proposed under authority of ORS 468.020, 468.295, and 468.305.

LAND USE PLANNING CONSISTENCY:

The Department has concluded that the proposals do affect land use.

With regard to Goal 6 (air, water and land resources quality) the rules are designed to enhance and preserve air quality in the affected area and are considered consistent with the goal.

Goal 11 (public facilities and services) is deemed unaffected by the proposals.

Public comment on any land use issue involved is welcome and may be submitted in the same fashions as are indicated for testimony in this NOTICE OF PUBLIC HEARING.

It is requested that local, state, and federal agencies review the proposed action and comment on possible conflicts with their programs affecting land use and with Statewide Planning Goals within their expertise and jurisdiction.

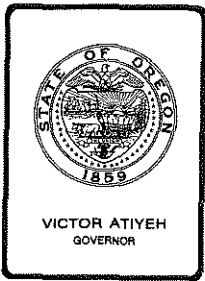
The Department of Environmental Quality intends to ask the Department of Land Conservation and Development to mediate any apparent conflict brought to our attention by local, state or federal authorities.

FURTHER PROCEEDINGS:

After public hearing the Commission may adopt rule amendments identical to the proposed amendments, adopt modified rule amendments on the same subject matter, or decline to act. The adopted regulations will be submitted to the Environmental Protection Agency as part of the State Clean Air Act Implementation Plan. The Commission's deliberation should come on July 16, 1982 as part of the agenda of a regularly scheduled Commission meeting.

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

HH:a
AA1980 (1)



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: Hearing Officer

Subject: Hearing Report on May 24, 1982, Hearing.
"Proposed Revisions to the State Clean Air
Act Implementation Plan (SIP) for the
Portland-Vancouver Interstate Air Quality
Maintenance Area (Oregon Portion): Carbon
Monoxide Control Strategy"

Summary of Procedure

Pursuant to public notice, a public hearing was convened at the Yeon Building, Room 1400, located at 522 SW Fifth Avenue in Portland, at 12:07 p.m. on May 24, 1982. The purpose was to receive testimony regarding proposed revisions to the SIP for carbon monoxide and ozone control strategies in the Portland portion of the Interstate Air Quality Maintenance Area. This report summarizes the testimony related to the carbon monoxide control strategy.

Summary of Written Testimony

Portland Air Quality Advisory Committee stated that it is a group of over 20 individuals representing a broad spectrum of air quality interests. The Committee commended the City of Portland for developing a well balanced carbon monoxide control program and singled out the downtown parking management program as an important element of the plan. Prior to adoption by the Portland City Council, the Committee was concerned about several elements of the CO SIP. However, several of those concerns have been subsequently addressed in the SIP, and the Committee recognizes that other concerns are receiving further study. The Committee stated that it strongly supports adoption of the carbon monoxide SIP by the Environmental Quality Commission.

City of Portland stated that in January, 1982 the City adopted the carbon monoxide SIP as an attainment plan consistent with air quality and economic goals. The downtown parking management program was cited as a major

Hearing Report on May 24, 1982 Hearing
June 8, 1982
Page 2

element of the plan along with area-wide programs including vehicle inspection, transit improvements, and rideshare projects. The City stated that it supports adoption of the plan by the Environmental Quality Commission.

Testimony received in written form only:

Portland Air Quality Advisory Committee
City of Portland

Recommendations

The hearing officer makes no recommendations. Respectfully submitted,


Howard W. Harris
Hearing Officer

Attachments: 1. Notice of Public Hearing
2. Testimony of Portland Air Quality Advisory Committee
3. Testimony of City of Portland

J.F. Kowalczyk:a
229-6459
June 8, 1982
AA2201 (1)

STATEMENT OF NEED FOR RULEMAKING

Pursuant to ORS 183.335(2), this statement provides information on the intended action to amend a rule.

Legal Authority

Federal Clean Air Act as Amended 1977 (PL 95-95). ORS Chapter 468, including Section 020 which gives the Commission authority to adopt necessary rules and standards, Section 295 which authorizes the Commission to establish air quality standards for the State, and Section 305 which authorizes the Commission to prepare and develop a comprehensive plan.

Need for the rule

Parts of the Portland metropolitan area, chiefly downtown Portland, currently exceed the federal 8-hour carbon monoxide standard. For a designated non-attainment area that cannot attain standards by December 31, 1982, the Clean Air Act requires submittal of a detailed control strategy plan by July, 1982. The plan must show attainment of standards as soon as practicable, but not later than December 31, 1987. The proposed control strategy brings the area into attainment by December 31, 1985.

Principal documents relied upon

1. Clean Air Act Amendments of 1977, PL 95-95, 8/7/77.
2. DEQ Updated Emission Inventory
3. EPA, State Implementation Plans; Approval of 1982 Ozone and Carbon Monoxide Plan Revisions for Areas Needing an Attainment Date Extension; and Approved Ozone Modeling Techniques; Final Policy and Proposed Rulemaking, Federal Register/Vol. 46, No. 14/Thursday, January 22, 1981/Rules and Regulations.
4. Downtown Parking and Circulation Study, as Adopted by the Portland City Council, October, 1980.
5. Seton, Johnson & Odell, Inc., Portland Parking and Circulation Plan, Air Quality Evaluation, October 15, 1980.

Fiscal and Economic Impact Statement and Impact on Small Businesses

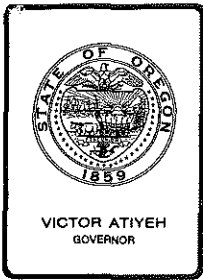
The transportation projects in the plan which would be implemented in the future constitute a very small portion of the funding amount required by the Transportation Improvement Program for the Portland metropolitan area. The listed projects need a total of \$2,966,152 from the U. S. Department of Transportation. The local match requirement is \$73,921. For comparison, the federal portion of funding for transportation projects in the tri-county area amounts to approximately \$112,000,000 for just Fiscal Year 1982.

The first year of the downtown Portland Parking Management Program is budgeted for \$56,000, with \$28,000 coming from an EPA grant and \$28,000 coming from the Portland Development Commission. The City of Portland is committed to providing ongoing funding for a full-time manager in subsequent years.

Statement of Need for Rulemaking
Page 2

No direct economic impacts on the private sector have been identified beyond the possibility of a future increase in curbside parking meter rates.

HWHarris:h
229-6086
March 22, 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. O , July 16, 1982, EQC Meeting

Proposed Adoption of Amendments to Noise Control Regulations
for the Sale of New School Buses, OAR 340-35-025

Background

Oregon Revised Statutes Chapter 467 directs the Environmental Quality Commission to establish maximum permissible levels of noise emissions for categories of motor vehicles. On July 19, 1974, noise emissions standards were adopted for the sale of new trucks and buses, including school buses. These standards were initially established at a maximum allowable level of 86 decibels (dBA) for the 1975 model year, reduced to 83 decibels beginning with 1976 models and a final standard of 80 decibels for 1979 and subsequent models.

In 1978, Federal Environmental Protection Agency (EPA) standards for medium- and heavy-duty trucks in excess of 10,000 pounds (GVWR) became effective that preempted State standards. Therefore, Oregon rules were amended to reflect the federal standards and a separate category for buses was established that retained the schedule approved in 1974.

The Department has recently received a petition from General Motors Corporation (GMC) to amend noise emission standards for school buses. Their petition would place school buses on the same schedule as established by EPA for medium- and heavy-duty trucks. Thus, school buses would meet 83 dBA until 1986 at which time the limits would be 80 dBA.

A Commission authorized public hearing was held on the GMC petition on April 20, 1982.

Alternatives and Evaluation

The GMC petition requests that school buses be removed from the "bus" category of the new vehicle rules and placed with medium and heavy duty trucks. Under the truck schedule, school buses would be moved from an 80 dBA limit to 83 dBA until 1986. GMC raises technology, economic and environmental reasons for amending the rules. However, the primary problem for GMC is that their current diesel powered school buses exceed 80 dBA and the demand for this bus configuration is growing.

GMC technology considerations point out that national fuel economy and exhaust gas standards are compromising quieter engine designs. A new 8.2 liter displacement diesel engine, being used in medium duty trucks and school buses, has no noise benefits over older designs. Noise emissions from the current GMC turbo-charged diesel powered school bus are slightly over 80 dBA and the naturally-aspirated diesel school emissions are just under 82 dBA. GMC gasoline powered school buses produce an emission rating of just under 80 dBA. As the Oregon standards allow a 2-decibel tolerance, GMC currently offers both the gasoline and turbo-charged diesel school buses for sale in Oregon in compliance with the 80 dBA standards. The naturally-aspirated school bus, however, cannot be offered. The naturally-aspirated version is priced \$1320 below the turbo-charged version.

In order to reduce emissions of the diesel powered buses to the 80 dBA level with a "reasonable compliance margin", GMC claims it would have to install a belly pan under the engine and a transmission shield to contain noise from these sources. GMC also notes that school buses are built on a medium truck chassis and share common engines and drive train. Thus, they should be regulated under the same standards (83 dBA) as medium-duty trucks.

Economic considerations include the initial cost of the noise control equipment and increased maintenance. GMC estimates the increased customer cost for an 80 dBA naturally-aspirated diesel school bus is \$1,000 per unit and \$800 for the 80 dBA turbo-charged bus. Increased maintenance costs of \$200 to \$400 per year are estimated for the 80 dBA buses over the 83 dBA buses because of additional labor needed to remove and reinstall noise-reduction hardware during routine vehicle maintenance service.

GMC claims the environmental impact of regulating school buses at 83 dBA instead of 80 dBA is expected to be minimal based on their limited use in residential areas. Students within ten to fifteen feet of idling school buses would be exposed to 70 to 75 dBA by diesel buses and on the order of 60 dBA by gas-powered buses. At worst, during bus pull-aways, a student may be exposed to transient sound levels of 88 to 91 dBA for a few seconds.

Those supporting the GMC position primarily noted the potential economic impact of the cost of noise control equipment that would be passed to the customer and ultimately to the Oregon taxpayer. One individual, however, noted that the diesel system is not necessarily cheaper than the gasoline

system. He noted the upcharge for the diesel engine, the small cost differential between the two fuels and the high cost of maintenance for the diesel engine.

Although GMC claims little or no environmental impact from this proposal to relax the standards, several rejected their claim. One cited the impacts to students near idling and accelerating buses that would mask all voice communication as well as threatening to cause hearing loss and tinnitus. The impact of school buses in the Portland urban area are caused by annual operations of over 3-million miles. The total State is impacted by an annual mileage of 42-million school bus miles.

The Irvington Community Association of Northeast Portland noted that this proposal represents a chipping away of standards that will lead to unbearable noise levels in the future. Another calculated that the impact of two 83 dBA school buses per hour in a quiet 50 dBA ambient neighborhood could raise the ambient level 10 decibels. The 3-decibel reduction to 80 dBA would reduce the ambient increase by 3 decibels also.

The issue over technology indicates that the school bus industry has not placed a high priority on noise emissions in their engine designs. The new GMC 8.2 liter diesel engine is no quieter than previous engine designs. Therefore, noise controls must be added that surround the engine to absorb and prevent sound from escaping the engine compartment. Oregon's 80 dBA school bus standard that became effective in 1979 was adopted in 1974. Thus, advance notice to the industry was provided by Oregon as well as several other states (including California) and several local jurisdictions. In addition, the federal 80-dBA standard for medium-duty trucks that share common engines and chassis with school buses had an effective date of 1982. This date, however, has now been amended to 1986 due to the efforts of the industry claiming economic hardship.

Several other jurisdictions have recently revised school bus noise emission standards. The State of Florida amended its 80-dBA school bus standard that became effective January 1, 1982 to 83 dBA early this year. Nebraska has exempted school buses from its 80-dBA standard and the California legislature is considering amendments to its 80-dBA school bus standard. Therefore, it appears that few if any major jurisdictions will maintain an 80-dBA emission limit for school buses for current model years.

GMC claims that the noise control equipment required to quiet the naturally-aspirated diesel school bus to provide a reasonable compliance margin with the 80-dBA standard, i.e. 77-78 dBA would include noise covers around the transmission and a belly pan covering the bottom of the engine compartment. Opposing testimony claimed that the bus could adequately be quieted to meet the 80-dBA limit thru the combination of a more effective muffler to control exhaust noise, the use of a modulating fan drive to control fan noise and add fuel economy, and an adjustment to the engine overspeed governor to reduce maximum engine speed from 2,100 rpm to 1,800 rpm. The penalty of the engine speed control would be a loss of power; however, safety should be a higher priority for school buses than

power. If the above measures fail, inexpensive side shields would be the next step. This individual suggested that for the rare case where the above measures were not adequate and a belly pan is indicated, such engines should be outlawed as the marketplace provides many others not so loud.

Staff review and analysis of the GMC petition and the submitted testimony would indicate that technology, and perhaps reasonable technology, is available to reduce noise emissions from diesel-powered school buses to within the current 80-dBA limit. Although GMC claims that the unattractive control method of belly pans would be required, the needed reduction of 2 dBA (from about 82 to 80 dBA) may be achieved using alternate controls. However, if a "reasonable compliance margin" is needed, a reduction of up to 5 dBA may be required that could require the belly pan control method. The cost of noise control is very much dependent upon the type of control required, as discussed above. If controls are designed that do not include a belly pan, the initial cost of controls would be reduced and the increased maintenance cost would probably be eliminated. The compliance margin dictates the amount of controls needed. Oregon's standards include a 2-dBA tolerance, thereby allowing the sale of buses up to, but not exceeding, 82 dBA and still comply with the 80-dBA standard. As the gasoline and turbo-charged diesel GMC school buses comply with the 80-dBA standard, the only GMC school bus now excluded is the naturally-aspirated diesel bus. It may be considered reasonable to continue the exclusion of this bus until it is quieted, as other products are available to fill the demand. It may also be found that most Oregon school bus buyers would choose the turbo-charged options over the naturally-aspirated version as the added power is needed in Oregon's terrain. However, as noted above, the turbo-charged engine is a \$1320 option.

Staff continues to support the need for stricter noise standards on vehicles that operate in residential areas. School buses regularly operate on residential streets, thereby impacting residents not otherwise exposed to heavy duty truck noise. Impacted students near the bus exterior may be prevented from communicating and noise could threaten hearing loss if exposure times are long and the individual is exposed to other significant sources of noise during the day. However, school buses normally operate on residential streets infrequently; thus impacts to residents and students are infrequent. It should also be noted that DEQ has not received complaints of school bus noise and evidence does not exist of any serious threat to public health due to school bus noise in Oregon.

In 1977 a proposed federal EPA bus noise regulation was published. This proposal placed school buses on the same schedule as the adopted EPA standards for medium-duty trucks. It has been argued by both EPA and the petitioner that, because school buses share a common chassis and engine with medium duty trucks, an identical noise emission standard should be applied to both vehicle types. The 1977 EPA proposal would have placed school buses at 80 dBA in 1983 with a final 77 dBA limit by 1985. However, final action was not taken on this proposal and EPA's medium-duty truck

noise emission schedule has been amended twice since the school bus standard was proposed.

The February 1982 decision by EPA to further delay implementation of the 80 dBA standard for medium and heavy duty trucks has a significant impact on the Commission's ability to require an 80 dBA school bus. EPA's original schedule was to achieve 80 dBA in 1982. As the result of petitions from International Harvester and Mack Trucks, EPA moved the 80 dBA standard to 1983. Now the effective date has been moved to 1986. EPA's decision to amend the effective date was based upon the industry's need for near-term economic relief to help meet their economic recovery and to permit manufacturers to align and economize design requirements with improved fuel economy and Federal air emissions standards that are anticipated in the 1986 timeframe.

Several alternatives are available for discussion. First, the current standards could be retained and thus allow the continued marketing of GMC chassis school buses with all but the naturally-aspirated diesel engine. It is not clear how the present rule is impacting other major school bus chassis manufacturers, i.e. Ford and International Harvester; however, an industry representative responded that these other two manufacturers supported the GMC petition. Second, the standard could be amended as the petitioner requested by placing school buses on the same schedule as medium and heavy duty trucks and thus follow the current 1986 effective date for the 80 dBA standard. A third option could either rescind the 80 dBA standard and maintain only the 83 dBA standard or move the 80 dBA standard to some date other than 1986 as proposed.

Summation

Drawing from the background and evaluation presented in this report, the following facts and conclusions are offered:

1. GMC has petitioned to amend the 80 dBA standard for the sale of new school buses to 83 dBA and reschedule the 80 dBA standard for 1986, the same that EPA established for medium and heavy duty trucks.
2. GMC manufactures three engine configurations for school buses; gasoline, naturally-aspirated diesel, and turbo-charged diesel. The gasoline and turbocharged diesel engine buses comply with the 80 dBA standard; however, the naturally-aspirated diesel bus would require between two to five decibels of noise reduction to comply.
3. In order to comply, the naturally-aspirated diesel engine bus could require minor, inexpensive noise controls or possibly a \$1,000 noise control package that would also add increased maintenance costs of \$200 to \$400 per year.

4. School buses travel over 42-million miles per year in Oregon. They are operated in residential areas impacting residents and students. However, these noise impacts are relatively infrequent as school buses are normally operated only twice per day during the school year.
5. EPA regulations were amended in February 1982 to delay the 80 dBA standard for medium- and heavy-duty trucks from 1983 to 1986. School buses use medium-duty truck chassis and engines. EPA amended their standard to assist the truck industry in their economic recovery and to align noise standards to anticipated air emission standards for the 1986 timeframe.
6. Other states have recently amended their 80 dBA school bus standards to match the EPA truck schedule. It is difficult for Oregon to impose more stringent requirements than those of the federal government or other states without substantial evidence of potential significant adverse impact.
7. If the petitioner's proposed amendments are approved, the 80 dBA limit would be met in 1986 and the purpose of Oregon's standards would be achieved albeit on a schedule longer than originally intended.

Director's Recommendation

Based upon the Summation, it is recommended that the Commission adopt rule amendments for the sale of new school buses as proposed by the petitioner to make them consistent with federal and other states' rules as described in Attachment A hereto as a permanent rule to become effective upon its prompt filing with the Secretary of State.



William H. Young

Attachments:

- Attachment A. Proposed Rule Amendments
- Attachment B. Statement of Need for Rulemaking
- Attachment C. Hearing Officer's Report

John Hector:a
NA2183 (1)
229-5989
June 2, 1982

TABLE 1
 (340-035-025)

New Motor Vehicle Standards
 Moving Test at 50 Feet (15.2 Meters)

<u>Vehicle Type</u>	<u>Effective For</u>	<u>Maximum Noise Level, dBA</u>
Motorcycles	1975 Model	86
	1976 Model	83
	1977-1982 Models	81
	1983-1987 Models	78
	Models after 1987	75
Snowmobiles, as defined in ORS 481.048	1975 Model	82
	Models after 1975	78
Trucks & School Buses in excess of 10,000 lbs. (4536 kg) GVWR	1975 Model	86
	1976-1981 Models or Models manufactured after January 1, 1978 and before January 1, [1982] <u>1986</u>	83
	Models manufactured after January 1, [1982] <u>1986</u> and before [January 1, 1985] (<u>Reserved</u>)	80
	Models manufactured after [January 1, 1985] (<u>Reserved</u>)	(Reserved)
Automobiles, Light Trucks, and all other Road Vehicles	1975 Model	83
	Models after 1975	80
Buses, <u>except school buses</u> , as defined in ORS 481.030	1975 Model	86
	1976-1978 Models	83
	Models after 1978	80
Motorboats	Models offered for sale after June 30, 1980	82

NOTE:

New Material is Underlined
 Deleted Material is [Bracketed]

Draft Statement of Need for Rulemaking

STATEMENT OF NEED FOR RULEMAKING

Pursuant to ORS 183.335(7), this statement provides information on the Environmental Quality Commission's intended action to adopt a rule.

(1) Legal Authority

This proposal may be adopted under authority of ORS 467.030.

(2) Need for the Rule

Excessive emissions of noise cause impacts detrimental to the health, safety or welfare of Oregon Citizens.

(3) Principal documents relied upon in this rulemaking:

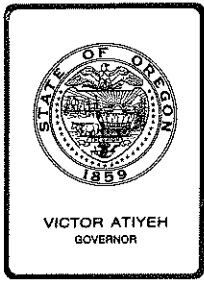
a) General Motors Corporation petition for the rulemaking dated February 3, 1982.

b) Existing noise control regulations OAR 340-35-025.

The above documents may be reviewed at the Department's offices at 522 S.W. Fifth Avenue, Portland, Oregon.

(4) Statement of Fiscal and Economic Impact

As this petition proposes to reduce the stringency of existing standards, it is expected that minimal beneficial fiscal or economic impacts may result in the adoption of the General Motors Corporation proposal. No significant economic effect to small businesses is expected as the result of this rulemaking.



Attachment C
Agenda Item O
July 16, 1982 EQC Meeting

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 DATE: July 16, 1982

FROM: Hearing Officer

SUBJECT: Hearings Regarding Petition to Amend Noise Emission
Standards for the Sale of New School Buses

Background

The Department received a petition from General Motors Corporation to amend Chapter 340, Section 35-025, Noise Control Regulations for the Sale of New Motor Vehicles. The petition would amend the 80 dBA standard for school buses to 83 dBA.

Pursuant to Commission authorization to consider the petition a public hearing was held at 9:30 a.m. on April 20, 1982 in Portland. Oral and written testimony was received at the hearing as well as a number of mailed comments received at the Department offices.

The testimony review is ordered in the appearance of oral testimony and followed in the order of receipt of mailed testimony. The following written testimony is attached as exhibits for additional review due to the complexity of this testimony and the issue. Exhibits are:

Exhibit A	Testimony Summary
Exhibit B	GMC Petition and Testimony
Exhibit C	Testimony of Jeannette R. Egger
Exhibit D	Testimony of Signer Motors
Exhibit E	Testimony of Michael C. Kaye

Recommendation

Your Hearing Officer makes no recommendation in this matter.

Respectfully submitted,

John M. Hector

JMH:a
NA2133 (1)

Testimony Summary

Keith Cherne - General Motors Corporation (GMC)

Petition requests to remove school buses from the 80 dBA standard and regulate at 83 dBA, the same standard established by EPA for medium and heavy trucks over 10,000 pounds gross vehicle weight rating.

School buses now comply with Oregon's 80 dBA standard when a 2 dBA tolerance is added as provided in the procedures. GM's gasoline powered school buses are just under 80 dBA. Turbocharged diesel school buses are slightly over 80 dBA and naturally-aspirated diesel school buses are just under 82 dBA. Therefore, the naturally-aspirated school emission level does not provide an adequate margin to ensure compliance with the 80 + 2 dBA standard.

In order to reduce the emissions of the naturally-aspirated diesel bus, major noise reduction must be made using a belly pan and a transmission shield. This is a "total treatment" as GMC can't design a noise reduction of one to two decibels needed to comply.

Cost of treatment is on the order of \$1,000 each with increased maintenance costs of \$200 to \$400 per year per unit. The naturally-aspirated engine option is \$1,220 below the turbocharged version.

The definition for buses in the rules is not clear that it includes school buses.

In response to other testimony, GMC determined that noise impacting students at a 10 foot distance from school buses during idle is 70 to 75 dBA from diesel buses and about 60 dBA from gas powered buses. At worst, during bus pull away from a stop a student may be exposed to 88 to 91 dBA for a few seconds.

Previous testimony submitted by GMC included the following comments.

School buses, if noise regulations are necessary, shall be subject to standards identical to those set for medium trucks due to the identical nature of their chassis and power-train construction.

No breakthrough has occurred to permit the elimination of acoustic shielding. The new medium duty diesel engines (6.2 Liter) do not provide noise benefits over older designs. These engines are being used in medium duty trucks and school buses.

Future needs for fuel economy and air emissions are believed, will increase engine noise emissions. However, the technology and cost are not defined at this time.

Increased maintenance costs, estimated at \$200 to \$400 per year, are based upon the need for engine and transmission shield removal and replacement. This is necessary for routine servicing such as servicing brake plumbing, draining the radiator core or checking transmission fluid level.

Jim Austin - Motor Vehicle Manufacturers Association (MVMA)

MVMA supports the GMC petition. A number of MVMA members (GMC, Ford and International Harvester) supply cowl or cutaway chassis to bus body manufacturers who, in turn, complete them into finished buses. For the most part, these chassis' are derivations of trucks which are regulated by the Fedral EPA to an 83 dBA standard. Thus Oregon school buses should also be regulated at 83 dBA.

Jan Egger - DEQ Noise Advisory Committee

Provided history of DEQ rules and noted that the Commission separated buses from trucks when EPA promulgated preemptive standards for medium and heavy trucks at 80 dBA effective on January 1, 1982. In 1981 EPA moved the effective date for the 80 dBA truck standard from 1982 effective to 1983 effective. In February 1982 EPA amended the 80 dBA effective date from 1983 to 1986. GMC noted in its petition - "It is also possible that the 80 dBA level effective date may be postponed indefinitely".

The recently developed 8.2 liter diesel engine GMC is using in school buses was not adequately designed for noise emissions and thus needs substantial noise reduction. It appears that GMC is going backwards instead of leading the way in technical noise reduction.

GMC has failed to show the need for the diesel bus based on fuel efficiency. In addition, the environmental cost of noise pollution to property values, increased accident rates, health effects of stress and hearing loss and crime increase were not included in the GMC petition.

Students could be impacted to levels in the 90 dBA range at 10 to 15 feet from a bus. In such cases health and safety are being compromised. Masking of voice communication is total and hearing loss is threatened.

Statewide, approximately 42 million miles are travelled by school buses annually. These buses do not follow truck routes and are often operated within urban aras impacting residences.

The 80 dBA standard for school buses, effective since 1979, should be preserved.

Jack Speer - Coordinator for Pupil Transportation - Oregon Department of Education

Enforces standards for school buses but the noise emission standards are left to DEQ. Oregon has approximately 4500 school buses (including private

school buses), with about 300 school districts using school buses, transporting about 250,000,000 children twice per day.

In the last several years many new school buses brought to Oregon are equipped with diesel engines. In 1981 diesel powered school buses brought into Oregon was 59% of the total large capacity school bus. Total diesel fleet is now 30 to 35%.

Transportation costs for schools has risen dramatically in the last few years; primarily due to "special education" requirements. They would not want to see additional costs to schools and would favor the availability of diesel engines for school buses.

A number of Federal and State standards apply to school buses that are over and above those required for medium and duty trucks. Many of these standards apply to the chassis manufacturer that require special equipment to be added to the medium truck chassis.

Average age of a conventional school bus in Oregon is 13 years. The State provides initial cost payment over 10 years funded at approximately 50% to the school district.

Leo Denn - Klamath Falls

Believes that mufflers can eliminate 90% of the noise without excessive back pressure. Notes that Greyhound buses are quiet and thus GMC should also build quiet buses. Suggests that school children wear ear plugs to protect against excessive noise.

Albert Duble - Acoustical Consultant - Newberg

Opposes the relaxation of the standard to allow the sale of diesel powered school buses. Suggests that gas powered buses be retained rather than amend the standard. The Tri-Met fleet has buses as low as 76 dBA. Thus school buses could also be quiet.

The overall cost differential between diesel and gas powered buses is getting smaller and thus the diesel bus should not be supported on a cost basis.

Richard Van Orden - Lake Oswego

It would be unconscionable to increase the standards for school buses equal to those set for heavy trucks. Consider reducing the school bus standard to 78 dBA to enhance the quality of life in Oregon neighborhoods. GMC should not be given a crutch at the expense of Oregon's environmental quality.

Doug Flatt - Oregon School Transportation Association - Salem

The Association supports the GMC petition and urges the amendment from 80 to 83 decibels.

Irvington Community Association - Portland

The Association does not support an amendment to rescind the 80 dBA standard. Each decibel increase contributes to the total noise level of their neighborhood. They believe that the limits of adopted standards invariably represent the noise level produced as equipment as manufactured.

As an inner city neighborhood they are subjected to large doses of motor vehicle noise and a chipping away at the standards will lead to unbearable noise levels in the future.

Gloria Signer - Signer Motors - Corvallis

Signer Motors is a GMC truck dealer and they bid on school buses. They urge the adoption of an 83 dBA limit for school buses to eliminate the burden placed on the industry to satisfy the needs of their customers and the ultimate economic effect on Oregon taxpayers.

Lower maintenance costs, lower fuel costs and increased fuel efficiency has increased the popularity of diesel engines. The 8.2 liter naturally-aspirated diesel engine is well suited to school buses. The 80 dBA standard would destroy its cost-effectiveness. She questions whether many can detect the difference between an 83 and 80 dBA bus.

Oregon Automobile Dealers Association - Portland

Supports the GMC petition to regulate school buses the same as heavy trucks. The small reduction would have an adverse impact on Oregon taxpayers as well as the dealers from which buses are purchased.

They recognize that school buses operate in neighborhoods in which trucks do not; however, buses only do so twice per day and not during summer, weekends and holidays.

Michael C. Kaye - Portland

He believes the GMC petition should not be granted and the Oregon school bus noise standard of 80 dBA should be left alone.

Arguments against relaxing the standard are:

- a) The 80 dBA standard is within the manufacturer's capability without resort to exceptionally intensive engineering efforts or onerous manufacturing efforts. By paying attention to good practice, they can almost as easily build 80 dBA buses as 83 dBA buses.
- b) The school bus deserves to be singled out for more strict regulation than heavy trucks because they operate much closer to sensitive residential areas on relatively quiet streets where their noise makes a significant contribution to the overall sound level.

Kaye has been extensively experimenting with antinoise treatment of heavy diesel trucks and buses since 1972 and his experience shows that an 80 dBA school bus is not hard to meet. He has been able to bring vehicle ratings down to 74-78 dBA range without using impractical hardware or causing unacceptable side-effects. If school bus manufacturers have been meeting the 80 dBA standard for the last three years, that shows they can do it. However, it appears that current noise control for school buses is no more than a reasonable selection of exhaust mufflers.

The test procedures approved for Oregon certification of school buses allows flexibility and benefits to obtain a low rating. These include a selection of pavement surfaces, a 2 dBA experimental error tolerance, averaging of test data and the drive-by procedure itself.

Normally, there are only three sources of noise from a school but that matters to the 80 dBA emission standard. These are the engine and its accessories, the exhaust terminus, and the cooling system fan.

The exhaust system is easy to treat as there is no limitation to muffler size selection as the muffler is beneath the bus floor.

Fan noise can be controlled with a modulating speed fan drive and the test procedure allows the fan to be off during testing. These fans add fuel economy and prevent outlandish fan noise.

Engine noise can be reduced by slowing it down. The overspeed governor could be reset from 2,100 rpm to 1,800 rpm to reduce engine noise by 2 dBA; probably enough to allow high-side buses to pass the 80 dBA standard without further treatment. The penalty of 20% in power would not be important to school buses where the emphasis is safety and not high speed. If engine noise cannot be sufficiently reduced by simple adjustments, then relatively inexpensive side shields are the next step. For the rare case of relatively loud engines where these measures are not enough, and a belly pan is indicated, these engines should be outlawed as the market place provides many others not so loud.

Two 83 dBA school buses per hour in a typical 50 dBA ambient neighborhood can easily raise the ambient level by 10 dBA, enough to make things twice as loud. A 3 dBA reduction of the ambient would occur with a 3 dBA reduction (80 dBA) of the bus emission level. This reduction would both be noticed and appreciated. Heavy trucks typically do not operate in residential areas and on highways are creating mostly tire noise that has nothing to do with noise emission ratings. There is no sense in applying a truck standard to a school bus.

PETITION OF GENERAL MOTORS CORPORATION
TO
THE ENVIRONMENTAL QUALITY COMMISSION
TO
AMEND
DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 340, OREGON ADMINISTRATIVE RULES
DIVISION 35
NOISE CONTROL REGULATIONS

February 3, 1982

In accordance with Chapter 340, Division 1, Subdivision 1, Oregon Administrative Rules, petition is hereby made under Section 11-045 of those rules to amend Department of Environmental Quality Noise Control Regulations for the Sale of New Motor Vehicles, Chapter 35, of those rules, as adopted by the Department of Environmental Quality in July, 1974 and last amended in April, 1980.

The objective of this petition is to amend Chapter 340, Division 35, of the Oregon Administrative Rules, Noise Control Regulations, to regulate school buses to the same schedule and sound levels as trucks over 10,000 pounds GVWR.

BACKGROUND

The State of Oregon adopted noise regulations, including motor vehicle noise regulations, in July, 1974. At that time, trucks and buses according to ORS 481.035 and 481.030 were included as a single class of (heavy duty) vehicles.

In April 1976, the U.S. EPA promulgated noise regulations for new medium and heavy trucks over 10,000 pounds GVWR. In August of 1976, the Oregon regulations were amended to adopt the 10,000 pound breakpoint for trucks and to establish buses, as defined in ORS 481.030, as a separate class of vehicles for purposes of noise regulation. The regulatory schedule for trucks incorporated sound levels the same as the federal regulations, i.e., 83dB in effect on January 1, 1978 with a step reduction to 80dB set for January 1, 1982. For buses, an 80dB standard became effective on January 1, 1979.

Subsequently, motor vehicle fuel price increases have accelerated dieselization of the medium duty truck fleet. In 1980, this development, coupled with the technological problems of quieting today's medium and heavy diesel trucks, resulted in motor vehicle manufacturers petitioning the federal EPA for either a delay in the effective date of the 80dB regulated level, scheduled to take effect on January 1, 1982, or its outright rescission.

In January, 1981, the federal EPA announced a one year delay in the effective date of the 80dB medium and heavy truck regulated noise level to January 1, 1983. The EPA deferral action was also accompanied by the opening of a comment period with respect to the 80dB regulated level. This gave motor vehicle manufacturers an opportunity to input technological concerns relating to noise control of today's diesel trucks as well as more far-reaching concerns of new engine technology applications resulting from fuel economy needs and future exhaust emissions

regulations. It now appears that the effective date of the 80dB truck regulation will be delayed until 1986 or beyond.

The federal medium and heavy truck regulation preempts non-identical state and local regulations and, therefore, the delay to 1983 (or 1986) in implementation of the 80dB regulated level will override state and local regulations which have an earlier (1982) effective date.

In addition, federal EPA spokesmen have stated publicly that proposed federal bus noise regulations will not be promulgated. Therefore, the DOT transit coach specification at 83 dB with a +2dB tolerance is the sole federal criterion for bus exterior noise. The DOT specification also defers to state and local regulations so that without federal EPA exterior noise regulations for buses, more stringent state and local standards will apply.

FACTS SHOWING REASONS FOR AMENDMENT OF RULES

School buses, if noise regulations are determined to be necessary, should be subject to exterior noise regulations according to the schedule and sound levels for medium duty trucks because of the identical nature of medium truck and school bus technology, i.e., chassis and power-train construction, the adverse economic impact of an 80dB regulation for diesel-powered school buses and the minimal environmental impact of such a regulatory approach.

Technology Considerations

General Motors submitted testimony concerning this issue at a public hearing called by the Oregon Environmental Quality Commission on November 17, 1981. A copy of the General Motors statement is attached (Attachment 1). Part of the technology material previously presented at the hearing is restated here.

Basically, the technology needed to meet national fuel economy and exhaust emissions priorities will result in new engines. This new technology includes application of such concepts as charge air cooling, electronic fuel controls, by-pass blowers and exhaust gas recirculation. These changes will affect heavy duty engines as well as new engines presently being used in medium duty vehicles.

While the effects of future technology on truck noise are not yet evaluated and fully understood, there are immediate concerns relating to an 80dB standard with current engines. When the U.S. EPA established the 80dB standard back in 1976, the decision was based in part on the presumption that quieter diesel engines would be developed, thus obviating the need for such noise reduction techniques as acoustical belly pans and side shields. There have been some improvements in engine noise reduction but no major breakthrough has occurred to permit the elimination of extensive acoustical shielding. Also, new medium duty diesel engines have recently become available. Vehicles equipped with these engines, which were not even considered at the time federal truck regulations were developed, require extensive noise reduction work. These engines are available in

school buses as well as medium duty trucks. In fact, with the exceptions of some items such as frame length, and front end sheet metal, the school bus chassis is virtually identical to a medium duty truck. For noise related equipment, i.e., radiator and fan, engine, transmission, exhaust system (tailpipe length excepted) and axles, the school bus and medium truck are the same. Therefore, the technical problems of noise reduction are the same for both vehicles and it is appropriate that school buses be regulated for noise along with trucks over 10,000 pounds GVWR, i.e., at the same sound levels and according to the same regulatory schedule.

Of special concern is the diesel powered school bus. These buses require significant noise reduction treatment to meet a level of 80dB which could either result in a significant cost penalty for, or preclude their sale in, Oregon.

Economic Considerations

A discussion of the economic factors related to vehicle designs to comply with an 80dB regulated level as opposed to the 83dB regulated level currently in effect for medium and heavy trucks is contained in the attached document entitled "General Motors Position Re: Uniform Motor Vehicle Noise Regulations (Attachment 2)." The information applies to both medium and heavy trucks, with the medium duty truck factors being identical to school buses.

There are two major costs associated with reducing the noise level of a truck (or school bus) from compliance with an 83dB standard to compliance with an 80dB standard. The first is the initial cost of added hardware and the second is the increased cost of vehicle maintenance.

While the attached information cites an estimated sales-weighted average increased customer cost of \$400 for all medium and heavy trucks, it has been further estimated that the customer cost of an 80dB naturally-aspirated diesel powered medium truck, and, thus, a like equipped school bus would approach \$1000 per unit. Similarly, a turbo-charged diesel powered medium truck or school bus would approach an estimated \$800 in increased customer cost. These estimates are based on the need for belly pans (including acoustical lining for the naturally-aspirated version), possible new transmission design and acoustical shield and double-wall exhaust pipe for the naturally aspirated version.

Increased maintenance costs for the 80dB school buses are estimated at \$200 to \$400 per year by General Motors. These additional costs are the result of noise reduction hardware removal and reinstallation to perform routine vehicle maintenance service. (Note: United Parcel Service experienced increased first year maintenance costs for quieted heavy truck tractors of \$305 to \$312. While these are not identical to diesel school buses, noise reduction technology is similar enough that this information closely supports the General Motors increased maintenance cost estimates.) Note also that maintenance costs generally increase with vehicle age and use so that first year maintenance costs may not be representative of subsequent year maintenance costs.

Environmental Considerations

The environmental impact of regulating school buses at 83dB instead of 80dB is expected to be minimal based on limited use in residential areas (typically appearing briefly twice a day and not in the summer).

Other Considerations

The U.S. EPA, though not promulgating final bus noise regulations, recognized the similarities of medium trucks and school buses in the final draft of the federal bus noise regulations by setting the regulatory schedule and levels for school buses to the medium and heavy truck schedule and levels.

Also, the definition of bus in ORS 481.030 is sufficiently ambiguous as to leave some doubt about its applicability to school buses.

2KDC/0121
2/02/82

Statement of General Motors Corporation
to the
Environmental Quality Commission
of the
State of Oregon
On Proposed Amendments to Noise Control Regulation



November 17, 1981

Oregon - Nov. 17, 1981

My name is Keith Cherne. I am a senior project engineer with the Environmental Activities Staff of General Motors Corporation.

I am here today in response to the Oregon Environmental Quality Commission's notice of hearing regarding proposed amendments to the Oregon Noise Control Regulations. Specifically, I would like to address the noise regulations for new motor vehicles according to Section 340-35-025 and Table 1 of the Oregon Administrative Rules.

I'd like to briefly discuss two items.

First, the proposed amendments would delay the effective date for an 80 dB standard for trucks in excess of 10,000 pounds GVWR for one year to January 1, 1983. This schedule agrees with the one year delay announced by the US EPA on January 19, 1981. However, EPA spokesmen have publicly announced the intent (and the attendant draft action) to further delay this effective date to January 1, 1986.

Therefore, it is suggested that the Oregon amendments either be finalized when the revised federal regulatory schedule is formally published in the Federal Register or otherwise identify the effective date for an 80 dB standard for trucks such that effectivity in Oregon becomes concurrent with the effective date for the federal standard.

A discussion of the technical and economic issues demonstrating a need for delaying the 80 dB truck standard is contained in a separate written submittal entitled "General Motors Position re: Uniform Motor Vehicle Noise Regulations." Basically, the technology needed to meet national fuel economy and exhaust emissions priorities will result in new engines. This new technology includes application of such concepts as charge air cooling, electronic fuel controls, by-pass blowers and exhaust gas recirculation. These changes will affect heavy duty engines as well

as new engines presently being used in medium duty vehicles.

While the effects of future technology on truck noise are not yet evaluated and fully understood, there are immediate concerns relating to an 80 dB standard with current engines. When the US EPA established the 80 dB standard back in 1976, the decision was based in part on the presumption that quieter diesel engines would be developed thus obviating the need for such noise reduction techniques as acoustical belly pans and side shields. There have been some improvements in engine noise reduction but no major break through has occurred to permit the elimination of extensive acoustical shielding. Also, new medium duty diesel engines have recently become available. These engines require extensive noise reduction work and were not even considered at the time federal truck regulations were developed. Note that these engines are available in school buses as well as medium duty trucks.

It is for these technical reasons and the economic ramifications of them that the US EPA has elected to defer the effective date of the 80 dB truck standard to, we believe, January 1, 1986.

This brings us to the second item of discussion, buses, and, in particular school buses. Simply stated, with the exceptions of some items such as frame length, and front end sheet metal, the school bus chassis is virtually identical to a medium duty truck. For noise related equipment, i.e., radiator and fan, engine, transmission, exhaust system (tail pipe length excepted) and axles, the school bus and medium truck are the same. Therefore, the technical problems of noise reduction are the same for both vehicles and it is General Motors recommendation that school buses be regulated for noise along with trucks over 10,000 pounds GVWR, i.e., at the same sound levels and according to the same regulatory schedule.

Though final federal bus regulations have not, and most likely will not, be promulgated, the final regulation, as drafted, recognizes

the similarity of medium trucks and school buses and contains just such a regulatory program.

In summary, General Motors recommendations concerning amendments to the Oregon Noise Control Regulations are:

- o Delay the effective date of the 80 dB standard for trucks over 10,000 pounds GVWR to January 1, 1986 or invoke the federal schedule when it is finalized.
- o Because of the basic similarity of medium truck and school bus chassis, regulate school buses along with trucks over 10,000 pounds GVWR.

One further comment, relating to the requirements of Section 340-35-025(1) of the Oregon Administrative Rules, requiring assessment of light vehicle noise control and test procedures in 1982, General Motors will participate to the extent that information is available to assist in this assessment.

Thank you, and I will answer any questions you might have.

4KDC/1112

11/13/81

General Motors Position RE:
Uniform Motor Vehicle Noise Regulations

Introduction

As a motor vehicle manufacturer, General Motors is subject to compliance with a variety of motor vehicle noise regulations. Federal truck noise regulations have brought nationwide uniformity in noise standards for trucks over 10,000 pounds GVWR. General Motors also seeks nationwide uniformity for buses and light vehicles (passenger cars and light trucks of 10,000 pounds GVWR or less). Based on usage and design characteristics, General Motors recommends the following vehicle classes and regulated noise levels:

<u>Vehicle Class</u>	<u>Manufactured on/after Effective Date</u>	<u>Sound Level</u>
Vehicles over 10,000 pounds GVWR except transit coaches.	January 1, 1978	83dB
Transit coaches	January 1, 1981	83dB
Passenger cars and light trucks 10,000 pounds GVWR or less	January 1, 1975	80dB

Discussion

According to the present Administration, noise is a local problem. In keeping with this philosophy, there is activity in Washington that would minimize (or perhaps eliminate) the federal role in environmental noise programs. Included in programs that might be curtailed are new product noise regulations, specifically those for motor vehicles.

The present situation with respect to new product noise regulations for three classes of vehicles of interest is explained in the following material:

1. Medium and heavy trucks over 10,000 pounds GVWR

Federal regulations have been in effect since January 1, 1978 with a sound level standard of 83 dB. A step reduction to 80 dB was originally scheduled to become effective January 1, 1982. On January 19, 1981, that effective date was deferred by EPA to January 1, 1983.

It is expected that the federal medium and heavy truck regulation will remain in effect with some changes. Basically, the changes are expected to relieve the manufacturers' administrative burdens with respect to compliance and/or certification. In addition, a further delay in the effective date of the 80 dB level is possible. It is also possible that the 80 dB level effective date may be postponed indefinitely.

Technical Issues - Trucks over 10,000 pounds GVWR

The near term picture on the economics and technology of noise control of medium and heavy trucks at the 80 dB level is obviously clearer now than it was during federal rulemaking five or six years ago. However, requirements for diesel engines in years immediately subsequent to 1983 (current effectivity for the 80 dB level) tend to obscure the exact nature of technology and economics required to attain the 80 dB level for medium and heavy trucks. This is so because there are major engine changes required to meet more demanding exhaust emission standards and to improve fuel economy in accordance with consumer demand. These redesigned engines are currently scheduled for the product line in 1986. They will incorporate new features to meet exhaust emission standards and the objective of improved fuel economy. It is our judgment at this time that

these same features will complicate the technology and, therefore, the cost of noise control.

Unfortunately, even to this day, the technology required to control sound levels on these engines has not been evaluated or demonstrated. This is, in large part, because neither the industry nor regulators could foresee, much less consider, the changes to diesel engines that would be required to meet exhaust emissions and fuel economy objectives.

In spite of major engineering programs on the part of industry and government, there have been no substantial breakthroughs regarding reduced engine noise. Although changes to the engines have resulted in some reduction of basic engine noise, the need for shields and underpans has not been eliminated. Extended side shields, fender shields, transmission shields and belly pans not required today are commonly required for noise control at the 80 dB level of regulation. There is no newly developed engine noise control technology that will obviate the use of these measures. To the contrary, there are indications that changes being made to engines in order to achieve better fuel economy and lower exhaust emissions may exacerbate the problems of noise control.

The 80 dB standard should be reconsidered on the basis of the actual technology available today. General Motors has completed the production design for 80 dB medium and heavy trucks. These designs are based on actual prototype tests and will be released for production in order to meet an 80 dB noise standard if required by federal regulations. If federal regulations are rescinded, these designs will become optional equipment for 80 dB regulated state and local jurisdictions with localized cost penalties and the potential loss of sales in these jurisdictions.

The following is a summary of further changes required to meet the 80 dB level of regulation which are in addition to those changes already made to meet the 83 dB level:

Medium Duty Truck

Engine Type

Added Treatment

Gasoline

Viscous Fan Drive.
Low overshoot governor.

Diesel

Belly pan with absorptive material.

Transmission shield.

Redesigned air cleaner.

Fender shields.

Double wall exhaust pipe.

Improved muffler.

Improved transmissions: more gear teeth,
finer tooth surface finish, stiffer
casings.

Engine treatment: isolated air intake
manifold, dampened front cover plate,
cast front mount, treated or isolated
valve covers, treated or isolated oil
pan, reduced rpm.

Heavy Duty Truck (Over 26,000 lbs. GVWR)

Engine Type

Added Treatment

Gasoline

Gasoline engines are being eliminated from
the heavy duty trucks in the transition
to more fuel efficient diesel engines.

Diesel

Expanded use of fender shields.

Lower cab shields. *

Double wall exhaust pipe. *

Improved exhaust muffler.

Improved transmissions: more gear teeth,
finer tooth surface finish, stiffer
casings.

Belly pan.*

Transmission shield.*

Back of cab enclosure.*

Engine treatment: isolated oil pan,
exhaust manifold cover, cylinder
block cover, stiffened block, anti-
slap pistons, blower housing cover.

*Required on some models.

As it turns out, the new class of diesel engines that will be used widely in medium duty trucks and in school buses pose significant engineering difficulties in reducing noise levels. These engines were not even considered by government, or for that matter by GM, in its evaluation of technology during federal regulatory activities in 1975 and 1976 because they were not in existence as production engines.

We do not contend that the current line of engines and trucks cannot be made to comply with an 80 dB noise standard, but it is apparent that the treatment required is much more extensive than what had been predicted.

Future Engine Changes

During the 1975 evaluation of noise control technology upon which the 80 dB standard is based, neither government nor industry gave any consideration to changes that might occur in future engines. The impact of higher oil prices had not become fully apparent and the standards for future exhaust emissions were not yet established.

There are changes planned for future diesel engines for the purposes of improved fuel economy and emissions control which we believe will increase the noise level of the engines and also possibly change the technology that may be used to reduce overall truck noise. That is not to say that the noise levels cannot be controlled, but it should be recognized that the technology and therefore the costs of noise control are not defined at this point in time.

Engine Revisions for Fuel Economy and Emissions

Charge Air Cooling

Perhaps the most far reaching change planned for future diesel engines is the concept of charge air cooling.

Air compressed by the turbocharger for combustion has a nominal temperature of 310°F. In order to achieve better engine efficiency and lower emissions, the temperature of this air must be reduced substantially (to 125°F) before the cylinders are "charged" with air. This is accomplished with an inter-cooler which is essentially an air-to-air or air-to-liquid cooling radiator designed to extract heat from the charge air.

The intercooler may be located in front of the engine cooling radiator in the engine compartment. Given that no other changes are made, this will restrict the flow of air to the engine cooling radiator and also increase the temperature of the air for engine cooling purposes. Therefore, it may be necessary to increase the size of the fan and/or the drive ratio. Fan clutch devices are used on all these vehicles and it is predictable that the duty cycle of the fan will increase which may increase vehicle sound levels. It will be necessary to run tests with these very new engines installed in vehicles in order to determine the extent of any problems with cooling or fan duty cycles.

Reduction of the temperature of charge air is critical to achieving the desired fuel economy and emissions control. It follows that the flow of cooling air for the intercooler and the engine radiator is critical also. The effect of engine noise shields and belly pans on this air flow has yet to be determined.

Combustion noise in an engine generally increases with decreasing charge air temperature. Higher pressures are generated within the engine. The

phenomenon of increased noise levels on some engines when testing on very cold days has been observed. The effect of charge air cooling is likely to be similar and may even be more significant when operating in frigid weather.

We do not portray the above as insurmountable problems, but clearly the technology to control noise on these engines has not yet been demonstrated nor can costs be predicted at this time.

Electronic Control System

Electronic control systems will be applied to diesel engines which will provide optimum injection timing. Electronic control may provide more overall advance and would tend to increase combustion noise.

Better control of fuel input during engine acceleration may provide higher transient fuel rates with better vehicle performance and potentially higher transient exhaust noise.

As newly developed engines become available, they must be tested and evaluated as to the impact on noise.

Exhaust Gas Recirculation (EGR) 4 Cycle 8.2L Engine

It is expected that the higher cylinder air inlet temperatures associated with exhaust gas recirculation (EGR) will tend to lower the combustion and exhaust noise. The effect on engine mechanical noise is unknown.

By-Pass Blower - 2 Cycle Engine

The use of a controlled by-pass around the Roots-type scavenging blowers on the 2-cycle turbocharged engines is planned. This permits the engine-driven blower to provide scavenging and combustion air during light load and transient operations while exhaust energy to the turbocharger is low.

At higher loads, the by-pass opens, reducing blower parasitic load and excess combustion air to the engine, both of which benefit the brake specific NOx emissions (g/bhp-hr).

The by-pass mode may result in more mechanical engine noise, but it may lower combustion noise due to the resultant lower peak cylinder pressures. The blower by-pass effect on exhaust noise is not known.

In summary, it is quite probable that the changes made on engines to improve fuel economy and reduce emissions will have an impact on truck passby noise. It is our contention that the 83 dB truck standard should be retained until such time that these new engines have been evaluated and the technology to reduce noise is developed.

Maintenance and Serviceability

Addition of noise control hardware to trucks affects maintenance costs because of the additional cost of these components when it is necessary to replace them, and also because of the interference of these components with routine maintenance actions.

The addition of engine and transmission shields typically interferes with routine inspection, lubrication and maintenance actions. It may be necessary to remove shields in order to perform maintenance actions and time spent removing and replacing shields is an additional cost to the user and ultimately to the consumer. Such routines as servicing brake plumbing, draining the radiator core or checking transmission lubrication levels will take more time.

Shields and belly pans do not form a functional part of the vehicle and, in fact, will most likely be perceived by maintenance personnel as an impediment. It will be a natural reaction on the part of some maintenance personnel to discard these parts the first time they are removed for a maintenance action. Even during a well-disciplined experimental program

conducted by the government and industry, there were problems keeping the shielding installed. Aside from the penalty of significantly increased maintenance costs if the vehicle is maintained properly, there is this valid concern that if the engine and transmission shields are removed for maintenance operations, they will not be replaced. This may be done deliberately or accidentally. Regardless of the reason, the result will be the same. The truck buyer and his customer will have paid the price for noise control but society will not have received the benefit.

At the time the federal 80 dB standard was established, it was believed that development of "quiet engines" would obviate the use of removable engine shields. This has not proved to be the case and therefore the requirement for the 80 dB standard should be reexamined.

United Parcel Service Quiet Tractors

The United Parcel Service (UPS) "Quiet Truck Program" is a joint venture that has involved the main truck suppliers for UPS (GMC and Mack) and the main engine suppliers (Cummins and Mack). The purpose of this program was to develop a practical quiet diesel tractor with a noise level approaching 75 db.

Two prototypes built to UPS specifications by GMC and Mack were put into service in early 1979 and in 1980, five Mack and five GMC "second generation" quiet tractors were put into service.

The UPS service organization has kept detailed records of the additional service costs experienced because of noise control features that were designed to cause minimum interference with service.

UPS reported that in the first year of service, the added maintenance cost for the Mack tractor was \$305 and the GMC tractor \$312. They expect these costs to increase dramatically in subsequent years as very little maintenance is performed on an engine in the first year. UPS used a labor

cost of \$25 per hour which is a nominal present day figure. These figures apply to cab-over-engine vehicles.

General Motors has estimated the increased service costs to be expected on 80 dB vehicles over a seven-year period. These costs range from a \$10 to \$2687 increase for seven years, depending upon the engine and truck model. Those trucks requiring engine belly pans and/or back-of-cab engine enclosures will experience very substantial increases in maintenance costs. GM estimates an average increase in service costs of \$200 to \$400 per year, depending upon the model. This compares favorably with the costs actually experienced by UPS on their "quiet" trucks.

The GM estimates are conservative in that the cost of cleaning debris from belly pans is not included and increased cost due to accident damage of noise control parts is not included. Experience has shown that belly pans are susceptible to accident damage. There will also be lost time when mechanics drop tools and parts in the belly pan necessitating removal. This cost has not been calculated. These factors are among the reasons we believe that in many cases belly pans will be permanently removed from vehicles so equipped.

Economic Impact of 80 dB Noise Standard

There are two major costs associated with reducing the noise level of a truck from 83 dB to 80 dB. The first is the added hardware cost and the second, as previously discussed, is the increased cost of maintenance during the life of the truck.

The cost of hardware to reduce noise levels of trucks varies considerably depending upon the power train and the truck model. General Motors estimated costs for various models in our current product line and then developed a single sales weighted average figure for the cost of noise control hardware.

We estimate the average increase in price to the new truck purchaser for all medium and heavy trucks will be \$400 (1982 economics) if an 80 dB standard is to be met. If federal standards are rescinded, this is the approximate cost penalty that will have to be borne by truck purchasers in 80 dB regulated jurisdictions. It should be noted that the \$400 average price increase is based on all vehicle production at 80 dB. This price may increase substantially if only vehicles produced for selected jurisdictions are affected due to economies of scale. Clearly, it would be to the advantage of purchasers to buy new trucks in unregulated areas thus putting dealers in regulated areas at an economic disadvantage.

Conclusions

It is quite probable that changes to medium and heavy truck engines for improved fuel economy and reduced exhaust emissions will have an impact on truck passby noise. General Motors recommends retention of the 83 dB truck standard until such time as the new engines have been evaluated and noise reduction technology becomes available.

Further, if federal truck noise regulations are rescinded, state and local jurisdictions with an 80 dB standard may be faced with an economic disadvantage due to the increased equipment and customer cost requirements of meeting the 80 dB regulation.

2. Buses over 10,000 pounds GVWR

The federal EPA proposed bus noise regulations but never promulgated them. In the absence of EPA new product regulations, the U.S. Department of Transportation (DOT) transit coach specification at 83 dB with a +2 dB tolerance is the sole federal criterion for bus exterior noise. The DOT specification defers to state and local jurisdictions such that states and local jurisdictions may adopt regulations more stringent than 83 dB.

During the federal EPA regulatory process on bus noise regulations, General Motors proposed a voluntary compliance plan for buses. The plan had two aspects. In the case of transit coaches, GM proposed to voluntarily meet regulated levels of 83dB as of January 1, 1981 and then 80dB as of January 1, 1983. This proposal has not been acted upon by the federal EPA. The second aspect of the GM proposal is to regulate school buses on a schedule of sound levels and effective dates the same as for medium trucks. This is a rational approach inasmuch as school buses are built from medium duty truck drivelines and chassis.

Technical Issues - Buses

Buses are classified as three basic types; intercity coaches, school buses and transit coaches. General Motors is currently a manufacturer of school bus chassis and transit coaches. In considering the three types of buses as "noise types," the intercity coach appears much as a truck in interstate commerce with primary service on highways; the school bus is basically the same as a medium duty truck with limited service in populated areas; and, the transit coach is highly visible in essentially continuous service in more densely populated areas.

School Buses

School buses are built on medium truck chassis and include drive trains identical to medium trucks. The foregoing discussion of truck noise reduction technology and economics bears directly on school buses. As a result, jurisdictions that have an 80 dB bus regulation in effect will face a substantial cost penalty associated with the purchase of fuel-efficient diesel school buses. Further, maintenance costs will be increased as a result of noise reduction hardware as discussed for trucks.

Transit Coaches

Transit coach noise reduction has been the object of an ongoing development program for several years. The present General Motors RTS-04 model represents the current state of noise reduction development work which has been impacted by other major product programs. Changes for the 1981 model year include replacement of the 8V-7IN engine with the 6V-92TA engine to meet exhaust emission requirements and refinements to the air conditioning system which removed major components from the engine compartment.

Subsequent to the incorporation of these design elements, the RTS coach has been the subject of an engineering noise source analysis program. Based on program results, dominant components have been identified and efforts to redesign them are currently in process. This program is on schedule and, depending upon adoption of final design concepts, all or part of developed design releases may be introduced by the mid- to late 1982 model year.

For the near term, based on current test data, the RTS coach mean sound level is approximately 80 dB with no production units exceeding 82 dB to date. The incorporation of design concepts from the development program should achieve the objective of meeting an 80 dB not-to-exceed regulated level. However, the national priorities of fuel economy and exhaust emissions will have a significant impact on the transit bus as presented in the technical discussion of diesel engines for medium and heavy trucks. In fact, transit buses, which do not have the advantage of ram air to aid in engine cooling as on trucks, may be more seriously impacted by the increased heat dissipation required by the new engines. For example, the transit bus may require a larger, higher speed, direct-drive cooling fan to meet such increased heat rejection requirements.

The transit bus may be impacted by these changes as early as model year 1983 or 1984. Therefore, an 83 dB regulated level should be retained for

transit coaches until the new engines are evaluated and noise reduction technology is developed.

Conclusions

Because of basic similarities in operational use and forthcoming diesel engine technology, the intercity coach should be regulated at the 83 dB standard applicable to medium and heavy trucks. School buses, because of chassis and drivelines identical to medium trucks and the offering of a diesel engine option, should be regulated at the 83 dB standard applicable to medium trucks.

Transit coaches should be regulated as a separate class of vehicles based on test procedures, typical usage and high visibility in regular service in population centers. At the present time, it is recommended that an 83 dB standard be applied to transit buses until new diesel engines are evaluated and noise control technology is developed.

3. Passenger cars and light trucks, 10,000 pounds GVWR or less

The federal EPA gathered information, performed testing and developed and evaluated test procedures for light vehicles. However, light vehicles have not been identified by the EPA as a major source; that is, except for initial data-gathering, the federal regulatory process was never started.

The federal EPA did develop a complex test procedure to determine vehicle noise under part throttle operating conditions. The goal of this effort, as well as a parallel effort by General Motors, was to develop a test procedure that would evaluate light vehicle noise levels under operating conditions representative of community operation. The EPA planned to use the part throttle test for a new vehicle noise compliance test procedure.

Some jurisdictions have shown considerable interest in such a test procedure. However, attempts to harmonize test procedures with other nations were fruitless and the part throttle test procedure was summarily rejected.

Therefore, where it once appeared that by 1985 there would be a preemptive federal regulation in effect for passenger cars and light trucks, along with a new part throttle test procedure, it is now apparent that this will not be the case. In fact, state and local jurisdictions will continue to set regulatory limits for new light motor vehicles using the SAE J986a test procedure as is the present situation.

Rational support for an 80 dB regulated level for light vehicles derives from the discussion that follows.

- A. An estimated 50 to 60% of General Motors current production light vehicles are expected to meet a 75 dB level under the wide open throttle (SAE J986a) test. These vehicles are the result of designing to meet a 78 dB level for the "worst case" noise configurations to assure compliance with an 80 dB regulation. (The 78 dB level provides a 2 dB design margin to account for production variability.) In order to comply with a 75 dB regulation, the design goal would be set at 73 dB. Currently, an estimated 75% of GM production vehicles would require further noise reduction to meet the 73 dB design goal.
- B. Extensive empirical studies and computer modeling have shown that the urban community benefit, in terms of equivalent sound level (Leq), from replacing a population of vehicles designed to comply with an 80 dB regulation with a 75 dB-designed population, is on the order of 1 dB or less. This change is imperceptible to the human ear. This miniscule benefit is attributable to the combination of traffic flow and tire noise plus the fact that part throttle sound

levels of 75 dB vehicles are not correlatable nor readily discernable from part throttle sound levels of vehicles designed to meet 80 dB.

Therefore, reducing the regulated sound level below 80 dB will produce no noticeable benefit; however, there will be a considerable cost penalty associated with it.

- C. Light vehicle manufacturers are currently placing primary emphasis on the national priorities of fuel economy and exhaust emissions. As a result, there is a rapid movement toward smaller vehicles, more and smaller four- and six-cylinder engines, more diesel engines and increasingly complex emissions control technology. Predictions of increased vehicle sound levels with decreasing vehicle and engine size and power have not been realized to date. With an increasing percentage of General Motors' production devoted to smaller vehicles over the past five or six years, and with an 80 dB standard first becoming effective for light vehicles in the 1975 model year, the estimated sales-weighted mean sound level of the General Motors model year light vehicle production population remains in the range of 75 to 76 dB according to the SAE J986 test.

The 80 dB light vehicle noise standard and attendant 78 dB design goal provide the necessary freedom for product design for noise, as an adjunct to fuel economy and emissions priorities, such that new light vehicles continue to be quiet in community operation.

Conclusion

General Motors recommends a regulated sound level of 80 dB for passenger cars and light trucks under 10,000 pounds GVWR according to the SAE J986a test.

My name is Keith Cherne. I am a Senior Project Engineer with General Motors Environmental Activities Staff in Warren, Michigan.

I would like to make a brief statement concerning the issue of school bus noise regulations in the State of Oregon and General Motors' petition. The petition seeks to remove school buses from regulation according to the Oregon 80 dB bus standard. Instead, the petition seeks to regulate school buses according to the 83 dB standard for medium and heavy trucks over 10,000 pounds gross vehicle weight rating. At a glance, it may appear that General Motors simply wants to make school buses three decibels louder, that is, from 80 dB to 83 dB. Let me assure you that this is not the case.

The primary purpose of the petition is to enable school bus manufacturers to make available to school bus customers in the State of Oregon the full line of school buses based on the GM medium truck chassis. The following comments are offered by way of explaining GM's actions and how they relate to the sound level standards.

- o General Motors currently provides written certification to the Oregon Department of Environmental Quality that the school bus chassis complies with a noise standard of 80 dB when a +2 dB tolerance is added. This means that the school bus chassis meets an 82 dB noise limit.
- o General Motors currently offers gasoline-powered and turbo-charged diesel school bus chassis for sale in Oregon under the 82 dB criterion. Gasoline-powered vehicles typically test just under 80 dB and the turbocharged diesel vehicles average slightly over 80 dB. These sound level test values are considered nominal for designs to comply with an 83 dB "not-to-exceed" standard.
- o General Motors does not currently offer the naturally-aspirated diesel school bus for sale in Oregon because the average sound level for these vehicles is less than but close to 82 dB. In order to provide assurances of compliance with the 82 dB limit, the naturally-aspirated diesel school bus will require extensive noise reduction treatment including acoustical shields called belly pans under the engine compartment and a transmission shield as well. In all, such modifications would increase the unit cost of these vehicles on the order of \$1,000 each. Further, because of the acoustical treatment, maintenance costs will increase an estimated \$200 to \$400 per year per unit. The naturally-aspirated engine option is priced \$1,220 below the turbocharged version.
- o As explained in previously submitted documents, school bus chassis are virtually identical to medium truck chassis and they are built on the same assembly line so that a common noise standard is rational.

- o Finally, Section 481.030 of the Oregon Revised Statutes is not clear on the matter of a definition of school buses so that a question may exist as to whether an 80 dB standard currently applies.

It should be noted that the federal government (EPA), in drafting final bus noise regulations, saw fit to regulate school buses according to the schedule and levels for medium trucks. (Federal regulations have not, and most likely will not, be promulgated but the example is clear.) In another recent regulatory action, amendments to the Florida noise law include a specific notation that school buses are regulated at 83 dB along with trucks over 10,000 pounds GVWR.

In the interest of cost-beneficial motor vehicle noise regulations, uniformity of regulation as applied to a class of vehicles and the ability to make a full line of school buses available to Oregon customers without a significant cost penalty and without noticeably affecting the noise environment, General Motors urges the State of Oregon to adopt the requested changes to the Oregon Motor Vehicle Noise Regulations (OAR 340-35-025).

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DEPARTMENT OF ENVIRONMENTAL QUALITY
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MAY 7 1982

NOISE POLLUTION CONTROL

**General Motors Response to
Comments at the Public Hearing
April 20, 1982**

RE: The GM Petition on School Bus Noise

General Motors offers the following comments in response to testimony at the April 20, 1982 public hearing concerning school bus noise regulations. In the absence of a transcript or copy of the testimony, the item is stated, in substance, in approximate language followed by GM comments.

Item:

If school buses are at an 83 dB sound level as measured from 50 feet away, when students leave the buses they will be subjected to close-in sound levels of 90 to 95 dB.

GM Comments:

There are several aspects of an 83 dB standard and vehicles built to comply with an 83 dB standard that must be addressed in responding to this item.

An 83 dB standard represents a "not-to-exceed" sound level limit applicable to vehicle operation under wide open throttle acceleration. Due to production variability, manufacturers must set a design goal some 2 to 3 dB below the regulated sound level to assure that production vehicles will comply. As stated in GM's testimony, the mean sound levels of just under 80 dB for gasoline-powered school buses and just over 80 dB for turbo-charged diesel units are considered nominal for compliance with an 83 dB standard. The mean of just under 82 dB for naturally-aspirated diesel units is manageable for an 83 dB standard with proper surveillance. In any case, it is readily understandable that a fleet of vehicles built to comply with an 83 dB standard will generally exhibit sound levels in a range of 77 to 83 dB, with a mean of 80 to 81 dB, under wide open throttle operation. Typical community operations will result in average sound levels below the wide open throttle sound levels.

More importantly, as stated, the 83 dB standard applies to wide open throttle operation. Pupils boarding or leaving school buses will be primarily subjected to close-in idle sound levels. A check of representative vehicles reveals idle sound levels on the order of 70 to 75 dB at a distance of 10 feet from diesel-powered units (both naturally-aspirated and turbo-charged) and on the order of 60 dB for gasoline-powered units also at a 10 foot measurement distance. As a worst case, pupils who stand and wait or walk in the direction of bus travel as a diesel school bus pulls away from a stop may be exposed to transient sound levels on the order of 88 to 91 dB at a distance of 10 feet for a total time of a few seconds. In any case, exposures to idle sound levels or worst case pull away sound levels are well below generally accepted hearing damage criteria, especially for short term exposure.

GENERAL MOTORS CORP. PETITION TO AMEND NOISE EMISSION STANDARDS - APRIL 20, 1982

Hearing before the Department of Environmental Quality, Noise Control Program

Testimony: Jeanette R. Egger, Chair-elect, DEQ Noise Advisory Committee

I wish to recommend the General Motors Corp. petition to amend the rules be denied. I speak as a former audiologist/speech pathologist at the Portland Center for Hearing and Speech and at Kaiser Foundation Hospitals, where I learned firsthand the progressive, permanent hearing loss effects of noise. I speak also as former chair of a statewide noise committee that assisted in State and City of Portland rulemaking, wherein our research led us to the findings of noise as a factor in task interference, especially sleep and communication and as a chief factor in stress with psychological and physiological concomitants. I speak as a member of the public affected by the results of the proposed petition. And finally, I speak as a dues-paid member of international, national and state environmental groups -- all of whom support environmental protection for public benefit, health and safety. These groups include Audubon Society, Defenders of Wildlife, Friends of the Earth, 1000 Friends of Oregon, Oregon Environmental, Greenpeace, Sierra Club and Sierra Club Legal Defense.

A review of lead-times is important to get GMC's proposal into perspective. Noise became a matter of statewide concern in 1971. Legislative funding dates back to 1972. Draft noise rules came in 1973 and EQC-adopted regulations have been in place since 1974 for new vehicle certification by the manufacturer. When the U.S. EPA promulgated noise regulations for medium and h.d. trucks, the DEQ later that year adopted the federal-preemptive/^{truck}standards, and buses were maintained in a separate category, not under federal standard. The General Motors Corporation's comments in participating in all the stages of rulemaking are in the record. Cost-benefit analyses have traditionally accompanied rule-making, and undoubtedly costs as well as anticipated improved technology were contemplated when the GMC proposed to the U.S. EPA a voluntary compliance plan for buses that would bring

(Ref. GMC Petition, P.12.)

transit coaches to the level of 80 dB as of January 1, 1983.

Thus, General Motors had a 6-year lead time for the 80 dB standard when U.S. EPA set rules in 1976, and then in 1981 granted a year's ~~exp~~ension on the effective date, ~~changing~~ it from 1982 effective, to 1983 effective. It now looks at the ~~dissembling~~ ^{ASSEMBLING} of the EPA in the present administration and sees 1986 as a possible date for the medium truck standard to be set at 80 dB. "It is also possible that the 80 dB level effective date may be postponed indefinitely", GMC states currently. (Ref. GMC Petition, Attch. 2, Revised 2/2/92; P.2.) To paraphrase on justice, "Environmental standards delayed are environmental standards denied."

Underlying all this insistence that 80 dBa be forgotten as a standard for medium duty trucks apparently is the Corporation's development of some new diesel engines that do not meet noise standards at 80 and have to have substantial noise reduction work to meet 83. GMC appears to be going backwards instead of leading the way - voluntarily, as it once promised - in technical noise reduction. If costs to reduce noise in these new engines make purchasing buses prohibitive to Oregon, then California will suffer similarly. Oregon and California may not be able to bail GMC out of these costs, and GMC may have to research ways of reducing them. Conversely, the costs may have to be borne just as escalated fuel costs were borne in the past four years. It may be likewise that this technology will have low public acceptance, what with characteristic sooty diesel emissions, high in fine particulates and noisy to boot. Not all technology developed is desirable; witness the trouble the nuclear industry is having gaining public acceptance.

In any case, there are some options for transporting Oregon's school pupils. By not classifying school buses with medium duty trucks, we can preserve our standard of noise emission with non-diesel buses, the gasoline powered buses that are able to meet the standards, albeit with less fuel efficiency. Nowhere in the GMC petition are fuel efficiencies compared, as for instance with the new engines vs. lighter vehicle diesel engines that use an indirect air intake system that is quieter. I have an informal SAE-member's opinion that the loss in fuel efficiency between the

passenger car deisel air intake system and the truck system is only 10% - 15%. Such costs do not approximate the indicated costs of GMC to provide noise reduction of up to \$1000 per unit. Incidentally, these costs are nowhere enumerated in the petition. Further, comparison with the UPS "Quiet Truck" maintenance costs are partially invalidated by the fact of UPS seeking a 75 dBa level in its test program -- 5 dB lower than Oregon's rule. Likewise the \$25.00/hour labor figure for UPS may be high for school bus mechanics here in Oregon. As a final comment on costs, one must always add in environmental costs to ^{noise} pollution that has known effects: property value losses, accident rates increases, health effects of stress and hearing loss, and crime increase as noise masks crime-related sounds that neighbors ^{might otherwise} pick up and report. Police are well aware of crime-in-progress reporting as a chief assist in apprehension. California studies show that neighbors withdraw and cease to be neighborly when noise levels rise. Informal surveillance ceases, and crime rises along with the decibel level. Thus while ^{INDUSTRY} costs are a determinant in environmental protection, they are not the only factor; ^{public} benefits go well beyond those GMC summarizes. Impacts also go well beyond what GMC summarizes: In its 18-page, mostly double-faced petition with attachments, "Environmental Considerations" take up a one-sentence paragraph. (REF: P. 4, GMC 2/3/82 Petition update ltr.) Therein they tell us the impact is "minimal" based on buses typically appearing briefly twice a day and not in the summer. Buses do run in the summer in Oregon -- for summer programs and chartered for activities. Impacts may be more than twice daily on close-in residents who may receive a whole fleet at times. Idling buses impact classrooms, passersby and dwellers in school areas and activity areas. The idling bus is an American tradition.

Impacts extend also to the nature of sound and sound testing. The 80- or 83 dBA are measurements taken by the standard SAE test at 50'. This means that the sound gets increasingly louder by a high magnitude as one gets closer to the source. School pupils (and drivers at times) are more likely to be at a 10' to 15' distance from the engine or exhaust noise. Levels could then be in the 90 dBA range. At such

levels pupils' safety is jeopardized in that only the loudest of sounds can override the noise. Students would fail to hear warning sounds of, for example, approaching automobiles or someone calling out to them in warning. At 10' - 15' distance, in 90 - 95 dBa levels, masking of any and all voice communication is total. (REF. - EPA Criteria Document, p.6- In addition to their safety being compromised, their health is affected. The daily incursions of excessively loud noise are cumulative to effects of hearing loss and tinnitus. The U.S. EPA states, that to avoid long-term hearing loss effects of noise, no more than an L_{eq} of 70 dBa (over 24 hours, i.e.) be sustained. (REF. EPA Levels Document, pp. 40-41)

That today's youth probably is making too much noise voluntarily is not the issue. We certainly need more public education on that subject -- and as young people enter college today with the hearing of a 45-year-old, we note the toll being taken by noisy leisure pursuits. But let us not expose them to more noise involuntarily. Vehicular noise remains the largest noise source there is.

Since GMC believes residential area impacts are minimal, we must enter in the record here some statistics received from the Oregon Dept. of Education, Pupil Transportation Director's Office. I submit their 1980-81 data for the scrutiny of the hearings officer, and will here show only the very surprising number of miles logged by school buses within urban areas, which is to say residential areas. [Note: Oregon's land use laws classify urban areas as being in those places which have an incorporated city and surrounding land that is either urbanized or urbanizable to the year 2000. An Urban Growth Boundary, which must be acknowledged by the Land Conservation and Development Commission, then exists. The Metro area's UGB has been acknowledged and includes Oregon's most populous area.] These are shown along with mileage of school buses, both route miles covered and activity miles covered. Activity mileage may or may not be within the urban area:

1980- 1981	COUNTY	ROUTE MILES	ACTIVITY MILES	TOTAL MILES
	CLACKAMAS	4,030,044	659,005	4,689,049
	MULTNOMAH	4,685,752	472,001	5,157,753
	WASHINGTON	3,107,596	537,895	3,645,491
	TOTALS	11,823,392		13,492,293

Besides the Metro area, which is declared urban, we have large cities (for Oregon, not Michigan) in Lane and Marion Counties -- these two add another 5,000,000 route miles. For diehards who accept only the City of Portland as truly urban, we find a total of 12,000 pupils bussed in Ptld. District No. 1. The District owns 101 buses and contracts with Columbia Bus Service for 241 ^{ADDITIONAL} buses (includes spares in both cases). The Route miles, Portland: 3,115,024 plus an added 195,429, Activity Miles yielding a mileage total, on dense City of Portland streets of 3,310,453 miles! Statewide, 42,000,000 miles (rounded) are travelled by school buses. These buses transport students; they do not follow truck routes; they are not prohibited by "No Trucks" traffic signs. And they are not trucks. As Samuel Johnson, the earliest publisher of an English dictionary once remarked to his friend, Boswell, "You may call a five-legged sheep a dog, but that doesn't make it one".

We urge the Department to preserve the state standard of 80 dBA, in existence for since 1979/new model buses, and we thank you for consideration of these comments.

JEANETTE EGGER, CHAIR-ELECT
NOISE ADVISORY COMMITTEE TO DEQ NOISE CONTROL PROGRAM

4/20/82

April 29, 1982

Mr. John Hector
Department of Environmental Quality
Noise Control Section
P. O. Box 1760
Portland, Oregon 97207

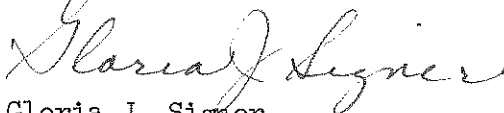
Dear Mr. Hector:

Because I am a GMC truck dealer and am involved in many school bus chassis bids, my attention has been directed to the petition by General Motors Corporation to amend the current noise control regulation schedule as it affects school buses. I am writing to urge the extension to school buses of the 83dBA standard currently applied to medium and heavy duty trucks. My concerns stem from not only the limitation put on my industry in satisfying the needs of our customers, but the ultimate economic effect on the Oregon taxpayer.

Because of lower maintenance costs, lower fuel costs, and increased fuel efficiency, diesel power has gained great popularity in recent years. The 8.2 liter naturally aspirated diesel engine is well suited to school bus use. However, its inability to meet the 80dBA standard without the addition of a noise abatement package costing approximately \$1,000, plus added maintenance costs, destroys its cost-effectiveness, thereby eliminating in the State of Oregon its use for the purpose for which it was designed--lower transportation costs. Additionally, I question that many of us can detect the difference between 83dBA and 80dBA, particularly when a tolerance of 2dBA is added.

Speaking as a mother who has raised three children and has lived on a school bus route for twenty-one years in two states (which makes me somewhat of an authority on the subject of noise), I assure you that there is no more subliminal sound on a bright spring morning than the purr of a school bus--that angel of mercy that sweeps the sidewalks free of clumps of 92dBA school children, thereby providing the neighborhood with a few short hours of stereo-less bliss and a calm shattered only occasionally by chain saws and rotary lawn mowers.

Yours very truly,



Gloria J. Signer
President

cc: Fred J. Burgess
Environmental Quality Commission

Department of Environmental Quality
RECEIVED
MAY 2 1982

Noise Pollution Control



Buick



Cadillac



Trucks



Jeep

COMMENTS BY MICHAEL C. KAYE ON THE PROPOSED RELAXATION OF
OREGON NOISE CONTROL REGULATIONS APPLYING TO SCHOOL BUSES

Reference

General Motors petition to amend the existing standards set by Chapter 340, Oregon Administrative Rules, Division 35, NOISE CONTROL REGULATIONS.

Background

Since 1979, OAR 340.35-025 has required that no person shall sell a new school bus that exceeds a standard of 80 dBA as measured by the procedure given in NPCS-21. A similar standard established by the federal EPA for heavy trucks has been postponed, leaving its legal limit at 83 dBA.

Arguments for the Change

I perceive the main arguments for relaxing the state bus noise standard from 80 dBA to 83 dBA to be:

- 1) It would be unfair to require school buses to meet a more strict standard than required of heavy trucks. We ought to move toward a uniform national policy.
- 2) Causing factories to treat school buses so as to meet an 80 dBA standard will cause an extraordinary and unnecessary manufacturing cost and delivery time, thus adding an inflationary pressure on the economy.
- 3) An increase of 3 dBA to school bus noise is slight and will not do the public any good. It is not economically justified.

Arguments Against the Change

I see the arguments against relaxing the state standard as being:

- 1) The 80 dBA standard is within the manufacturer's capability without resort to exceptionally intense engineering efforts or onerous manufacturing efforts. By paying attention to good practise, they can almost as easily build 80 dBA buses as 83 dBA buses.
- 2) The school bus deserves to be singled out for more strict regulation than heavy trucks because they operate much closer to sensitive residential areas on relatively quiet streets where their noise makes a significant contribution to the overall sound level.

Discussion

I have been extensively experimenting with antinoise treatment of heavy diesel trucks and buses since 1972 and my experience is that an 80 dBA standard for school buses is not hard to meet. I have always been able to bring vehicle ratings down to the 74-78 dBA range without using impractical hardware or causing unacceptable side-effects. It seems to me that if the school bus manufacturers have been meeting an 80 dBA standard in Oregon (there is no federal standard) for the last three years, that shows they can at least do it.

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MAY 6 1982

Noise Pollution Control

I do believe, on the other hand, that if school bus manufacturers were to go about their business as usual, paying no more attention to noise control than a reasonable selection of exhaust mufflers, then an 80 dBA standard would be exceeded much of the time. Even an 83 dBA standard would be exceeded some of the time.

Sometimes manufacturers will say that it's wrong to base a standard on the treatment and test of a single prototype vehicle. The ensuing production will involve a myriad of hardware variations making close prediction of resulting noise levels unfeasible. They say they need a manufacturing tolerance. Some say 2 dBA; others 4 dBA. My experience is that 2 dBA is sufficient and the more one learns about the subject, the less tolerance one needs. At least a 2 dBA tolerance is already built into Oregon's procedure for new vehicle sound level measurement.

- (a) NPCCS-21 only requires the roadway pavement to be smooth asphalt or concrete free of loose material. That means the kind of surface one finds on an ordinary roughish city street will do. Not wanting to be caught short, factories usually have test tracks with very smooth, sealed surfaces that are more reflective of sound. I've seen it demonstrated that a factory-type sealed test track can add 2 dBA to the rating of a heavy vehicle obtained on ordinary asphalt concrete.
- (b) NPCCS-21 allows an experimental error of 2 dBA. My experience is that this is being generous to the factories. There may be variation from vehicle to vehicle on that order, but any one vehicle is usually quite consistent.
- (c) NPCCS-21 requires the averaging of the highest two readings out of only four repeat runs from the loudest side. More runs would increase the chances of a higher level reading being recorded, making it harder to pass a test.
- (d) NPCCS-21 could allow a vehicle to be nearer the downrun end of the end zone at the moment of maximum sound emission than would the federal EPA test method for trucks. Thus, a manufacturer, basing his practise on federal ratings, would find a little more leeway testing by the DEQ method.

Under normal circumstances, there are only three sources of noise from a school bus that matter to its 80 dBA Oregon noise rating; the engine and its accessories, the exhaust terminus, and the cooling system fan.

Of these, the exhaust source is the easiest to treat. Since the muffler is slung beneath the bus floor, there is no real limitation to size selection and shell noise is inherently shielded.

Fan noise can be adequately controlled by means of readily available modulating speed fan drives. Since NPCCS-21 does not require these fan drives to be artificially locked full on, these drives are both effective in preventing outlandish fan noise and in conserving fuel economy.

This leaves the engine. The easiest way to reduce a given engine's noise if necessary is to slow it down. If the overspeed governor were reset from 2,100 rpm to 1,800 rpm, this would reduce engine noise by 2 dBA... probably enough to allow the high-side buses to pass an 80 dBA standard without further ado. The penalty would be a reduction of propulsion power of less than 20%.

Of all heavy vehicles, a school bus can most afford a power performance tradeoff. Its emphasis is upon safety, not upon high speed. The situation where propulsive power reduction would be least acceptable is a sustained uphill climb under full load in heavy traffic. This means a reduction of stabilized speed on the order of 26 mph instead of 30 mph, perhaps significant to the performance-minded driver, but not significant to the keeping of schedules or to highway safety in this case.

If engine noise cannot be sufficiently reduced by simple adjustments, then relatively inexpensive side shields are the next step. For the rare cases of relatively loud engines where these measures are not enough, and resort to a belly-pan is indicated, these engines would just have to be outlawed. The marketplace provides many many others not so loud.

To be true, the mission of a school bus takes it down busy thoroughfares where its noise is drowned out by all the other traffic. A bus noise reduction here would not be noticed except at the very moment of the bus's passing by. Statistical sound levels would not be affected.

However, a good deal of the school bus mission is carrying children at road speeds below 30 mph through quiet neighborhoods where homes and schools are located. Just two 83 dBA rated buses an hour through a 50 dBA neighborhood can easily raise the ambient level by 10 dBA, enough to make things seem twice as loud. A 3 dBA bus noise rating reduction would appear as an equal 3 dBA reduction of ambient sound in this case. It would be both noticed and appreciated. The heavy truck operates either on interstate highways at speeds of 55+ mph, away from quiet residential areas, or in already noisy urban industrial districts. On the highway, truck noise is dominated by tire sounds having nothing to do with federal or state noise ratings. There is no sense in applying a truck standard to a school bus.

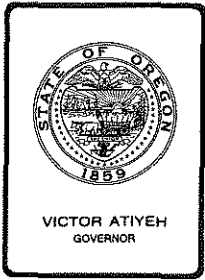
Conclusion

The General Motors petition should not be granted. The Oregon school bus noise standard of 80 dBA should be left alone.

Respectfully submitted,


Michael C. Kaye

Portland, Oregon
May 4, 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. P, July 16, 1982, EQC Meeting

Proposed Adoption of Amendments to the Motor Vehicle Emission Control Test Criteria Methods and Standards OAR 340-24-300 Through 24-350.

Background and Problem Statement

At the Environmental Quality Commission meeting of April 16, 1982 authorization was granted to conduct a public hearing to gather testimony on proposed amendments to the Vehicle Inspection Program rules. Rule modifications are proposed in these general areas: 1) the deletion of the definition of the term noncomplying import vehicle; 2) a change in the duration of the raised rpm portion of the idle test; 3) a change in the engine exchange policy; and 4) a typographical correction in the licensing section.

A hearing was held June 2, 1982 with testimony being received from four individuals. A hearing officer's report is included as Attachment 1. Ford Motor Company requested a change in the test procedure. Other individuals commented on the engine exchange policy. A copy of the Ford submittal is included in the Hearing Officer's report. The Statement of Need is included as Attachment 2. The proposed rule amendments are included as Attachment 3.

Alternatives and Evaluation

Rule modifications have been proposed in the following areas: definitions, test procedure, and engine change policy and licensing criteria.

OAR 340-24-305 (Definitions)

It has been proposed to delete the definition of noncomplying imported vehicle. The reason for deleting this definition is that this paragraph

has become unnecessary because of recent changes at the United States Environmental Protection Agency and U.S. Customs regarding the importation of vehicles into the United States. With these changes and the resulting changes in inspection program procedures, there is no need to carry this definition in the rule, and as such, it is proposed to delete it.

OAR 340-24-310 and 315 (Test Procedure)

The staff has proposed to increase the duration of the raised rpm portion of the idle test. This portion of the procedure had been discussed during last year's review of the inspection program rules and partially adopted. No testimony on this aspect of the test procedure was received. However, Ford Motor Company did request a change in the test procedure. Ford requested that late-model Ford vehicles which fail the idle emission test can have a second test performed at that time after a key-off and engine restart procedure is performed. Ford's request, included in the Hearing Officer's report (Attachment 1), was based on the use of vacuum zone sensor reset mechanisms in their MCU computer controlled engine systems. This design is incorporated in approximately 16% of the 1981 and 1982 production 49-state configuration vehicles.

Ford submitted data indicating that vehicles incorporating that particular design feature can have idle emissions which would exceed state standards but still meet the federal certification emission requirements. The reason that these vehicles would have higher emissions is that the air pump has switched into a "dump" mode. This action is used as a catalyst protection mechanism to prevent overheating of the catalyst during periods of long idling. The quickest way to reset the air pump back "on" is to turn off the ignition and restart the vehicle. In normal driving, the air pump would switch into an active mode automatically.

The staff has reviewed the data from the inspection program to gauge the impact of this vehicle type in the test lanes. Since these vehicles are still relatively new, there have been few seen in the inspection stations. Data to date indicates good compliance with the emission standards. In a few instances, very high-emitting vehicles have been observed. In discussion with the Ford representatives, it was determined that the necessary identification codes required are too complex to easily and quickly identify these particular vehicle configurations in the station inspection lane. A keyoff and restart would be an appropriate method for handling vehicles of this general configuration.

Based upon discussions with Ford Motor Company representatives and upon evaluation of the data presented by Ford, there appears to be merit to this procedure. Staff has been advised that a notice of proposed rulemaking should soon be issued by the U.S. Environmental Protection Agency for an alternative short-cycle test procedure on Ford Motor Company late-model vehicles. It is the staff's understanding that such regulations and notice are in the final stages of preparation. Based upon this request by the Ford Motor Company representatives, and the data presented,

staff has proposed an additional change in OAR 340-24-310 governing the test procedure for 1981 and later model Ford Motor Company vehicles. Those vehicles which initially fail the inspection test will receive a keyoff and restart and retest in the inspection lane. With this action, vehicle owners should not be unjustly penalized in the inspection test.

OAR 340-24-320 and 325 (Engine Exchange Policy)

It is proposed to amend the engine exchange policy so that pre-1970 vehicles which have had newer engines installed will not be subject to the equipment inspection portion of the emission test. Currently, pre-1970 vehicles are not subject to an emission control equipment inspection unless it is obvious that a newer engine has been installed. In the staff's judgement, the proposed change will have minimal environmental impact.

The overall purpose of the engine exchange policy is to provide a structure to assign standards and test criteria to vehicles which have received an engine exchange. Current policy states that pre-1980 vehicles which have an engine exchange are categorized by the year and make of the exchange engine, except that fuel-evaporative, catalytic convertor, and unleaded fuel requirements (if originally equipped) must be maintained. For 1980 and newer vehicles the policy requires that the newer technology of the emission control system must be maintained. For heavy duty vehicles, the more restrictive "1980 and newer" requirements do not apply since those technologies have generally not been applied.

The hearing officer received several comments on the engine change policy. Mr. Woodward, a vehicle owner, commented on the requirements of the engine change policy. His vehicle, which he had purchased used, had had emission equipment removed from it during a time of engine exchange. He indicated this had been done prior to his purchase of the vehicle. He felt that the requirement that pollution control equipment be maintained, especially in certain circumstances where the replacement engine did not necessarily have those particular elements of a pollution control system installed, placed an unfair burden on him.

In contrast, testimony was received from Messrs. Stobie and Gorman, both DEQ vehicle inspectors who gave their own personal opinions. They felt that the staff proposal to allow pre-1970 vehicles which had newer engines installed not to comply with the equipment portion of the emission inspection was too lenient.

Engine changes are identified in less than 1% of the inspections conducted. As indicated, the purpose of the rule is to provide a structure to assign standards and test criteria for vehicles which have received an engine exchange. A rule that is too lenient could be interpreted as encouraging pollution control equipment tampering. Too tight a rule, on the other hand, could be inequitable by not reflecting the day-to-day realities that vehicles have engines that wear out and need to be replaced. The justification for the current rule was based upon 1) the need to classify an exchange engine for inspection purposes, 2) the

increasing difficulty and incompatibility of mating newer with older engine systems, and 3) the use of the previous policy as a method of circumventing the equipment requirement.

Prior to adoption of the current policy by the Commission, the staff had extensively reviewed this issue to develop a policy that would be fair and workable. Federal guidelines in this area are very strict and severely restrict engine exchanges. The staff has reviewed the reports and hearing records previously presented to the Commission on this subject. At the public hearings there were mixed reactions but a general acceptance of the policy now in effect. The general consensus was that the policy would provide a minimum amount of confusion for people doing engine exchanges and would be workable. With that in mind, the staff had originally proposed, and the Commission adopted, the current engine exchange policy.

The staff has reviewed the existing rule and the testimony received, as well as past reports to the Commission on this subject. The current policy, and the proposed modifications, allow for a broad latitude in the area of engine exchange while still encouraging proper emission control equipment maintenance. As such, no further modifications are proposed.

OAR 340-24-340 (Licensing Criteria)

There is a typographical correction required in paragraph (10)(a). There is a misciting of statute. The change cites the correct statute.

Summation

A public hearing on the proposed rule revisions has been held and the testimony received has been evaluated. Based upon the testimony received, changes in the proposed rule revisions have been made.

- 1) OAR 340-24-305 is proposed to be amended deleting definition (27) "Noncomplying Imported Vehicle" as unnecessary because of changes in federal importation policy.
- 2) OAR 340-24-310(9) is proposed to be amended to increase the time steady state speed is maintained in the test cycle from 4-8 seconds to 10-15 seconds.
- 3) OAR 340-24-310(12) is proposed to be amended to allow for an ignition off and restart for a failed 1981 or newer Ford Motor Company product.
- 4) A language change is proposed for OAR 340-24-315(2) to correctly indicate when the data form is completed and OAR 340-24-340(10(a)) to correctly identify "ORS 481.125".
- 5) OAR 340-24-320(6)(a) and 340-24-325(6) relative to engine changes are proposed to be amended to "1970 through 1979", and "1970 or newer" to delineate applicability of these sections.

EQC Agenda Item No. P
July 16, 1982
Page 5

Director's Recommendation

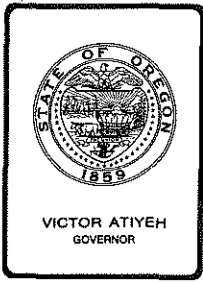
Based upon the Summation, it is recommended that the proposed rule amendments as listed in Attachment 3 be adopted.

Bill

William H. Young

- Attachments: 1. Hearing Officer's Report
2. Statement of Need and Fiscal Impact for Rulemaking
3. Proposed Rule Amendments

W.P. Jasper:a
229-5081
June 15, 1982
VA2210 (1)



Environmental Quality Commission

Mailing Address: BOX 1760, PORTLAND, OR 97207

522 SOUTHWEST 5th AVENUE, PORTLAND, OR 97204 PHONE (503) 229-5696

Attachment 1

MEMORANDUM

To: Environmental Quality Commission

From: Hearing Officer

Subject: Report On Public Hearing of June 2, 1982.
Proposed Rules for Inspection Program

Background and Summary of Testimony

A public hearing was authorized by the Environmental Quality Commission to be conducted June 2, 1982. On June 2, at 7:30 p.m., in Room 707 of the State Office Building in Portland, a hearing was held. There were 12 people in attendance and 4 offered testimony. Two general topics were addressed, the test procedure and the engine change regulations.

Test Procedure

Mr. David L. Millerick, representing Ford Motor Company, elaborated on the written testimony submitted by Ford. A copy of their letter is attached. Ford has requested a change in the test procedures for late model Ford vehicles. The change in procedure is due to the technology used in some Ford engines. The effect of this technology is that the air pump which is used to provide secondary air to the vehicle's catalytic convertor is bypassed to atmosphere during periods of long idling. Some Ford systems use an engine speed-vacuum zone switch which controls this activity. On some Ford vehicles the precondition operations and test procedure used in the DEQ inspection lanes may not be sufficient to reset the air pump to provide air for catalyst oxidation. Without this secondary air, Ford contends that vehicles which would normally pass the federal test procedure certification would incorrectly be failed during the state's idle test.

Ford proposed that Ford vehicles have the ignition turned off and restarted prior to the inspection test. Data is included to show the effect of their systems when measured under conditions similar to the state's idle test. Ford has indicated that they are petitioning EPA to approve this alternative procedure under EPA regulations governing short-cycle inspection tests.

During the oral testimony, Mr. Millerick indicated that Ford would be willing to modify its written testimony to indicate that the engine-off/restart procedure need only be used on vehicles which fail the inspection test as opposed to all vehicles. Mr. Millerick felt that after observing the DEQ inspection process, the key-off/restart should be easily incorporated in the DEQ inspection test. Mr. Millerick indicated that the market penetration of vehicles which incorporated the features described under the Ford request was approximately 16% of the 1981 and 1982 49-state Ford production.

Engine Change Regulations

Mr. Thomas R. Woodward spoke regarding his recent experiences with the inspection test. Mr. Woodward had recently purchased a used car which had an engine exchange. When Mr. Woodward presented his vehicle for the inspection, it was failed for having removed and/or disconnected pollution control equipment. In Mr. Woodward's narrative, the Bobcat originally was equipped with emission equipment that included a catalytic convertor. Apparently, after the previous owner experienced an engine failure and replaced the engine with a 1975 model year Pinto engine, the vehicle's catalyst was removed. Some 1975 Ford Pinto and Bobcat engines did not use catalyst technology. Mr. Woodward contended that since 1975 Pintos do not have catalysts, his 1976 vehicle with the 1975 engine should not be required to maintain the catalyst. Current DEQ rules specify that if the vehicle was originally equipped with a catalytic convertor, the convertor must be maintained even if there is an engine exchange.

Mr. Woodward felt that this DEQ rule requiring the catalytic convertor be maintained was unfair. Mr. Woodward indicated that the additional repair costs required because of the rule were of great concern to him and caused a great burden.

Mr. Robert Stobie, a Department vehicle inspector, testified giving his personal opinion on a portion of the proposed rules change. Mr. Stobie spoke to the proposed change in the rules that would allow pre-1970 vehicles which had engine changes to newer engines to no longer have the requirement for maintaining the emission control equipment. Mr. Stobie felt this was unfair and that many people would take advantage of this provision.

Mr. Leonard Gorman, a Department vehicle inspector, testified by giving his personal opinion on a portion of the proposed rules change. Mr. Gorman asked why pre-1970 vehicles are exempt from the pollution control equipment portion of the inspection (the State's anti-tampering statute did not go into effect until the 1970 model year). Mr. Gorman indicated that he felt that the provision allowing pre-1970 vehicles need not have the equipment portion of the inspection was unfair and unjustly beneficial to a segment of the vehicle owning population.

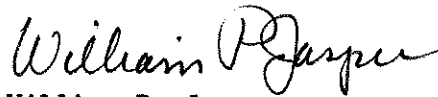
Public Hearing of June 2, 1982
June 9, 1982
Page 3

The hearing was adjourned at 8:15. The hearing record remained open until 5:00 p.m., June 4, 1982. No additional comments were received.

Recommendation

Your hearing officer makes no recommendation in this matter.

Respectfully submitted,



William P. Jasper
Hearings Officer

W.P. Jasper;a
229-5081
June 9, 1982
VA2208 (1)
Attachment



Donald R. Buist
Assistant Director
Automotive Emissions and
Fuel Economy Office
Environmental and Safety
Engineering Staff

Ford Motor Company
The American Road
Dearborn, Michigan 48121

May 25, 1982

Mr. William H. Young, Director
Environmental Quality Commission
522 Southwest 5th Avenue
Portland, Oregon 97204

Dear Mr. Young:

Ford Motor Company respectfully requests that Ford's alternate idle test preconditioning cycle be reviewed during the June 2, 1982 public hearing for inclusion in the upcoming revision to the Motor Vehicle Inspection Control Program Test Criteria Methods and Standards.

Attachment I is a revised test description page [OAR 340-24-310 (7)]. Attachment II explains the necessity for this change. The Environmental Protection Agency has completed review of the same proposal and has indicated that they plan to issue an NPRM to revise the procedure in the near future. Mr. D. L. Millerick of my staff will be present at the hearing to answer any questions.

Any assistance you can give us in this matter would certainly be appreciated.

Sincerely,

D. R. Buist

bb
Attachments

cc Mr. W. R. Jasper

STATE OF OREGON
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MAY 27 1982

Dept. of Environmental Quality
Vehicle Inspection Division

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

RECEIVED

MAY 27 1982

OFFICE OF THE DIRECTOR

Light Duty Motor Vehicle Emission Control Test Method

340-24-310 (1) The vehicle emission inspector is to insure that the gas analytical system is properly calibrated prior to initiating a vehicle test.

(2) The Department approved vehicle information data form is to be completed at the time of the motor vehicle being inspected.

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

(4) The vehicle is to be in neutral gear with the hand or parking brake engaged.

(5) All vehicle accessories are to be turned off.

(6) An inspection is to be made to insure that the motor vehicle is equipped with the required functioning motor vehicle pollution control system in accordance with the criteria of Section 340-24-320(3). Vehicles not meeting this criteria shall be rejected from the testing area without an emission test. A report shall be supplied to the driver indicating the reason(s) for rejection.

(7) With the engine operating at idle speed, the sampling probe of the gas analytical system is to be inserted into the engine exhaust outlet. Note: Preconditioning for Ford vehicles only - "Precede any measurement of idle emissions on Ford vehicles by turning off ignition, restarting, and operating engine at 2500 +300 RPM for 30 seconds. Measure idle emissions within 30 seconds after returning to idle."

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

(9) Except for diesel vehicles, the engine is to be accelerated with no external loading applied, to a speed of between 2,200 RPM and 2,700 RPM. The engine speed is to be maintained at a steady speed within this speed range for a [4 to 8] 10 to 15 second period and then returned to an idle speed condition. In the case of a diesel vehicle, the engine is to be accelerated to an above idle speed. The engine speed is to be maintained at a steady above idle speed for a 10 to 15 second period and then returned to an idle speed condition. The values measured by the gas analytical system at the raised rpm speed shall be recorded.

Request for an Alternate Ford Preconditioning CycleBackground

On May 22, 1980, the Environmental Protection Agency (EPA) issued the Final Rule concerning Performance Warranty. The Final Rule included standards, descriptions of the various tests and test equipment, minimum calibration requirements and the provision (Subpart W§85.2211) that "a manufacturer may request an alternative short test standard or short test procedure for any vehicle or engine for which the standards or procedures specified in this subpart are not appropriate".

Ford performed testing in accordance with Subpart W on various vehicle/system combinations and found that certain vehicles which were allowed to idle for extended periods would fail the idle test simply because the thermactor system was in the "idle dump" mode. This is a designed condition to protect the catalyst system from damage due to over heating. It was found that the "optional" preconditioning cycle outlined in Subpart W (§85.2212(b)(2)) would not reset all of Ford's thermactor systems. Thus, on August 21, 1980, Ford filed a request with EPA for a revised short test procedure under the provision mentioned above.

Discussion

Ford Motor Company LDV's and LDT's utilize EEC (Electronic Engine Controls), EFI (Electronic Fuel Injection), MCU (Microprocessor Control Units) and mechanical emission systems, each of which has its own special requirements for accurate idle testing. The special requirements have been blended into one common idle test procedure which is intended for use on all Ford vehicles regardless of model year. The procedure requires test operators

to;

"Precede any measurement of idle emissions by turning off ignition, restarting, and operating engine at 2500 \pm 300 RPM for 30 seconds. Measure idle emissions within 30 seconds after returning to idle."

The effect this alternative procedure has on each of the various types of emission control systems employed by Ford is as follows:

Vehicles with Microprocessor Control Units (MCU's)

Vehicles with certain MCU systems (engine speed-vacuum zone) require that the ignition be turned off and the engine restarted. This procedure resets the electronic timer making certain that thermactor air is not dumping during the emission test. The timer can be reset by engine restart or engine operation at vacuum levels below 19" Hg. Engine vacuum levels will not be below 19" Hg at the 2500 \pm 300 RPM no load condition; therefore, engine restart is the only quick reliable alternative. Engine restart guarantees that the method of engine warm-up used by a testing agency does not influence the idle test results so long as it is sufficient to raise the engine to normal operating temperature.

Vehicles with Electronic Emission Control (EEC), Electronic Fuel Injection (EFI) and Mechanical Systems

Vehicles with EEC, EFI and Mechanical Systems will have their thermactor air systems reset by the 2500 RPM operation. The electronic systems will, however, be open loop with thermactor air diverted upstream instead of downstream as is the case in most idle modes encountered in everyday use.

This upstream air condition should, however, give adequate system efficiency to meet the idle test requirements.

Test data substantiates the need for this alternative procedure. Ten 1980 model low mileage (100-200 miles) production vehicles, along with forty-three 1981 emissions durability vehicles were tested (Attachment IIA) with and without thermactor air. The data in our study clearly show that testing a Ford vehicle during a thermactor "dump" mode results in an invalid test approximately one-fourth of the time. All of these vehicles were tested per the FTP (Federal Test Procedure) in addition to the emissions short test. All vehicles passed the FTP for constituents which failed the idle test without thermactor.

A second group of fourteen production 1981 vehicles were tested with and without thermactor air. The data is provided (Attachment IIB) to demonstrate the effect of improper preconditioning (thermactor system in the dump mode). All of the failed vehicles in both surveys represent unwarranted errors of commission.

Conclusion

This information provides the rationale for your acceptance of the alternate procedure described above. All Ford Motor Company vehicles are designed to pass the FTP, whether they are equipped with controls that dump or do not dump thermactor air and whether they dump air instantly upon reaching an idle condition or dump after an extended idle condition. Ford feels strongly that because our vehicles are designed to pass the FTP, they should also pass any properly designed short test. To date, both the City of New York and the Canadian Ministry have adopted the alternate

short test for use in their I/M programs. EPA has, at this time, completed review of the Ford request and has indicated that they plan to issue an NPRM to modify the procedure in the near future. We are requesting that Oregon approve the above alternate short test preconditioning procedure not only to improve the accuracy of the inspection test but also to prevent any unnecessary inconvenience to Ford owners brought on by a vehicle failure which was due to an inappropriate idle test design.

51/95/D

Vehicle Description

Short Test Results (HC: PPM, CO: %)

Engine Family	Vehicle Number	Emission Control Technology	With Thermactor Air						Without Thermactor Air						
			Idle	Two Speed Idle			Two Mode Loaded		Idle	Two Speed Idle			Two Mode Loaded		
<u>Durability Vehicles</u>															
1.3 AB	1E2-1.3-004	MEch	HC CO	11.0 0.005	20.0 0.05	25.0 0.01	11.0 .005	4.0 0.15	20.0 0.1	7.0 0.01	20.0 .05	35.0 .02	7.0 .01	120.0 1.5	30.0 0.02
1.3 AA	1E2-1.3-329	MEch	HC CO	4.0 0.2	1.0 0.001	3.0 0.001	4.0 0.2	3.5 0.2	3.0 0.0	50.0 7.0	1.5 0.0	50.0 3.0	50.0 7.0	7.5 2.1	135.0 1.5
1.6 AJ	1E2-1.6-005	MEch	HC CO	6.0 0.75	5.0 0.03	6.0 0.03	6.0 0.75	7.0 0.04	6.0 0.03	180.0 4.0	110.0 3.5	175.0 4.4	180.0 4.0	140.0 3.0	220.0 6.0
1.6 AC	1E1-1.6-057	MEch	HC CO	70.0 0.02	60.0 0.2	55.0 0.01	70.0 0.02	40.0 0.04	55.0 0.01	190.0 2.3	165.0 3.20	190.0 1.90	190.0 2.30	130.0 0.90	180.0 1.75
1.6 AG	1E1-1.6-075	MEch	HC CO	30.0 0.01	20.0 0.01	5.0 0.01	30.0 0.01	28.0 0.06	5.0 0.02	9.0 0.02	5.0 0.12	4.0 0.02	9.0 0.02	47.0 0.45	8.0 0.02
2.3 AP	1Z2-2.3-019	MEch	HC CO	Non-Thermactor						5.0 0.02	10.0 0.01	6.0 0.02	5.0 0.02	10.0 0.02	7.0 0.01
2.3 AD	1Z2-2.3-024	MEch	HC CO	12.0 0.0	40.0 0.005	17.0 0.002	12.0 0.0	45.0 0.005	20.0 0.002	50.0 1.0	25.0 0.5	20.0 0.9	50.0 1.0	10.0 0.005	20.0 1.2
2.3 AL	1Z2-2.3-060	MCU	HC CO	Non-Thermactor						0.0 0.01	2.0 0.03	1.0 0.03	0.0 0.01	0.0 0.03	0.0 0.01
2.3 AE	1Z2-2.3-079	MEch	HC CO	10.0 0.01	20.0 0.01	5.0 0.001	10.0 0.01	15.0 0.001	5.0 0.001	20.0 4.20	5.0 0.0	5.0 3.3	20.0 4.2	1.5 0.0	20.0 4.0
3.3 EB	1B1-3.3-090	MCU	HC CO	25.0 0.8	10.0 0.01	15.0 0.01	25.0 0.8	13.0 0.02	25.0 0.6	5.0 0.25	22.0 0.7	10.0 0.63	5.0 0.25	20.0 0.6	8.0 0.2

○ - Failure

Federal Idle Test Standards:

HC 220 PPM
CO 1.2 %

Federal Two-Speed Test Standards:

HC 200 PPM
CO 1.0 %

Vehicle Description

Short Test Results (HC: PPM, CO: %)

Engine Family	Vehicle Number	Emission Control Technology	With Thermactor Air						Without Thermactor Air						
			Idle	Two Speed Idle		Two Mode Loaded		Idle	Two Speed Idle		Two Mode Loaded				
<u>Durability Vehicles</u>															
3.3 DG	1D1-3.3-091	MCU	HC	3.0	5.0	5.0	3.0	12.0	7.0	1.0	3.0	1.0	1.0	15.0	9.0
			CO	0.02	0.01	0.1	0.02	0.02	0.02	0.01	0.03	0.02	0.01	0.30	0.02
3.3 CF	1B1-3.3-101	MECH	HC	6.0	5.0	5.0	6.0	16.0	7.0	107.0	25.0	110.0	107.0	140.0	105.0
			CO	0.01	0.01	0.01	0.01	0.01	0.01	3.60	1.25	3.15	3.60	1.35	3.20
3.3 CH	1B1-3.3-129	MECH	HC	5.0	10.0	7.0	5.0	17.0	8.0	4.0	10.0	6.0	4.0	15.0	6.0
			CO	0.01	0.02	0.02	0.01	0.02	0.0	0.005	0.02	0.01	0.005	0.01	0.01
3.3 CJ	1B1-3.3-130	MECH	HC	17.0	3.0	17.0	17.0	20.0	13.0	130.0	85.0	115.0	130.0	140.0	100.0
			CO	0.01	0.01	0.01	0.01	0.01	0.01	1.20	0.8	0.7	1.2	0.55	0.7
3.3 EK	1B1-3.3-330	MCU	HC	1.0	1.0	0.5	1.0	0.5	0.5	1.0	5.0	4.0	1.0	4.0	3.0
			CO	0.02	0.01	0.02	0.02	0.01	0.02	0.02	0.15	0.02	0.02	0.10	0.01
4.2 AV	1S1-4.2-193	MECH	HC	3.0	5.0	6.0	3.0	8.0	7.0	7.0	8.0	8.0	7.0	17.0	8.0
			CO	0.01	0.01	0.02	0.01	0.03	0.02	0.02	0.02	0.02	0.02	0.10	0.03
4.2 AV	1S1-4.2-194	MECH	HC	0.0	0.0	0.0	0.0	0.0	0.0	3.0	5.0	3.0	3.0	4.0	3.0
			CO	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.02	0.03	0.01	0.02	0.02
4.2/ 5.0 FA	1S1-4.2-265	MECH	HC	7.0	5.0	4.0	7.0	10.0	5.0	3.0	8.0	4.0	3.0	7.0	5.0
			CO	0.01	0.01	0.01	0.01	0.01	0.01	0.02	0.01	0.01	0.02	0.01	0.01

Vehicle Description

Short Test Limits (HC: PPM, CO: %)

Engine Family	Vehicle Number	Emission Control Technology		With Thermactor Air						Without Thermactor Air					
				Idle	Two Speed		Idle	Two Mode Loaded		Idle	Two Speed		Idle	Two Mode Loaded	
<u>Durability Vehicles</u>															
4.2/ 5.0 KA	LS1-4.2-206	MECH	HC CO	0.0 0.01	10.0 0.01	3.0 0.01	0.0 0.01	8.0 0.01	6.0 0.01	3.0 0.03	10.0 0.25	3.0 0.03	3.0 0.03	9.0 0.03	8.0 0.03
5.0 CC	1A1-5.0-034	EEC	HC CO	21.0 0.07	7.0 0.01	7.0 0.01	21.0 0.07	10.0 0.01	5.0 0.01	4.0 0.75	7.0 0.01	8.0 0.17	4.0 0.75	9.0 0.18	7.0 0.13
5.0 FD	1A1-5.0-050	EEC	HC CO	125.0 1.4	16.0 0.01	12.0 0.01	125.0 1.4	16.0 0.02	13.0 0.01	110.0 1.40	15.0 0.14	8.0 0.08	110.0 1.40	9.0 0.15	128.0 2.30
5.8W	1V1-5.8W-150	MECH	HC CO	50.0 0.6	15.0 0.01	17.0 0.01	50.0 0.6	15.0 0.005	15.0 0.005	50.0 0.60	25.0 0.58	25.0 0.60	50.0 0.60	30.0 0.50	35.0 0.75
4.9 NK	1U2-4.9-609	MCU	HC CO	35.0 0.01	20.0 0.01	35.0 0.01	35.0 0.01	12.0 0.01	55.0 0.01	75.0 0.01	20.0 0.01	35.0 0.01	75.0 0.01	12.0 0.01	50.0 0.01
3.3 CG	1B1-3.3-128	MECH	HC CO	4.0 0.01	10.0 0.01	5.0 0.01	4.0 0.01	12.0 0.01	7.0 0.01	3.0 0.00	11.0 0.01	4.0 0.01	3.0 0.00	11.0 0.01	7.0 0.01
4.2/ 5.0 EB	LS1-4.2-029	MCU	HC CO	6.0 0.02	10.0 0.02	10.0 0.02	6.0 0.02	18.0 0.02	11.0 0.02	14.0 0.02	15.0 0.03	12.0 0.03	14.0 0.02	21.0 0.02	13.0 0.02
4.2/ 5.0 CB	LS1-4.2-030	MCU	HC CO	10.0 0.03	15.0 0.07	14.0 0.01	10.0 0.03	15.0 0.03	15.0 0.03	4.0 0.01	6.0 0.05	6.0 0.02	4.0 0.01	7.5 0.08	5.0 0.02

Vehicle Designation

Short Test Results (FC: PPM, CO: %)

Engine Family	Vehicle Number	Emission Control Technology	With Thermactor Air						Without Thermactor Air						
			Idle	Two Speed Idle			Two Mode Loaded		Idle	Two Speed Idle			Two Mode Loaded		
<u>Durability Vehicles</u>															
4.2 DA	1S1-4.2-184	MCU	HC	10.0	9.0	8.0	10.0	11.0	10.0	7.0	10.0	11.0	7.0	12.0	9.0
			CO	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.23	0.01	0.01	0.05	0.01
4.2/ 5.0 MA	1S1-4.2-187	MECH	HC	10.0	30.0	15.0	10.0	20.0	15.0	5.0	30.0	5.0	5.0	6.0	5.0
			CO	0.02	0.03	0.02	0.02	0.02	0.02	0.02	0.5	0.03	0.02	0.02	0.02
4.2/ 5.0 NA	1S1-4.2-188	Mech	HC	5.0	40.0	5.0	5.0	35.0	5.0	5.0	105.0	10.0	5.0	25.0	5.0
			CO	0.01	0.08	0.01	0.01	0.02	0.01	0.05	1.1	0.01	0.05	0.05	0.01
4.9 NF	1U2-4.9-608	MCU	HC	10.0	25.0	10.0	10.0	10.0	5.0	10.0	35.0	10.0	10.0	20.0	10.0
			CO	0.02	0.02	0.02	0.02	0.02	0.02	0.05	0.25	0.05	0.05	0.25	0.02
4.9 NG	1U2-4.9-613	MECH	HC	175.0	50.0	125.0	175.0	160.0	125.0	410.0	200.0	215.0	410.0	55.0	210.0
			CO	0.02	0.02	0.02	0.02	0.05	0.02	0.05	1.30	0.08	0.05	0.05	0.02
4.9 NB	1U2-4.9-628	MECH	HC	10.0	30.0	30.0	10.0	25.0	30.0	200.0	150.0	200.0	200.0	175.0	200.0
			CO	0.05	0.05	0.05	0.05	0.05	0.05	2.40	2.00	2.40	2.40	2.20	2.40
4.9 NA	1U2-4.9-629	MECH	HC	3.0	32.0	3.0	3.0	25.0	4.0	4.0	175.0	10.0	4.0	32.0	16.0
			CO	0.01	0.01	0.01	0.01	0.01	0.01	0.01	1.40	0.01	0.01	0.30	0.01
5.0 BC	1A1-5.0-035	EEC	HC	7.0	20.0	9.0	7.0	12.0	6.0	14.0	32.0	27.0	14.0	30.0	23.0
			CO	0.01	0.01	0.01	0.01	0.01	0.01	0.15	0.18	0.23	0.15	0.18	0.20
5.0 DD	1A1-5.0-039	EEC	HC	3.0	5.0	5.0 ⁷	3.0	8.0	3.0	10.0	12.0	11.0	10.0	5.0	7.0
			CO	0.01	0.01	0.01	0.01	0.01	0.02	0.02	0.02	0.06	0.02	0.03	0.04

Vehicle Description

Short Test Results (HC: ppm, CO: %)

Engine Family Emission Control Technology

With Throttle Air Without Throttle Air

Idle Two Speed Idle Two Mode Loaded Idle Two Speed Idle Two Mode Loaded

Durability Vehicles

5.0 GD	1-A1-5.0-040	EEC	HC	4.0	5.0	7.0	4.0	15.0	11.0	26.0	14.0	13.0	26.0	14.0	11.0
			CO	0.01	0.01	0.01	0.01	0.02	0.01	0.13	0.13	0.10	0.13	0.13	0.10
5.0 CD	1A1-5.0-152	EEC	HC	15.0	14.0	14.0	15.0	20.0	17.0	20.0	10.0	13.0	20.0	14.0	13.0
			CO	0.02	0.02	0.02	0.02	0.03	0.02	0.07	0.05	0.04	0.07	0.04	0.03
4.2/			HC	15.0	25.0	15.0	15.0	30.0	15.0	15.0	20.0	15.0	15.0	35.0	15.0
5.0 NP	1F1-5.0-623	EEC	CO	0.10	0.20	0.10	0.10	0.30	0.10	0.30	0.70	0.20	0.30	0.20	0.15
4.2/			HC	27.0	24.0	30.0	27.0	36.0	30.0	25.0	47.0	40.0	25.0	25.0	30.0
5.0 NM	1F1-5.0-624	EEC	CO	0.20	0.02	0.15	0.20	0.02	0.23	0.05	0.60	0.05	0.05	0.30	0.20
4.2/			HC	25.0	19.0	26.0	25.0	30.0	25.0	25.0	26.0	15.0	25.0	40.0	23.0
5.0 NT	1F1-5.0-647	EEC	CO	0.10	0.02	0.13	0.10	0.02	0.15	0.20	0.30	0.15	0.20	0.20	0.20
5.8W ED	1V1-5.8-041	MCA	HC	15.0	20.0	10.0	15.0	20.0	10.0	50.0	35.0	35.0	50.0	50.0	35.0
			CO	0.01	0.01	0.01	0.01	0.05	0.01	0.30	0.20	0.05	0.30	0.20	0.30
5.8W ER	1V1-5.8W-148	MEch	HC	10.0	25.0	15.0	10.0	5.0	10.0	10.0	25.0	10.0	10.0	10.0	10.0
			CO	0.01	0.05	0.01	0.01	0.05	0.01	0.20	0.40	0.20	0.20	0.25	0.20
5.8 NP	1U1-5.8W-619	MEch	HC	30.0	110.0	15.0	30.0	75.0	20.0	15.0	125.0	15.0	15.0	90.0	15.0
			CO	0.01	1.70	0.01	0.01	1.00	0.01	0.01	2.40	0.01	0.01	1.50	0.01

Vehicle Description

Short Test Results (HC: PPM, CO: %)

Engine Family	Vehicle Number	Emission Control Technology	With Thermactor Air						Without Thermactor Air		
			Idle	Two Speed Idle		Two Mode Loaded		Idle	Two Speed Idle	Two Mode Loaded	
<u>Production Vehicles</u>											
5.8/ 6.6 NA	X15GKJG1596	MECH.	HC	38.3	19.5	350.0*	26.0	50.1	23.2		
			CO	0.0	0.0	0.3	0.0	0.0	0.0		
5.8/ 6.6 NA	X15GKJJ0220	MECH.	HC	15.7	29.2	13.1	10.8	34.1	17.5		
			CO	0.0	0.0	0.0	0.0	0.0	0.0		
5.8/ 6.6 NA	X15GKJJ0379	MECH.	HC	700.0*	66.6	650.0*	18.0	25.4	45.9	Idle Retest: 27.8 HC, 0.0 CO	
			CO	2.0*	5.7	1.3*	52.8	0.0	0.0		
5.0 NA	F15FKJJ0789	MECH.	HC	65.1	25.9	14.0	11.6	24.1	13.4		
			CO	0.0	0.0	0.0	0.0	0.0	0.0		
4.9 NA	F15EKJD1617	MECH.	HC	21.7	45.3	17.6	5.7	25.7	19.2		
			CO	0.0	0.0	0.0	0.0	0.0	0.0		
4.9 NA	F15EKJD1340	MECH.	HC	60.1	45.5	34.6	5.7	22.3	44.7		
			CO	4.5	0.0	0.0	0.0	0.0	0.0		
2.3 BGF	CF14A622109	MECH.	HC	16.7	12.2	10.5	8.3	16.2	14.8		
			CO	0.0	0.0	0.0	0.0	0.0	0.0		
2.3 BGF	GK92A211240	MECH.	HC	12.5	12.8	9.0	10.4	13.3	8.7		
			CO	0.0	0.0	0.0	0.0	0.0	0.0		

Note: Not all Durability vehicles had completed 50,000 miles.
 *Thermactor system venting prior to obtaining stabilized reading

Vehicle Description

Short Test Results (HC: PPM, CO: %)

Engine Family	Vehicle Number	Emission Control Technology		With Thermactor Air					Without Thermactor Air		
				Idle	Two Speed Idle	Two Mode Loaded		Idle	Two Speed Idle	Two Mode Loaded	
<u>Production Vehicles</u>											
4.2/ 5.0 BJT	OGS7F192017	MECH.	HC CO	500.0* 2.0*	17.0 0.0	26.8 0.0	23.2 0.0	21.7 0.0	600.0* 2.0*	Idle Retest: 28.6 HC, 0.0 CO	
4.2/ 5.0 BJT	OGS7F192950	MECH.	HC CO	1000.0* 2.0*	26.5 0.0	35.8 0.0	20.3 0.0	11.8 0.0	30.2 0.0	Idle Retest: 25.1 HC, 0.0 CO	

*Thermactor system venting prior to obtaining stabilized reading

Idle Test Survey

VIN	CID	Engine Calib.	With Thermactor Air				Simulated Idle Dump (W/O Thermactor Air)			
			Idle		2500 RPM		Idle		2500 RPM	
			HC	CO	HC	CO	HC	CO	HC	CO
P88BZ646368	5.8W	1-24R-RO	5.0	.01	4.0	.01	3.0	.01	1.0	.01
P84BZ646672	5.8W	1-24P-R21	3.0	.01	7.0	.02	3.0	.01	35.0	.38
P87BZ644622	5.0L	1-20A-R1	3.0	.01	143.0	3.00 ^{1/}	250.0 ⁺	3.00 ⁺	147.0	3.00 ⁺
-	5.0L	1-20G-R1	6.0	.01	4.0	0.01	6.0	.43	43.0	.41
P42BH164977	4.2L	1-18T-RO	1.0	.01	1.0	.01	97.0	2.44	13.0	.19
P6528BW653806	1.6L	1-4C-R13	4.0	.01	7.0	.01	4.0	.01	22.0	.06
P0524BW241189	1.6L	1-4Q-R1	20.0	.17	16.0	.01	144.0	3.00 ⁺	108.0	1.70
X15BKA41852	4.9L	1-51S-R10	4.0	.01	2.0	.01	178.0	3.00 ⁺	26.0	.46
P23BK189964	3.3L	1-12B-RO	3.0	.01	2.0	.01	179.0	3.00 ⁺	174.0	3.00 ⁺
P22BK193208	2.3L	1-5Q-R10	11.0	.01	7.0	.01	7.0	.01	6.0	.01
P94BY658356	5.0L	1-22B-RO	9.0	.01	2.0	.01	10.0	.01	1.0	.01
X15BKA41656	4.9L	1-52G-R10	1.0	.01	10.0	.01	126.0	3.00 ⁺	87.0	2.07
F15BRA33050	5.0L	1-54P-RO	2.0	.02	8.0	.02	1.0	.02	4.0	.03
F14BRA32188	5.8W	1-64T-RO	1.0	.02	5.0	.01	4.0	.09	2.0	.03

○ - Failure

Federal Idle Test Standards:

HC 220 PPM
CO 1.2 %

Federal Two-Speed Test Standards:

HC 200 PPM
CO 1.0%

1/ Vehicle may have gone into thermactor dump during the test.

Six of the fourteen vehicles tested failed when the thermactor was put into the dump mode simulating an extended idle.

STATEMENT OF NEED FOR RULEMAKING

Pursuant to ORS 183.335(2), this statement provides information on the intended action to amend a rule.

Legal Authority

Legal authority for this action is ORS 468.370 and ORS 183.341.

Need for Rule

The amendments are needed to update the inspection program criteria, to reflect changes in definitions and inspection program protocol.

Principal Documents Relied Upon

The existing rules, the automobile and motor vehicle manufacturer's shop manuals and service manuals have been relied upon.

Fiscal and Economic Impacts

Estimated fiscal impacts are that some motorists will experience savings. There should be no significant adverse economic impact on small businesses. Some small businesses will continue to economically benefit from the Department's continued operation of the inspection program.

Proposed Amendments to the Motor Vehicle Emission Control
Test Criteria Methods and Standards OAR 340-24-320 through 24-350

OAR 340-24-305

OAR 340-24-310

OAR 340-24-315

OAR 340-24-320

OAR 340-24-325

OAR 340-24-340

Definitions

340-24-305 As used in these rules unless otherwise required by context:

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

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

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

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

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

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

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

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

(9) "Director" means the director of the Department.

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

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

(12) "Factory-installed motor vehicle pollution control system" means a motor vehicle pollution control system installed by the vehicle or engine manufacturer to comply with United States motor vehicle emission control laws and regulations.

(13) "Gas analytical system" means a device which senses the amount of contaminants in the exhaust emissions of a motor vehicle, and which has been issued a license by the Department pursuant to rule 340-24-350 of these regulations and ORS 468.390.

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

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

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

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

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

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

(20) "Light duty motor vehicle" means a motor vehicle having a combined manufacturer vehicle and maximum load rating to be carried thereon of not more than 3855 kilograms (8500 pounds).

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

(22) "Motorcycle" means any motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground and having a mass of 680 kilograms (1500 pounds) or less with manufacturer recommended fluids and nominal fuel capacity included.

(23) "Motor vehicle" means any self-propelled vehicle used for transporting persons or commodities on public roads.

(24) "Motor vehicle fleet operation" means ownership by any person of 100 or more Oregon registered, in-use, motor vehicles, excluding those vehicles held primarily for the purposes of resale.

(25) "Motor vehicle pollution control system" means equipment designed for installation on a motor vehicle for the purpose of reducing the pollutants emitted from the vehicle, or a system or engine adjustment or modification which causes a reduction of pollutants emitted from the vehicle, or a system or device which inhibits the introduction of fuels which can adversely effect the overall motor vehicle pollution control system.

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

[(27) "Non-complying imported vehicle" means a motor vehicle of model years 1968 through 1971 which was originally sold new outside of the United States and was imported into the United States as an in-use vehicle prior to February 1, 1972, or a motor vehicle owned by a foreign national which has entered the United States in compliance with federal regulations.]

(27) [(28)] "Owner" means the person having all the incidents of ownership in a vehicle or where the incidents of ownership are in different persons, the person, other than a security interest holder or lessor, entitled to the possession of a vehicle under a security agreement, or a lease for a term of 10 or more successive days.

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

(29) [30]] "PPM" means parts per million by volume.

(30) [31]] "Public roads" means any street, alley, road, highway, freeway, thoroughfare, or section thereof in this state used by the public or dedicated or appropriated to public use.

(31) [(32)]
"RPM" means engine crankshaft revolutions per minute.

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

(33) [(34)] "Vehicle emission inspector" means any person possessing a current and valid license by the Department pursuant to rule 340-25-340 of these regulations and ORS 468.390.

Stat. Auth.: ORS Ch. 468

Hist: DEQ 89, f. 4-22-75, ef. 5-25-75; DEQ 139, f. 6-30-77, ef. 7-1-77; DEQ 9-1978, f. & ef. 7-7-78; DEQ 22-1979, f. & ef. 7-5-79.

Light Duty Motor Vehicle Emission Control Test Method

340-24-310 (1) The vehicle emission inspector is to insure that the gas analytical system is properly calibrated prior to initiating a vehicle test.

(2) The Department approved vehicle information data form is to be completed at the time of the motor vehicle being inspected.

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

(4) The vehicle is to be in neutral gear with the hand or parking brake engaged.

(5) All vehicle accessories are to be turned off.

(6) An inspection is to be made to insure that the motor vehicle is equipped with the required functioning motor vehicle pollution control system in accordance with the criteria of Section 340-24-320(3). Vehicles not meeting this criteria shall be rejected from the testing area without an emission test. A report shall be supplied to the driver indicating the reason(s) for rejection.

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

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

(9) Except for diesel vehicles, the engine is to be accelerated with no external loading applied, to a speed of between 2,200 RPM and 2,700 RPM. The engine speed is to be maintained at a steady speed within this speed range for a [4 to 8] 10 to 15 second period and then returned to an idle speed condition. In the case of a diesel vehicle, the engine is to be accelerated to an above idle speed. The engine speed is to be maintained at a steady above idle speed for a 10 to 15 second period and then returned to an idle speed condition. The values measured by the gas analytical system at the raised rpm speed shall be recorded.

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

(11) If the vehicle is equipped with a multiple exhaust system, then steps (7) through (10) are to be repeated on the other exhaust outlet(s). The readings from the exhaust outlets are to be averaged into one reading for each gas measured for comparison to the standards of rule 340-24-330.

(12) If the vehicle does not comply with the standards specified in rule 340-24-335, and it is a 1981 or newer Ford Motor Company product, the vehicle shall have the ignition turned off, restarted, and steps (8) through (11) repeated.

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

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

(15) [(14)] If it is determined that the vehicle complies with the criteria of rule 340-24-320 and the standards of rule 340-24-330, then, following receipt of the required fees, the vehicle emission inspector shall issue the required certificates of compliance and inspection.

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

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

Stat. Auth.: ORS Ch. 468

Hist: DEQ 89, f. 4-22-75, ef. 5-25-75, DEQ 139, f. 6-30-77, ef. 7-1-77

Heavy Duty Gasoline Motor Vehicle Emission Control Test Method

340-24-315 (1) The vehicle emission inspector is to insure that the gas analytical system is properly calibrated prior to initiating a vehicle test.

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

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

(4) All vehicle accessories are to be turned off.

(5) An inspection is to be made to insure that the motor vehicle is equipped with the required functioning motor vehicle pollution control system in accordance with the criteria of rule 340-24-325.

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

(7) The engine is to be accelerated, with no external loading applied, to a speed of between 2200 RPM and 2700 RPM. The engine speed is to be maintained at a constant speed within this speed range for a sufficient time to achieve a steady-state condition whereupon the steady-state levels of the gases measured by the gas analytical system shall be recorded on the Department approved vehicle information form. The engine speed shall then be returned to an idle speed condition.

(8) The steady-state levels of the gases measured at idle speed by the gas analytical system shall be recorded on the Department approved vehicle information form. The idle speed at which the gas measurements were made shall also be recorded.

(9) If the vehicle is equipped with a multiple exhaust system, then steps (6) through (8) are to be repeated on the other exhaust outlet(s). The readings from the exhaust outlets are to be averaged to determine a single reading for each gas measured in each step (7) and (8).

(10) The reading from the exhaust outlet, or the average reading from the exhaust outlets obtained in each step (7) and (8) are to be compared to the standards of rule 340-24-335.

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

(12) If it is ascertained that the motor vehicle may be emitting noise in excess of the noise standards adopted pursuant to ORS 467.030, then a noise measurement is to be conducted in accordance with the test procedures adopted by the Commission or to standard methods approved in writing by the Department.

(13) If it is determined that the motor vehicle complies with the criteria of rule 340-24-325 and the standards of rule 340-24-335, then, following receipt of the required fees, the vehicle emission inspector shall issue the required certificates of compliance and inspection.

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

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

(16) Any motor vehicle registered on less than an annual basis pursuant to ORS 481.205(2) need not pass more than an annual inspection to assure compliance with ORS 481.190. Such vehicles shall be issued a Certificate of Compliance in a form provided by the Department stating that the vehicle passed inspection by the Department on a certain date and was in compliance with the standards of the Commission, and having no information to the contrary, presumes the continuance of such compliance at the date of the issuance of the Certificate through four consecutive quarterly periods.

Stat. Auth.: ORS Ch. 468

Hist: DEQ 136, f. 6-10-77, ef. 7-1-77

Light Duty Motor Vehicle Emission Control Test Criteria

340-24-320 (1) No vehicle emission control test shall be considered valid if the vehicle exhaust system leaks in such a manner as to dilute the exhaust gas being sampled by the gas analytical system. For the purpose of emission control tests conducted at state facilities, except for diesel vehicles, tests will not be considered valid if the exhaust gas is diluted to such an extent that the sum of the carbon monoxide and carbon dioxide concentrations recorded for the idle speed reading from an exhaust outlet is 8 percent or less, and on 1975 and newer vehicles with air injection systems 7 percent or less.

(2) No vehicle emission control test shall be considered valid if the engine idle speed either exceeds the manufacturer's idle speed specifications by over 200 RPM on 1968 and newer model vehicles, or exceeds 1,250 RPM for any pre-1968 model vehicle.

(3) No vehicle emission control test for a 1970 or newer model vehicle shall be considered valid if any element of the following factory-installed motor vehicle pollution control systems have been disconnected, plugged, or otherwise made inoperative in violation of ORS 483.825(1), except as noted in section (5) or as provided for by 40 CFR 85.1701-1709. Motor vehicle pollution control systems include, but are not necessarily limited to:

- (a) Positive crankcase ventilation (PVC) system.
- (b) Exhaust modifier system:
 - (A) Air injection reactor system;
 - (B) Thermal reactor system;
 - (C) Catalytic converter system - (1975 and newer model vehicles only).
- (c) Exhaust gas recirculation (EGR) systems - (1973 and newer model vehicles only).
- (d) Evaporative control system
- (e) Spark timing system:
 - (A) Vacuum advance system;
 - (B) Vacuum retard system.

(f) Special emission control devices. Examples:

(A) Orifice spark advance control (OSAC);

(B) Speed control switch (SCS).

(C) Thermostatic air cleaner (TAC).

(D) Transmission controlled spark (PCS).

(E) Throttle solenoid control (TSC).

(F) Fuel filler inlet restrictors.

(G) Oxygen Sensor

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

(a) The use of a non-original equipment aftermarket part (including a rebuilt part) as a replacement part is not considered to be a violation of ORS 483.825(2), if a reasonable basis exists for knowing that such use will not adversely effect emission control efficiency. The Department will maintain a listing of those parts which have been determined to adversely affect emission control efficiency.

(b) The use of a non-original equipment aftermarket part or system as an add-on, auxiliary, augmenting, or secondary part or system, is not considered to be a violation of ORS 483.825(2), if such a part or system is listed on the exemption list of "Modifications to Motor Vehicle Emission Control System Permitted Under California Vehicle Code Section 27156 granted by the Air Resources Board," or is on the list maintained by the U.S. Environmental Protection Agency of "Certified to EPA Standards," or has been determined after review of testing data by the Department that there is no decrease in the efficiency or effectiveness in the control of air pollution.

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

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

(6) The following applies:

(a) to [1979 and earlier] 1970 through 1979 motor vehicles. When a motor vehicle is equipped with other than the original engine and the factory installed vehicle pollution control systems, it shall be classified by the model year and manufacture make of the non-original engine and its factory-installed motor vehicle pollution control systems, except that when the non-original engine is older than the motor vehicle any requirement for evaporative control system and fuel filler inlet restrictor and catalytic convertor shall be based on the model year of the vehicle chassis.

(b) to 1980 and newer motor vehicles. These motor vehicles shall be classified by the model year and make of the vehicle as designated by the original chassis, engine, and its factory-installed motor vehicle pollution control systems.

Heavy Duty Gasoline Motor Vehicle Emission Control Test Criteria

340-24-325 (1) No vehicle emission control test shall be considered valid if the vehicle exhaust system leaks in such a manner as to dilute the exhaust gas being sampled by the gas analytical system. For the purpose of emission control tests conducted at state facilities, tests will not be considered valid if the exhaust gas is diluted to such an extent that the sum of the carbon monoxide and carbon dioxide concentrations recorded for the idle speed reading from an exhaust outlet is 8 percent or less.

(2) No vehicle emission control test shall be considered valid if the engine idle speed either exceeds the manufacturer's idle speed specifications by over 200 RPM on 1970 and newer model vehicles, or exceeds 1000 RPM for any age model vehicle.

(3) No vehicle emission control test for a 1970 or newer model vehicle shall be considered valid if any element of the following factory-installed motor vehicle pollution control systems have been disconnected, plugged, or otherwise made inoperative in violation of ORS 483.825(1), except as noted in section (5):

- (a) Positive crankcase ventilation;
- (b) Exhaust modifier system. Examples:
 - (A) Air injection system
 - (B) Thermal reactor system
 - (C) Catalytic convertor system.
- (c) Exhaust gas recirculation (EGR) systems;
- (d) Evaporative control system;
- (e) Spark timing system. Examples:
 - (A) Vacuum advance system;
 - (B) Vacuum retard system.
- (f) Special emission control devcies. Examples:
 - (A) Orifice spark advance control (OSAC);
 - (B) Speed control switch (SCS);
 - (C) Thermostatic air cleaner (TAC);

(D) Transmission controlled spark (TCS);

(E) Throttle solenoid control (TSC);

(F) Fuel filler inlet restrictor.

(4) No vehicle emission control test conducted for a 1970 or newer model vehicle shall be considered valid if any element of the factory-installed motor vehicle pollution control system has been modified or altered in such a manner so as to decrease its efficiency or effectiveness in the control of air pollution in violation of ORS 483.825(2), except as noted in section(3). For the purposes of this section, the following apply;

(a) The use of a non-original equipment aftermarket part (including a rebuilt part) as a replacement part is not considered to be a violation of ORS 483.825(2), if a reasonable basis exists for knowing that such use will not adversely effect emission control efficiency. The Department will maintain a listing of those parts which have been determined to adversely affect emission control efficiency.

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

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

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

(6) For the purposes of these rules, a 1970 or newer motor vehicle with an exchange engine shall be classified by the model year and manufacturer make of the exchange engine, except that any requirement for evaporative control systems shall be based upon the model year of the vehicle chassis.

Stat. Auth.: ORS Ch. 468

Hist: DEQ 136, f. 6-10-77, ef.7-1-77, DEQ 22-1979, f. & ef. 7-5-79

Criteria for Qualifications of Persons Eligible to Inspect Motor Vehicles and Motor Pollution Control Systems and Execute Certificates

340-24-340 (1) Three separate classes of licenses are established by these rules:

- (a) Motor Vehicle fleet operations.
- (b) Fleet operation vehicle emission inspector.
- (c) State employed vehicle emission inspector.

(2) Application for a license must be completed on a form provided by the Department.

(3) Each license shall be valid through December 31 of each year unless revoked, suspended, or returned to the Department.

(4) No license shall be issued until the applicant has fulfilled all requirements and paid the required fee.

(5) No license shall be transferable.

(6) Each license may be renewed upon application and receipt of renewal fee if the application for renewal is made within the 30 day period prior to the expiration date and the applicant complies with all other licensing requirements.

(7) A license may be suspended, revoked, or not renewed if the licensee has violated these rules or ORS 468.360 to 468.405, 481.800 to 483.820.

(8) A fleet operation vehicle emission inspector license shall be valid only for inspection of, and execution of certificates for, motor vehicle pollution control systems and motor vehicles of the motor vehicle fleet operation by which the inspector is employed on a full time basis, except:

(a) A fleet operation vehicle emission inspector employed by a governmental agency may be authorized by the Department to perform inspections and execute Certificates of Compliance for vehicles of other governmental agencies that have contracted with that agency for that service and that contract having the approval of the Director.

(9) To be licensed as a vehicle emission inspector, the applicant must:

(a) Be an employee of the Vehicle Inspection Division of the Department, or

(b) Be an employee of a license motor vehicle fleet operation.

(c) Complete application.

(d) Satisfactorily complete a training program conducted by the Department. Only persons employed by the Department or by a motor vehicle fleet operation shall be eligible to participate in the training program unless otherwise approved by the Director. The duration of the training program for persons employed by a motor vehicle fleet operation shall not exceed 24 hours.

(e) Satisfactorily complete an examination pertaining to the inspection program requirements. This examination shall be prepared, conducted, and graded by the Department.

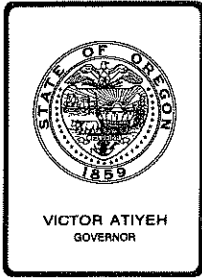
(10) To be licensed as a motor vehicle fleet operation, the applicant must:

(a) Be the owner of 100 or more Oregon registered in-use motor vehicles, or 50 or more publicly owned vehicles registered pursuant to to ORS [281.125] 481.125.

(b) Be equipped with an exhaust gas analyzer complying with criteria established in rule 340-24-350.

(c) Be equipped with a sound level meter conforming to "Requirements for Sound Measuring Instruments and Personnel" (NPCS-2) manual, revised September 15, 1974, of this Department.

(11) No person licensed as a motor vehicle fleet operation shall advertise or represent himself as being licensed to inspect motor vehicles to determine compliance with the criteria and standards of rules 340-24-320 and 340-24-330.



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. Q, July 16, 1982, EQC Meeting

INFORMATIONAL REPORT: REVIEW OF FY83 STATE/EPA AGREEMENT
AND OPPORTUNITY FOR PUBLIC COMMENT

Background

Each year the Department and the Environmental Protection Agency (EPA) negotiate an agreement whereby EPA provides basic program grant support to the air, water and solid waste programs in return for commitments from the Department to perform planned work on environmental priorities of the state and federal government.

Commission review of the annual grant application materials is intended to achieve two purposes:

1. Commission comment on the strategic and policy implications of the program descriptions contained in the draft State/EPA Agreement; and,
2. Opportunity for public comment on the draft Agreement.

Further public comment is being provided under federal A-95 clearinghouse procedures where the Department's Regional Managers are briefing local governments on the Agreement, at their request.

An Executive Summary of the Agreement is attached to this report. A complete copy of the draft agreement has been forwarded to the Commission under separate cover. It may be reviewed by interested persons at the DEQ headquarters office in Portland, or at the DEQ regional offices.

Director's Recommendation

It is recommended that the Commission:

1. Provide opportunity for public comment at today's meeting on the draft State/EPA Agreement; and,
2. Provide staff its comments on the policy implications of the draft agreement.



William H. Young

Attachment: State/EPA Agreement Executive Summary

MK1043
Michael Downs:k
229-6485
6/24/82

DRAFT

STATE/EPA AGREEMENT
FEDERAL FISCAL YEAR 1983

BETWEEN

STATE OF OREGON
DEPARTMENT OF ENVIRONMENTAL QUALITY

AND

U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION 10

EXECUTIVE DOCUMENT

OREGON STATE/EPA AGREEMENT

FY 1983

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CONSOLIDATED GRANT APPLICATION

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 Utilization of Sludge

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FY 1983
POLICY DIRECTION FOR THE
STATE/EPA AGREEMENT

STATE OF OREGON
DEPARTMENT OF ENVIRONMENTAL QUALITY

AND

U. S. ENVIRONMENTAL PROTECTION AGENCY

Each year the Department of Environmental Quality (DEQ) and the Environmental Protection Agency (EPA) negotiate an agreement whereby EPA provides basic program grant support in return for commitments from DEQ to perform planned work on environmental priorities of the State and Federal Government. This document provides the direction to the development of the State/EPA Agreement (SEA) and program grant work plans for FY 1983, and may be revised as a result of public review and staff refinement. The programs covered by this Agreement include:

Air Quality	Hazardous Waste Control and
Water Quality	Disposal
Solid Waste Disposal	Noise Control

Program priorities for FY 83 have been agreed upon and follow the signatures of this document. In addition to these specified program priorities, DEQ and EPA will cooperatively undertake activities to achieve results for the following environmental problems.

1. Wood Burning Stoves - Emissions from wood stoves constitute a major and growing impact on ambient air quality. Studies have shown that these emissions, which are a major cause of particulate levels in the ambient air, must be controlled to achieve and maintain ambient air standards. DEQ will work to show that emission test methods are reproducible and accurate and will coordinate tests to establish emission rates for clean burning stoves. This information will be used to support legislation (if proposed) for reducing wood stove emissions. Subject to availability of resources, EPA will support the DEQ work by working toward development of an improved method for measuring stack gas flow rates from woodstoves. Also, EPA grant funds can be used by DEQ to the extent they are available within base grant allocations made to the State.

2. Slash Burning - Logging operations leave brush, small logs and other residue on the forest floor. Current practice is to burn such residue, producing large amounts of smoke which can impact wide neighboring areas. Studies have shown that the smoke is a major cause of particulate levels in the ambient air. During FY 1983, DEQ's efforts will be aimed at improving understanding of the impact of slash burning. This includes better characterization of emission factors corresponding to different slash utilization levels, improved fingerprinting of slash burning for chemical mass balance analysis, operating a visibility

monitoring network, and, if funds are available, coordinating aerial photography of slash burning plumes. EPA's efforts will include, to the extent possible, continued support of demonstration projects leading to better utilization of slash as an alternative to burning. Also, EPA grant funds can be used by DEQ to the extent they are available within base grant allocations made to the State.

3. Utilization of Sludge - Municipal sludge is valuable as a fertilizer, though sludge does contain a mix of contaminants and heavy metals which may be harmful if ingested as part of food chain crops. Proposed EPA regulations require a soil pH of at least 6.5 where sludge is used on food chain crops, limiting absorption of cadmium and other heavy metals. Acidic soils in western Oregon farms make raising the pH prohibitively expensive. DEQ will continue to work with EPA to obtain a change in the Federal regulation or an exemption so that municipal sludge can continue to be beneficially used on food chain crops which do not retain heavy metals (non-accumulator crops).

An emphasis in this year's direction is that the State should be the primary and delegated authority implementing environmental programs in the State and not the Federal Government, whose role should be one of assistance, guidance and minimal oversight. During FY 1983, the DEQ and EPA agree to take positive steps towards delegating those remaining undelegated programs which are under the authority of DEQ. They are:

--Construction Grants - Under Section 205(g) of the Clean Water Act the State is eligible to administer most functions under the Sewerage Works Construction Grants program. Up to four percent of the State's annual Construction Grant allotment is available to support this effort subject to appropriation of funds by Congress. DEQ is strongly interested in accepting delegation and is now completing its program evaluation for decision. DEQ will aggressively pursue delegation to the extent that it can determine that funds will be available to meet program requirements; that diversion of Construction Grant funds to program administration will not result in a substantial disadvantage to local governments; and that paperwork requirements are not excessive. EPA and DEQ will work cooperatively to achieve an appropriate delegation agreement by July 1983 consistent with results of the State evaluation.


--Underground Injection Control (UIC) - DEQ and EPA will pursue delegation of the UIC program under the Safe Drinking Water Act. About \$68,700 in federal grant funds will be available to implement the State program during FY 1983.

--New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAPS) - During the latter part of FY 82 and in FY 83, EPA expects to promulgate over 20 additional NSPS under the Clean Air Act. DEQ will request delegation of those applicable as they are promulgated. New NESHAPS, under the Clean Air Act, for at least benzene and airborne radionuclides are also expected. DEQ will request the benzene delegation when promulgated and will coordinate the airborne radionuclide delegation to the Oregon State Health Division, who is the responsible agency.

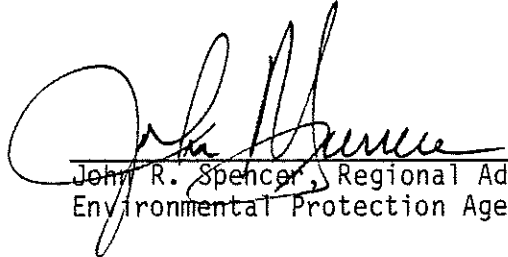
Following this document are included the program priorities which shall be used for developing the FY 1983 SEA document including the program grant work plans.

This Agreement covers the period of time from October 1, 1982 through September 30, 1983. The two Agencies hereby agree to cooperatively work towards achieving environmental results and comply with the provisions set forth herein.

FOR THE STATE OF OREGON:

 APR 7 1982
William H. Young, Director
Department of Environmental Quality

FOR THE U. S. ENVIRONMENTAL PROTECTION AGENCY:

 APR 7 1982
John R. Spencer, Regional Administrator
Environmental Protection Agency, Region 10

FY 1983
OREGON STATE/EPA AGREEMENT

TERMS AND CONDITIONS

State/EPA Coordination

Implementing this Agreement requires extensive coordination between DEQ and EPA. The role of "Agreement Coordinator" has been put into effect. For EPA, the coordinator is the Director, Oregon Operations Office; for DEQ, the coordinator is the Administrator of Management Services. Coordinators have responsibility to plan and schedule agreement preparation and public participation, assure compliance with all grant terms, establish a format and agenda for agreed-to performance reviews, resolve administrative problems, and assure that this Agreement is amended as needed if conditions change.

The Director, Oregon Operations Office, is the primary EPA official in Oregon with the authority to issue, interpret, and coordinate EPA program directives to the DEQ. The Director of the Oregon Operations Office is the EPA official responsible to facilitate continued informal program contact between Federal and State agencies and to resolve problems which may arise in the course of implementing this agreement.

The Parties acknowledge that improved coordination of State programs with each EPA program results in major benefits for both Agencies, and that conflicts or unanticipated requirements may undermine the plans and purposes of this agreement. Program contact between respective Agency staffs will continue on a frequent and voluntary basis. The exchange of operating information among respective program staffs in air, water, noise, and waste management will be encouraged to ensure that problems which might occur can be readily resolved.

Local Government Coordination

DEQ has been assigned a strong leadership role in managing and enhancing Oregon's environment, which EPA recognizes. Both EPA and DEQ further acknowledge that interested and affected local governments play a vital role in planning, decision making, and implementing environmental management programs. For example, the Lane County Air Pollution Authority has the primary role for regulating most air pollution sources in Lane County, consistent with State and Federal regulations.

The policy of DEQ and EPA is to assure maximum effective participation of local governments in operating and implementing local environmental management programs consistent with statewide program goals and objectives. EPA will work to facilitate effective DEQ/local government relations, and to avoid direct EPA/local government decisions which contradict this policy.

Fiscal Reporting

DEQ and EPA agree that budget and fiscal reports for work planned under the provisions of this Agreement shall continue to be by program (air, water, hazardous waste) and by category (personal services, services and supplies, and capital outlays). Financial reporting will not be required for the three "special projects" described in the Policy Direction document. However, resource estimates for program accomplishments have been included in the Program Document to describe priorities and program emphases, to help assure that adequate resources will be available to achieve commitments, and to forecast resource needs in future fiscal years.

State Primacy

It is Federal policy that a state environmental agency should be the primary manager of environmental programs operated within the state. In Oregon, DEQ is primary manager of environmental programs. DEQ emphasizes that, except for the Federal Safe Drinking Water program, it will continue this responsibility to the fullest extent of its resources.

As part of its commitment to implement this Agreement, EPA will endeavor to improve Federal oversight operations to accomplish more effective State program results, improve assistance and advice to DEQ, and reduce paperwork and duplication of efforts between the two agencies. Furthermore, EPA will provide DEQ with advance notice when conducting work with local governments and industry in Oregon, and will coordinate these efforts with DEQ as appropriate.

Performance and Evaluation

Both DEQ and EPA will commit their best efforts to assure that the terms, conditions and provisions contained or incorporated in this Agreement are fully complied with. To the extent that DEQ does not fulfill provisions of this Agreement as related to the award of grants being applied for herein, it is understood that EPA will not be precluded from imposing appropriate sanctions under 40 CFR Part 30, including withholding of funds, and termination or annulment of grants.

The tasks and expected results contained in this Agreement reflect information known and objectives identified at the time of its signing. Both Agencies recognize that events outside the control of the Parties (e.g., changes in authorizing legislation or levels of resources) may affect the ability of either Party to fulfill the terms, or conditions, and provisions of the Agreement. Therefore, both Parties agree that a system for review and negotiated revision of plans is central to the Agreement to assure that priorities, needs and resources provide the basis for both Agencies' operations.

Performance evaluations will be conducted quarterly by DEQ, and will be the means to identify problems and propose revisions. Exceptions in meeting work plans will be reported to EPA. A joint DEQ/EPA evaluation will be conducted semi-annually in the offices of DEQ. The Agreement Coordinators are responsible to schedule this evaluation and prepare the agenda. The Coordinators may, at their discretion, schedule extraordinary general or special topic evaluations when performance issues or changed conditions appear to warrant such an evaluation.

A brief written progress report will be produced following the semi-annual evaluation. This report will emphasize, by exception, the policy and/or performance issues that require executive review and action. Such issues shall be resolved by respective Agency executives.

INTRODUCTION

The Oregon State/EPA Agreement (SEA) describes environmental program commitments, priority problems, and solutions which the State of Oregon (represented by the Department of Environmental Quality) and the U.S. Environmental Protection Agency, Region 10, have agreed to work on during the Federal Fiscal Year 1983 (October 1, 1982 to September 30, 1983). The State will operate the programs discussed below. EPA will support these commitments with program grants and technical assistance. The two exceptions to this are in the areas of solid waste and noise where the State operates the outlined program without any Federal resources. All program commitments, grants, and assistance must have approval of the State Legislature and be funded by Congressional appropriations.

Environmental programs are managed through a Federal/State partnership. This Agreement for mutual Federal and State problem solving and assistance is the primary mechanism to coordinate Federal and State programs to achieve a comprehensive approach to managing Oregon's environment. The SEA has been written and adopted to accomplish two purposes:

1. Effective and efficient allocation of increasingly limited Federal and State resources.
2. Achievement and maintenance of established environmental standards.

The SEA consists of two documents, which are:

1. An Executive Document -- to provide the public and agency program managers with the formal policy direction, a clear overview of environmental issues, program priorities, major tasks for the fiscal year.
2. A Program Document -- to provide the detailed work plans to be carried out by each program during the fiscal year. This document also contains the FY 83 consolidated grant application.

This Executive Document has been written to facilitate use of the SEA by State and Federal program managers and by the public. Following this introduction, there is a discussion of Oregon's environmental goals and priorities, profiles existing environmental conditions, and summarizes the FY 83 strategy. After each discussion, a table shows program priorities, specific problems, FY 83 tasks, and expected outcomes.

While Oregon is known for its high quality environment, some environmental problems do exist. The purpose of the environmental goals, profiles, priorities and strategies is to describe the problems which remain to be solved. This section highlights media programs (air, water, etc.) and progress being made to solve Oregon's environmental problems. Following the narrative of each media is a summary of efforts planned for FY 83. These summary tables present the priority, problem or purpose of proposed actions, specific tasks which will be done to meet the problem, the expected outcome, and the geographic focus.

AIR

Program Goals:

- Achieve and maintain air quality standards statewide.
- Prevent significant deterioration of air quality where air is now clean.

Profile:

Oregon's air quality is generally very good. There are, however, areas of concern which require priority attention. These are shown in Figure #1.

The Portland, Eugene/Springfield, and Medford areas have been officially designated as non-attainment areas, since they are not in compliance with specific National Ambient Air Quality Standards:

Portland/Vancouver: Carbon monoxide, Ozone (primary standards)
Total suspended particulates (secondary standard only)
Eugene/Springfield: Carbon monoxide (primary standard)
Total suspended particulates (secondary standard)
Medford/Ashland: Carbon monoxide, Ozone (primary standards)
Total suspended particulates (primary and secondary standards)
Salem: Carbon monoxide, Ozone (primary standards)

Air quality in non-attainment areas has a potentially adverse effect on public health and welfare. Therefore, planning and implementing air quality control strategies are being given top priority in these areas. Significant emission sources are shown in Figure #2.

Recent studies have shown that air pollution caused by industrial sources has been greatly reduced, particularly in Oregon's major urban areas. Oregon industries have invested heavily in pollution control equipment. Industrial sources now contribute relatively minor amounts of air pollutants. However, these benefits could be lost unless (1) new sources are controlled with the best available technology, and (2) monitoring, surveillance, and enforcement activities are maintained at a high level.

Massive conversion to residential wood heating has been identified as one of the "new" important sources of air pollution in Oregon's urban areas. The "cozy atmosphere" of wood smoke on cold winter days is causing many new air quality problems in urban areas. Wood fires are a source of particulates, carbon monoxide, and some exotic organic pollutants. Other areawide sources, such as road dust and vehicular emissions, are also prominent.

New, socially acceptable ways of controlling these sources can be developed through research studies and demonstration projects. The potential conversion to coal by both industry and private residences also demands a greater effort to quantify existing and potential impacts more accurately, and to identify the most cost-effective control measures.

Several years' time is needed for non-attainment areas to meet Federal air quality standards. Managing growth until standards have been met, and after, will require implementation of new, cost-effective management tools such as emission offset and banking programs, parking and circulation plans, and processes for airshed allocation.

Field burning effects in the Eugene/Springfield area are being minimized by implementation of recent improvements to the smoke management plan. Further efforts will be made to improve the smoke management program to control effects on less populated and more pristine areas. Slash burning remains a significant source of air pollution in Oregon. Better efforts are needed here to (1) identify actual air quality impact, (2) improve smoke management practices, and (3) develop control techniques such as increased productive use of forest slash in lieu of burning.

Strategy:

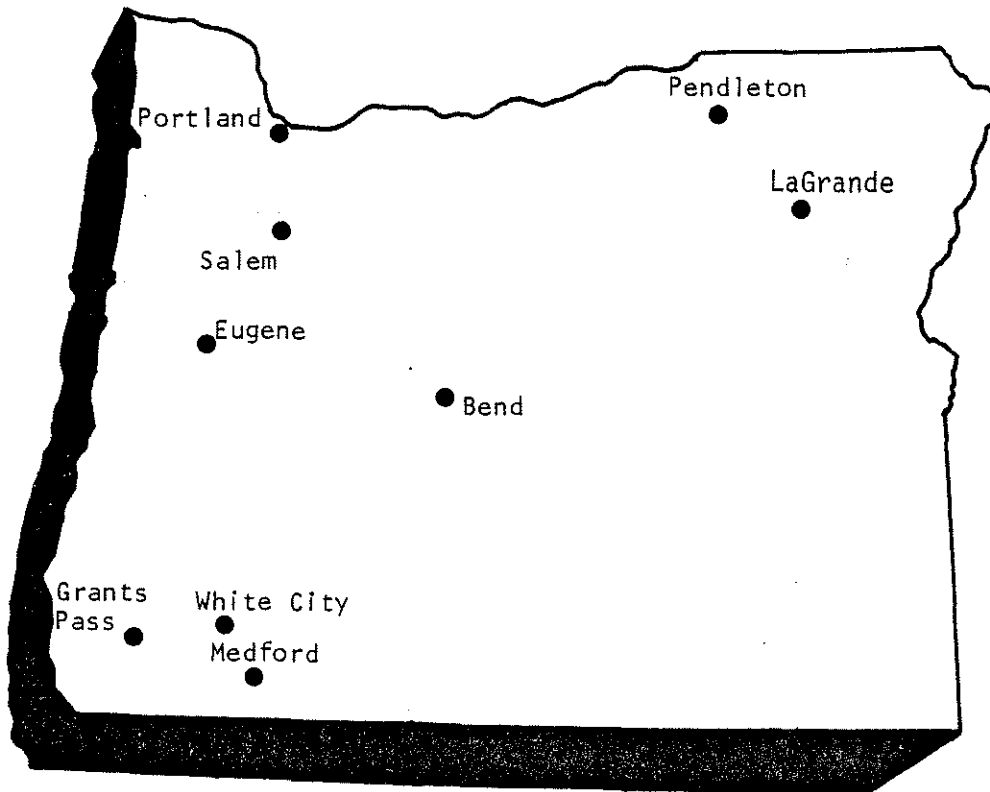
During FY 83, DEQ will complete and implement Part D State Implementation Plan (SIP) revisions. A suspended particulate control strategy and transportation control strategies for Medford will be officially submitted to EPA.

After the comprehensive State - New Source Review Rule, including detailed growth management (offset and banking) provisions, is approved, DEQ will assume responsibility for operating the PSD - Major New Source Review Program, previously run by EPA.

Compliance assurance activities for volatile organics and particulate sources will continue. Air monitoring and quality assurance procedures will fully meet EPA requirements for air monitoring sites. Air source compliance and enforcement activities will be carried out under current rules including the current air contaminant discharge permit fee program. The compliance assurance agreement with EPA will be reviewed and revised as is appropriate.

Figure 1

OREGON CITIES EXCEEDING AIR QUALITY STANDARDS IN 1981



Number of Days Exceeding Standards for the Pollutant Noted

City	TSP	CO	O ₃
Bend	1	--	--
Eugene	1	0	3
Grants Pass	0	1	--
La Grande	5	--	--

City	TSP	CO	O ₃
Medford	4	3	0
Pendleton	4	--	--
Portland	5	4	5
Salem	0	1	0
White City	4	--	--

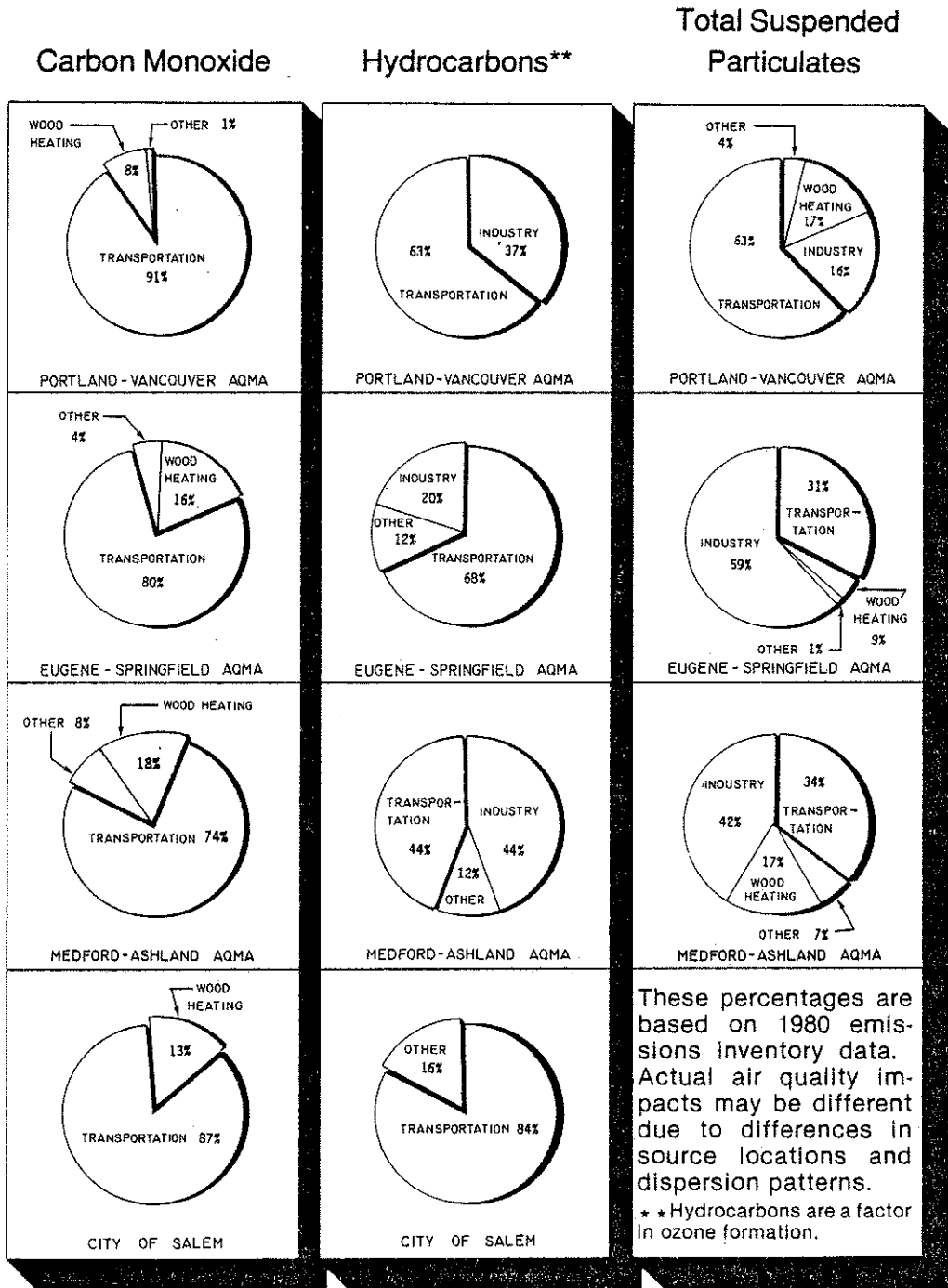
LEGEND: TSP- Total Suspended Particulate; CO-Carbon Monoxide; O₃-Ozone



Designated non-attainment area for the pollutant noted.

Figure 2

Sources of Emissions in Nonattainment Areas
 *ANNUAL AVERAGE IMPACTS



*Impacts of seasonal activities such as residential wood heating and backyard burning would have higher percentage impacts on a maximum daily basis.

OREGON FY 83 PRIORITIES

Air Quality Management

<u>Priority</u>	<u>Problem or Purpose</u>	<u>Task</u>	<u>Expected Outcome</u>	<u>Geographic Focus</u>
1	State assumption of Federal program.	Request delegation of new HSPS.	During the latter part of FY 82 and in FY 83, EPA expects to promulgate over 20 additional HSPS EPA anticipates that Oregon will request delegation of these HSPS as they are promulgated.	Statewide
1		Request delegation of new HESHAPS for benzene. Accomplish necessary coordination to result in delegation of HESHAPS for airborne radionuclides to Health Division	EPA expects to publish new HESHAPS for at least benzene and airborne radionuclides. EPA anticipates that Oregon will request delegation of HESHAPS as they are published.	Statewide
2	Control emission from existing sources in NSPS categories.	Submit 111(d) plans or negative declarations for new HSPS. (Assuming that 111(d) plans for existing NSPS sources are or will be adopted by the State before the end of FY 82.)	As new HSPS are promulgated per the above discussion, EPA anticipates that Oregon will adopt and submit corresponding 111(d) plans or negative declarations.	Statewide
1	Ensure adequate progress toward attainment of NAAQS.	Track RFP and revise control strategies as necessary.	State and local agencies will collect, summarize, and report data (on an annual basis) that documents reasonable further progress (RFP) toward attainment of NAAQS. For stationary sources, data will be in the form of emissions inventory. For mobile sources, progress in implementing TCHs and VMT reductions should be emphasized.	Nonattainment areas.
2		Adopt new VOC controls as needed.	By the end of CY 1982, EPA expects to publish its Group III CTGs. However rigorous equivalency may not be a requirement. EPA anticipates that Oregon adopt those VOC controls necessary to demonstrate attainment as well as those the State defines as RACT.	Ozone Nonattainment areas.

OREGON FY 83 PRIORITIES

Air Quality Management (page 2)

<u>Priority</u>	<u>Problem or Purpose</u>	<u>Task</u>	<u>Expected Outcome</u>	<u>Geographic Focus</u>
1	Attain National Ambient Air Quality Standards (NAAQS) for carbon monoxide in Medford.	Support legislation proposal by local agencies for I/M program in Medford.	The Medford CO attainment SIP will likely show that I/M is needed to attain NAAQS by 1987. If so, it is hoped that sufficient local interest will be generated to carry an I/M bill.	Medford
1	Attain new particulate standard.	Assess existing particulate data, monitoring, and strategies for conformance with new standard and make modifications as necessary.	EPA expects to promulgate a new particulate standard by Spring CY83. EPA will provide guidance on monitoring, data assessment, modeling, and strategy development. EPA anticipates that Oregon's data base for the new standard will be adequate and that the State will begin development of revised control strategies for nonattainment areas during FY 83 including such things as preliminary modeling analysis, development of alternative strategies and determination of needed emission reductions. Completion of SIP revisions would occur in FY 84 or 85.	TSP Nonattainment areas.
2	Visibility needs to be protected in Class I areas.	Implement a monitoring program in preparation for development of a visibility SIP.	Development of DEQ's visibility SIP in awaiting EPA's reconsideration of its current visibility regulations. Once EPA's revisions are complete, it is anticipated that DEQ will adopt consistent rules.	Class I areas
2	Maintain ambient lead concentrations below standards.	Complete lead SIP.	Complete the lead SIP and adopt/SIP if time and resources permit.	Statewide
1	Need interstate coordination for implementing ozone attainment strategy for Portland/Vancouver area.	Develop a mechanism for implementing tracking and reporting of the approved ozone strategy.	Growth and RFP will be managed in Oregon and Washington in a manner consistent with the approved SIPs. attainment plan.	Portland-Vancouver Nonattainment areas.

OREGON FY 83 PRIORITIES

Air Permits/Compliance

<u>Priority</u>	<u>Problem or Purpose</u>	<u>Task</u>	<u>Expected Outcome</u>	<u>Geographic Focus</u>
1	To implement and maintain emission control strategies, it is necessary to continue existing compliance assurance efforts.	States and locals maintain compliance program; including inspection, surveillance, complaint investigations, enforcement actions, and source testing.	Maintaining an active field presence helps ensure that sources maintain compliance. For those sources found in violation, EPA must provide assistance to States and locals and take direct action where necessary to ensure compliance.	Statewide
2	Most sources have installed necessary emission control equipment; the problem is now primarily one of operation and maintenance of that equipment, as recognized by EPA's "Continuous Compliance" initiative.	States, locals, and EPA place increased emphasis on evaluation of operation and maintenance procedures during inspections and on use and review of continuous emission monitor data where available.	In addition to the usual response for instances of non compliance, EPA must provide technical assistance, guidance, and training to States and locals in these areas.	Medford
3	New sources beginning operation are generally subject to more stringent requirements than existing sources in areas of control equipment and continuous emission monitoring. Some of these requirements are imposed only by EPA, however, States and locals generally inspect these sources.	Inspections of new sources by States, locals, and EPA must emphasize control equipment and continuous emission monitors (CEM) installed to ensure compliance with relevant State regulations, PSD permits, and New Source Performance Standards. Observation of performance tests and CEM specification tests must include gathering of baseline control and process equipment operating data.	Additional data gathered will allow EPA, States, and locals to function more effectively with these sources in the future. It will also assure sources that government agencies take an active interest in costly new installations mandated by government regulations.	Statewide

OREGON FY 83 PRIORITIES

Ambient Air Monitoring

<u>Priority</u>	<u>Problem or Purpose</u>	<u>Task</u>	<u>Expected Outcome</u>	<u>Geographic Focus</u>
1	Effective management of an air quality program requires the generation of ambient data of known and appropriate quality and adequate quantity.	Operate and maintain the existing ambient monitoring program in concert with the approved quality assurance plan, performing modifications as appropriate to achieve conformance with applicable new or revised EPA regulations and to respond to new or revised program requirements. Program curtailments resulting from intervening resource constraints will be determined on a priority basis in agreement with EPA.	All NAMS and SLAMS will be operated to produce data of appropriate quality and to meet requirements of 40 CFR 58. Air quality and precision and accuracy data will be submitted to EPA. PSI program will be maintained for Portland. The monitoring program will be revised as needed to meet EPA requirements for lead, fine particulate, etc.	Statewide

NOISE

Program Goal:

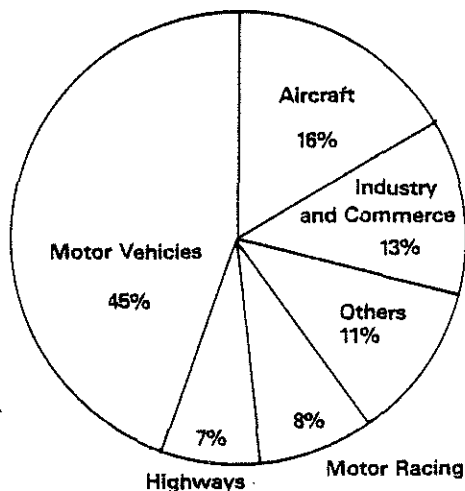
- Implement and maintain a statewide program to reduce excessive noise.
- Assist development of local noise control programs.
- Increase public and government awareness of noise problems and controls.

Profile:

Noise is unwanted, often disturbing sounds. Many noise sources are best controlled by local governments. Examples include noise of barking dogs, loud stereos and home power equipment. DEQ has very limited ability to enforce operational noise standards for motor vehicles. Thus, local police are also best for this task.

A recent survey of community problems in the Portland area showed motor vehicle noise ranked high in relation to other environmental problems. Noise is recognized as a major public problem even though the public does not fully understand the critical health effects of excessive noise. Rather, the public perceives noise as a nuisance or disturbance. Figure #3 shows the major sources of noise in Oregon.

% Contributions of Major Noise Sources in Oregon



- Motor vehicles include cars, trucks, buses, motorcycles and motorboats
- Aircraft includes helicopter, commercial, military and private aircraft
- Highways include new and expanded roads and highways

Figure 3

Statewide control rules have been written for most major noise sources in Oregon. For example, new vehicles sold in Oregon must meet state noise standards. Noise standards for motor vehicle operations have been issued, and enforcement by local governments or police departments is growing. Major stationary noise sources (e.g., industry and commerce) are regulated under the ambient noise standards. There are also specific rules for airport and aircraft noise. Noise control rules for auto racing activities became effective in 1982.

Strategy:

DEQ will continue to implement its rules for new motor vehicles and will assist local enforcement of vehicle operational standards by providing training and equipment loans. The loss of EPA funding will eliminate DEQ assistance to cities and counties developing noise control ordinances.

DEQ will only investigate and seek compliance for the most serious stationary noise sources due to the loss of all field staff and all but two program staff members. Limited implementation of the rules for airports and motor racing will also continue. DEQ efforts to make the public more aware of the noise program and to stimulate better understanding of noise problems will decrease but will be assisted by a statewide advisory committee.

PROGRAM PRIORITIES - NOISE

Problem or Purpose	Task	Expected Outcome	Geographic Focus
Complaints of excessive noise	DEQ staff will respond to citizen complaints of excessive noise from regulated sources*	Reduction or elimination of source of excessive noise	Statewide
Lack of consistent state-wide noise regulation with no assurance that the worst offenders are corrected first	DEQ will track complaints as a tool to determine major source categories	Establish a data base to develop a control strategy to shift emphasis from complaint response to monitoring all sources in each major category	Statewide
New and modified noise sources are often constructed without noise impact analysis and are subsequently found to exceed standards	Screen sources requiring air, water and solid waste plan reviews for potential noise impacts. Encourage industrial, commercial, and government sources to submit plans for voluntary review*	Reduce excessive noise from new or modified sources	Statewide
Many noise problems are caused by the development of noise sources not compatible with sensitive uses	Review and comment on local comprehensive land use plans for adequacy of noise elements and encourage noise compatible land use planning*	Enhance the opportunity for noise compatible land use planning	Statewide
Several major noise sources remain unregulated (i.e., public roads and heat pumps)	Develop a schedule for rulemaking to control unregulated sources*	Rules and standards to control major unregulated noise sources	Statewide

* This activity will be limited by available resources. Federal Noise Program assistance to states is scheduled to be phased out by 10/1/82. Oregon Noise Program resources were reduced by the 1981 Legislature, and the 1982 Special Session eliminated all but two noise program staff members.

PROGRAM PRIORITIES - NOISE

Problem or Purpose	Task	Expected Outcome	Geographic Focus
The public and motor vehicle service industry needs information and assistance to comply with vehicle noise standards	<p>Distribute public information materials to inform and encourage compliance with motor vehicle noise rules and standards</p> <p>Conduct workshops for muffler and other vehicle service people*</p> <p>Develop new procedures in conjunction with the I&M program to improve noise testing*</p>	Motor vehicle noise emissions brought within standards	Portland and Statewide
Little enforcement is being accomplished by local jurisdictions	Continue to hold workshops to teach and encourage police enforcement of motor vehicle standards*	<p>Increase the amount of police enforcement of motor vehicle standards</p> <p>Reduce motor vehicle noise emissions from worst offenders</p>	Statewide
The public needs to be more aware of excessive noise and its health effects	<p>Contact Oregon cities and counties to determine interest in noise control. Provide communities with direct assistance to develop their own noise control programs*</p>	Increased public awareness, understanding and support for the noise program	Statewide

* This activity will be limited by available resources. Federal Noise Program assistance to states is scheduled to be phased out by 10/1/82. Oregon Noise Program resources were reduced by the 1981 Legislature, and the 1982 Special Session eliminated all but two noise program staff members.

WATER QUALITY PROGRAM

Program Goals:

- Attain and maintain water quality standards
- Protect recognized beneficial uses of water
- Develop programs to protect groundwaters
- Reduce bacterial contamination in shellfish producing estuaries

Profile:

Overall, Oregon's water is in quite good condition. Stream quality has improved in the past ten years, though many streams, estuaries and lakes still do not meet water quality standards. The State operates an effective water quality management program based on ambient monitoring, detailed planning and analysis for special problems, and control of all waste sources.

Throughout the 1960's and 1970's Oregon experienced rapid population growth. Although the growth rate has slowed considerably due to the current recession, continued population growth can be expected to the year 2000. Future growth rates may be lower than those experienced during the past two decades. The rapid growth means more waste is being discharged into public waters. Just maintaining current conditions will require a substantial investment by the public and development of innovative waste management and treatment methods.

Groundwater protection is an emerging problem. More must be learned about this problem so that groundwater resources can be managed effectively. The State is working on new and cost-effective ways to protect this resource.

Figure #4 shows the quality of Oregon's major rivers, and trends resulting from the State's efforts to maintain clean water.

Strategy:

In FY 83, DEQ will continue to operate its historic program of preventing the creation of new water quality problems. To accomplish this, DEQ will continue to carefully regulate existing and new sources of waste, and waste generating activities.

Tools used to achieve and maintain a high level of compliance will include technical assistance, municipal construction grants, permits, and tax credits. Special projects to control water quality problems in Coos Bay will be developed and implemented.

Figure 4

Status of Oregon's Stream Quality By River Basin

1980

	Composite Water Quality Index Rating	Dissolved Oxygen Standard (%)				Total Coliform Standard (%)	Total Dissolved Solids Standard (%)	pH Standard (%)	WQ Trends, 1976 - 1979	Basin Area, Sq. Mi.	1980 Basin Population	Basin Population Increase Between 1976 and 1980 (%)
		78	65	99	89							
N. Coast/L. Col.	VG	78	65	99	89	---			2,700	70,000	15	
Mid Coast	VG	75	72	93	99	---				54,000	35	
Willamette									12,045	1,707,000	19	
• Main Stem	VG	91	51	96	98	▼						
• Lower Basin	G	100	53	93	98	▼						
• Middle Basin	G	87	42	96	97	◄►						
• Upper Basin	VG	84	65	97	99	◄►						
Sandy	E	92	75	100	91	---	*			19,000	14	
Umpqua	VG	96	85	100	100	◄►		4,560	89,000	89,000	25	
Rogue	VG	94	83	100	96	▼		5,160	186,000	186,000	36	
South Coast	VG	72	87	92	94	---		2,984	76,000	76,000	15	
Hood	E	96	57	100	91	---		1,023	35,000	35,000	14	
Deschutes	VG	92	88	98	95	▼		10,400	83,000	83,000	55	
Klamath	F	69	96	--	94	▲		5,640	59,000	59,000	20	
John Day	VG	92	87	100	81	◄►		8,010	13,000	13,000	7	
Umatilla	G	100	68	86	100	◄►		4,554	53,000	53,000	34	
Walla Walla	Inadequate Data					---	**			10,000	3	
Grande Ronde	VG	92	94	88	95	▼		4,916	31,000	31,000	23	
Powder	G	95	70	100	100	◄►		3,240	17,000	17,000	11	
Malheur	F	64	36	38	100	▼		4,610	23,000	23,000	14	
Owyhee	F	65	40	64	100	▼		6,637	4,000	4,000	3	
Malheur L.	Inadequate Data					---		9,965	8,000	8,000	11	
Goose and Summer L.	Inadequate Data					---		8,620	7,000	7,000	14	

* - Included in Willamette
 ** - Included in Umatilla

- ▲ Improvement in WQ
- ▼ Reduction in WQ
- ◄► No change
- Inadequate Data
- E - Excellent
- VG - Very Good
- G - Good
- F - Fair

OREGON FY 83 PRIORITIES

Water Quality Management

<u>Priority</u>	<u>Problem or Purpose</u>	<u>Task</u>	<u>Expected Outcome</u>	<u>Geographic Focus</u>
1	Complete projects funded with 208 and Clean Lakes funds.	Manage existing 208 and Clean Lakes grants to completion and certification.	208 and Clean Lakes Projects will be implemented resulting in water quality improvement at a level consistent with available funding.	Project Areas
2	Review Water Quality Standards and upgrade where necessary and appropriate.	Conduct triennial review of water quality standards, with focus on water quality-limited segments, including appropriate public involvement.	Increased effectiveness of water quality standards focused on priority water quality problems.	Statewide
1	Revise planning process to reflect changing conditions and revised regulations.	Update Continuing Planning Process description to reflect changing conditions and regulations.	Needs and activities spelled out in an updated Continuing Planning Process document submitted to EPA.	Statewide
1		Develop and adopt program for appropriate use of funds provided for planning by section 205j of the 1981 Clean Water Act amendments.	Effective use of 205j funds.	Statewide
3		Subject to available resources, evaluate priority water quality limited segments identified in the status assessment process to reassess present water quality management strategies.	Assure cost effective control strategies to achieve acceptable water quality.	Statewide

OREGON FY 83 PRIORITIES

Water Monitoring/Quality Assurance

<u>Priority</u>	<u>Problem or Purpose</u>	<u>Task</u>	<u>Expected Outcome</u>	<u>Geographic Focus</u>
1	Gather ambient water quality data to identify quality of Oregon's public waters; assure that data is of known and appropriate quality.	Maintain minimal ambient monitoring network to provide accurate, representative data on the most significant streams (including 13 BWWP stations), estuaries, lakes, and groundwater.	Data to track basic quality and trends on significant water bodies; support planning decisions.	Statewide
2		Ensure quality of data by implementing quality assurance program.	Data of known and appropriate quality for use by users.	Statewide
1	Assess potential toxics "hot spot" in Portland Area.	Complete cooperative EPA/DEQ "hot spot" dilution study in metropolitan area and develop a detailed intensive survey plan to identify toxics problems, if any.	Identification of toxic problem areas if any. Provide basis for saying toxic pollutants are or are not a problem in Oregon waters. Needed as part of EPA response to NRDC consent decree.	Portland area (Columbia Slough)
1	Assess water quality status and identify current water quality needs by analyzing, interpreting, displaying and reporting data gathered from the monitoring network.	Develop, operate and maintain a user oriented ADP based data system.	More effective use of data with less manpower required.	Statewide
		Prepare Biennial Status Report by the end of even numbered years.	A report which defines water quality status, problem areas, and needs.	Statewide

OREGON FY 83 PRIORITIES

NPDES Permits/Compliance

<u>Priority</u>	<u>Problem or Purpose</u>	<u>Task</u>	<u>Expected Outcome</u>	<u>Geographic Focus</u>
1	National priority is being placed on improvement of compliance levels for POTWs that have been constructed using Federal Grant funds provided under PL 92-500.	Continue existing state inspection and compliance assurance program for POTWs including O & M aspects during inspection of at least 1/3 of all POTWs; provide technical assistance in correcting problems; take appropriate enforcement action in cases of sustained POTW non-compliance. Assist EPA to develop and implement a system to develop and report POTW compliance statistics to EPA Headquarters.	Reduce effluent violations by identifying and resolving O & M problems before they result in effluent violations. Capability to determine level of effluent compliance and identify problem POTWs.	Statewide
1	Expiring NPDES permits need to be reissued.	Reissue permits for major secondary industries; and for primary industries where guidelines have been promulgated or where effluent limits are water quality based.	All expiring major permits are reissued that are possible.	Statewide
1	Maintain permit compliance.	Fully carry out the DEQ/EPA Compliance Assurance Agreement.	Acceptable levels of compliance.	Statewide
2	Pursue National Pretreatment Program.	Continue to assist cities to develop their Pretreatment programs.	Individual city programs approved by DEQ by April 1983.	Statewide

OREGON FY 83 PRIORITIES

Construction Grants

<u>Priority</u>	<u>Problem or Purpose</u>	<u>Task</u>	<u>Expected Outcome</u>	<u>Geographic Focus</u>
1	Achieve appropriate delegation of Construction Grants program to State.	a. Provide positive cooperative program framework to facilitate delegation to State. b. Complete evaluation of delegation options under Section 205(g) of Clean Water Act; secure DEQ decision on delegation; develop proposed program and schedule, secure legislative approval, and sign first phase delegation agreement, consistent with results of FY 82 study.	Final decision on delegation, schedule for implementation, and cooperative program transfer to State according to schedule.	Statewide
1	Provide effective EPA/State/Corps partnership in management of the Construction Grants program consistent with Federal law and regulations, National goals, and status of delegation.	a. Clarify roles of EPA, DEQ and Corps through a 3-way agreement to establish joint working procedures and assure efficient use of resources in project management and management information reporting to EPA Headquarters b. Cooperatively negotiate and implement respective roles in operating the National Management and Evaluation System. c. Manage projects to meet obligation schedules; outlay projections; provide priority list data for and make use of Grants Information Control System; and manage projects to achieve timely completion, project closeout, and audit.	Communication problems minimized, less resources devoted to correcting avoidable problems, fewer meetings, and expedite decision making. Efficient program management to achieve other expected outcomes. Specific project completion schedules met. Inflationary impacts of project delays is minimized, therefore more waste treatment and water quality improvement for the money.	Statewide Statewide Statewide

OREGON FY 03 PRIORITIES

Construction Grants (page 2)

<u>Priority</u>	<u>Problem or Purpose</u>	<u>Task</u>	<u>Expected Outcome</u>	<u>Geographic Focus</u>
1	Assure that grant funds are allocated to projects that provide significant water quality or public health benefits pursuant to applicable laws and appropriate regulations.	a. Review priority criteria, stream segment classifications, and list management rules and adjust as necessary to be consistent with 1981 amendments and regulations resulting therefrom. Continue to stress funding of projects which provide significant benefit to water quality and public health.	Most significant water quality and public health problems taken care of first.	Statewide
1		b. Manage priority list to fund highest ranked projects and assure timely use of all funds.	Efficient use of funds. Maximize waste treatment and water quality improvement with available funds.	Statewide
		c. EPA, with input from DEQ, will identify potential EIS candidate projects and initiate appropriate actions to assure that NEPA processes (FNSI's and EIS's) are completed in a timely way so as not to delay projects.	Projects will be environmentally sound and not delayed.	Statewide
NS 1	Assure that facility plans are completed in a timely way, and address requirements necessary to qualify for step 3 (construction) funding.	a. Assure that Facility Plans for projects which are scheduled for funding in the next 3 years are appropriately completed and meet applicable requirements for design and/or construction funding.	Selected alternative is fundable and implementable.	Statewide
2		b. Establish new procedures for assuring that new facility plans which are developed without Step 1/2 funding (planning/design) will evaluate appropriate options including innovative and alternative technologies and will meet requirements for Step 3 funding.	Projects are not denied at step 3 level for reason of failure to plan or design properly.	Statewide

OREGON FY 83 PRIORITIES

Underground Injection Control

<u>Priority</u>	<u>Problem or Purpose</u>	<u>Task</u>	<u>Expected Outcome</u>	<u>Geographic Focus</u>
1	Potential contamination of underground sources of drinking water (USDW's) from the injection of fluids through wells.	Submit primacy application on existing State UIC program to EPA by 1st quarter of FY 83.	Primacy granted by second quarter of FY 83.	Statewide
1	Same as above.	EPA implementation of UIC program.	Regulatory controls on injection of fluids.	Statewide

SOLID WASTE

Program Goal:

- Protect public health by proper and adequate solid waste disposal and resource recovery.

Profile:

Wastes are unavoidably generated by people going about their normal everyday business and by organizations producing materials for consumption. Common examples include production of metals, fertilizers, plastics, paint, and food, and operation of institutions such as schools, hospitals, laboratories, and offices.

Oregon has a well developed solid waste management program, centralized in DEQ by the 1971 Legislature. DEQ has authority for statewide program management and assistance, while local governments throughout Oregon are responsible to implement programs and operate disposal facilities.

The solid waste program follows two principal directions. The first is to close open dumps and bring all disposal sites up to State standards. The second is to separate and recycle usable resource materials and energy in the waste stream. Both aspects of the program are being "woven" into local Solid Waste Management Plans now completed for most urban areas.

Strategy:

In FY 83, DEQ's solid waste management effort will be working on the following specific problems:

1. Improve waste disposal site operation where open dump and open burning practices continue, or where landfill and disposal sites are inadequate.
2. Locate satisfactory landfill sites for the Portland metropolitan area, coastal counties and Marion County.
3. Assist planning, development, and operation of resource recovery plants to serve Portland, Marion and Lane Counties.
4. Development of Waste Reduction Programs in state designated planning and implementing areas.

HAZARDOUS WASTE

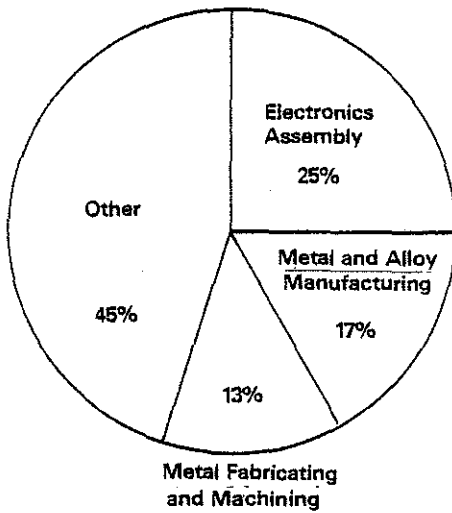
Program Goal:

-Protect public health and air, water, and land from contamination by improper storage, transportation, recovery and ultimate disposal of hazardous wastes.

Profile:

The "hazardous" part of the total waste stream is a threat to public health and safety and to the environment unless adequate safeguards are part of transport, disposal, treatment, storage, and recycling practices. Figure #5 shows the sources of hazardous waste in Oregon, and the methods of disposal.

HAZARDOUS WASTE GENERATION BY INDUSTRIAL CATEGORY
1978 SURVEY DATA



HAZARDOUS WASTE MANAGEMENT PRACTICES
1978 SURVEY DATA

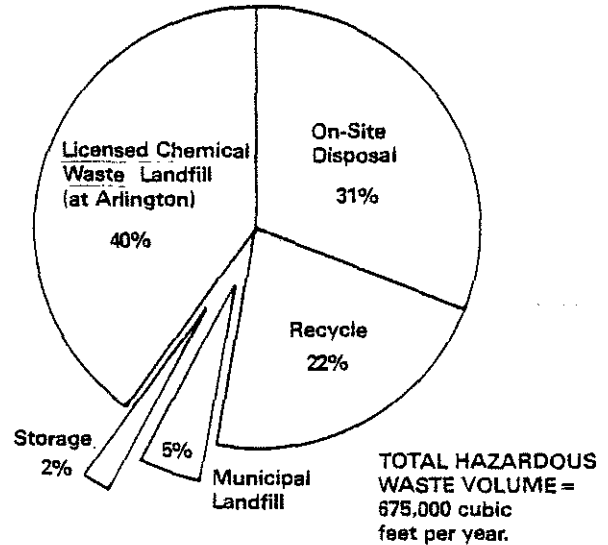


Figure 5

Oregon was among the first states (in 1971) to pay attention to the hazardous waste problem. An inventory and evaluation of hazardous waste handling and management in Oregon was completed in 1973, and updated and expanded in 1980.

Since 1971, each Legislature has reviewed and improved statutes governing hazardous waste management. Both the Environmental Quality and Public Utility Commissions have adopted regulations to control the generation, storage, transport, and ultimate disposal of hazardous wastes. The Arlington Pollution Control Center, owned by the State and operated by a private licensee, has provided the State with a basic tool - a controlled disposal site - to implement its comprehensive hazardous waste regulatory program.

The Resource Conservation and Recovery Act of 1976 (RCRA) gave the Federal Government authority to regulate management of hazardous wastes. RCRA allows "equivalent and consistent" state programs to operate in lieu of the Federal program. DEQ has been granted Interim Authorization to manage a state hazardous waste program covering generation, transport, storage, treatment, and disposal activities. Operating under a formal Cooperative Arrangement (i.e., a contract), Federal/State permits will be issued to storage, treatment, and disposal facilities.

Strategy:

In FY83, DEQ expects to receive Phase II Interim Authorization for permitting storage, treatment and disposal facilities; carry out an extensive compliance inspection, monitoring and enforcement program; and continue to upgrade its current rules so an application for final authorization can be submitted in FY 84.

OREGON FY 83 PRIORITIES

Hazardous Waste (RCRA Subtitle C)

<u>Priority</u>	<u>Problem or Purpose</u>	<u>Task</u>	<u>Expected Outcome</u>	<u>Geographic Focus</u>
1	Permits incorporating minimum standards will be issued to hazardous waste management facilities.	DEQ will issue permits under authorized program (to be authorized during FY 82 or early FY 83).	Facilities will be given specific standards with which to ensure environmentally safe operation.	Statewide
1	Assurance of proper hazardous waste management practices.	a. Compliance inspections of and enforcement actions at HW generators, transporters and TSD facilities will be carried out under authorized State programs. b. State will identify "non-notifiers" and assure such facilities are managed under State HW program.	Compliance with standards will be carried out and assure that facilities out of compliance will be brought into compliance.	Statewide
1	Having developed a "substantially equivalent" program, the State needs to develop an equivalent program for final authorization.	State statutes and regulations need to be reviewed to determine what changes are necessary to achieve final authorization. Steps must be taken to ensure that necessary changes are made in time to apply for final authorization in August 1984. DEQ will provide reports and information necessary for EPA to fulfill its oversight responsibilities.	State will be in a position to apply for final authorization. EPA will be assured State program meets minimum objectives.	Statewide
2	Public must be aware and supportive of State hazardous waste management activities.	DEQ will ensure that public participation in program is carried out.	Public support, leading to State program which receives final authorization, will be ensured.	Statewide

OREGON FY 83 PRIORITIES

Hazardous Waste (RCRA Subtitle C) - page 2

<u>Priority</u>	<u>Problem or Purpose</u>	<u>Task</u>	<u>Expected Outcome</u>	<u>Geographic Focus</u>
2	EPA has contractor assistance available for hazardous waste management projects.	State will propose and participate in evaluation of projects for EPA technical assistance programs.	Technical assistance projects will be carried out according to State identified needs.	Statewide
3	Ensure that all State monitoring and measurement activities are of the quality and integrity required by Region 10 Quality Assurance Plan.	Develop and secure laboratory capability including quality assurance to implement RCRA.	Monitoring and measurement activities that meet Region 10 quality assurance requirements.	Statewide

OREGON FY 83 PRIORITIES

Superfund*

<u>Priority</u>	<u>Problem or Purpose</u>	<u>Task</u>	<u>Expected Outcome</u>	<u>Geographic Focus</u>
1	The Superfund statute requires the State to submit their high priority hazardous waste sites for remedial action on an annual basis to EPA. Based on submissions by the State, EPA will assemble a national list of at least 400 high priority sites for action under Superfund.	a. EPA will assist the State to continue to develop a hazardous waste inventory through active field investigations.	EPA and the State will have, to the extent possible, a comprehensive hazardous waste site inventory in which to identify potential Superfund sites.	Statewide
		b. State and EPA will jointly prioritize potential Superfund sites on an annual basis.	State will meet statutory requirement to submit potential Superfund sites to EPA.	Statewide
1	EPA enforcement procedures seek to secure Superfund site clean-up responsible parties --in lieu of fund use--whenever appropriate privately financed clean-up can be undertaken in a timely fashion.	a. State and EPA will work closely together to develop and implement site specific strategies to secure private and voluntary clean-up.	Successful site-specific strategies to generate clean-up by responsible parties will serve to conserve the Fund.	Statewide
		b. EPA will assist the State to monitor responsible and third party clean up of hazardous waste sites.	State and EPA are assured that the threat to the environment, public health and/or welfare at hazardous waste sites is removed.	Statewide

OREGON FY 03 PRIORITIES

Superfund* (page 2)

<u>Priority</u>	<u>Problem or Purpose</u>	<u>Task</u>	<u>Expected Outcome</u>	<u>Geographic Focus</u>
If the State of Oregon chooses to submit a site to EPA for inclusion on the National Priority List, the following tasks will be undertaken:				
1	Superfund statute requires the State to share the costs of remedial response at Superfund sites--10% of the remedial response costs for privately-owned sites and 50% for publicly-owned sites.	EPA will assist the State to identify and secure resources for the State's cost-share requirements.	State will meet statutory requirement to share remedial response costs at Superfund sites.	Statewide
1	Assurance of coordination between the State and EPA in the area of enforcement including determinations of responsible parties and cost recovery actions.	<p>a. The State will assist EPA in identifying responsible parties and determining enforcement potential at Superfund sites.</p> <p>b. The State will assist EPA in determining an enforcement strategy for each Superfund site identified.</p> <p>c. The State will assist EPA in compiling a profile of previous enforcement history at each Superfund site.</p> <p>d. The State will assist EPA, where possible, in cost-recovery actions.</p>	<p>Timely determination of responsible parties and appropriate funding procedures.</p> <p>An effective enforcement strategy which occurs timely and cost effective clean-up of each Superfund site.</p> <p>A thorough enforcement profile for each Superfund site.</p> <p>Timely and effective cost-recovery actions.</p>	Statewide

*Within the Superfund section "Superfund site" means both sites eligible for Superfund action and uncontrolled sites that may not be eligible.

OREGON FY 83 PRIORITIES

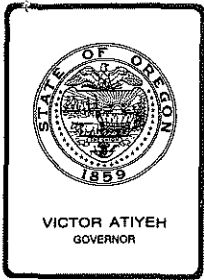
Oil and Hazardous Spills

<u>Priority</u>	<u>Problem or Purpose</u>	<u>Task</u>	<u>Expected Outcome</u>	<u>Geographic Focus</u>
1	Emergency spills require prompt, effective response to prevent environmental impact and insure clean-up.	Respond to all significant oil and hazardous materials spills. Maintain effective communication system.	Reduce impact on environment and insure prompt resolution, give notification to EPA.	Statewide
1	Develop Contingency Plan for prompt response to permit State participation under Superfund.	Develop State Contingency Plan required for EPA/State participation under Superfund.	State revise existing plans to permit state eligibility under Superfund.	Statewide

SUMMARY OF GRANT RESOURCES*

PROGRAM	RESOURCES			
	Federal	Non-Federal	Total	Staff-Years
Air Quality Program	\$1,308,242	NOT YET AVAILABLE		
Water Quality Program	\$ 738,700	NOT YET AVAILABLE		
Hazardous Waste Program (RCRA)	\$ 493,451	NOT YET AVAILABLE		

* The above figures are target amounts for EPA program grants for the State of Oregon for FY 1983. They reflect the President's budget request. However, they are subject to negotiation, and of course, Congressional appropriation.



Environmental Quality Commission

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522 SOUTHWEST 5th AVENUE, PORTLAND, OR 97204 PHONE (503) 229-5696

MEMORANDUM

To: Environmental Quality Commission

From: Director

Subject: Agenda Item No. , July 16, 1982, EQC Meeting

Request For Authorization to Conduct a Public Hearing On The Medford Carbon Monoxide Portion of the State Implementation Plan

Background

The Clean Air Act requires States to submit a revision to a State Implementation Plan (SIP) by July 1, 1982 for any area that received an extension of the 1982 attainment date for the carbon monoxide (CO) standard. The Medford Air Quality Maintenance Area is affected by this requirement.

Jackson County, the lead agency responsible for the development of the Medford CO plan, has indicated that the Medford CO plan will not be completed by July 1, 1982. The Medford CO plan is scheduled for local adoption (City of Medford and Jackson County) in August 1982.

Evaluation

The Department transmitted the most recent draft of the Medford CO plan (Draft 7) to the Environmental Protection Agency on June 30, 1982 in recognition of the July 1, 1982 requirement. The transmittal letter indicated that local adoption was expected in August 1982 and that state adoption was expected in October 1982. It is believed that EPA will find under this schedule reasonable progress is being made to meet the Clean Air Act requirements and thus sanctions in the form of grant withholding and new source prohibitions would not be implemented. The major control measures of the draft plan are:

- o County-wide biennial inspection and maintenance program (I/M)
- o Downtown Medford parking controls
- o Computerized Medford traffic signal system
- o Roadway improvements

- o Federal motor vehicle control program
- o Continued existing levels of carpool and transit usage
- o Maintained existing levels of staggered work hours

In order for the Commission to consider adoption of the Medford CO plan as soon as possible (at its October 1982 meeting), a public hearing should be held in August or September 1982. There is not enough time to follow the normal hearing authorization process and meet this schedule.

There may be some revisions to the draft plan during the local adoption process. Thus, the plan which goes to the State hearing may not be identical to the attached plan.

Summation

1. The Clean Air Act requires that the Medford carbon monoxide portion of the State Implementation Plan be revised by July 1, 1982.
2. Jackson County, the lead agency for the development of the Medford CO plan, has indicated that local adoption is expected by August 1982.
3. A public hearing should be held in September 1982 in order for the Commission to consider adoption of the Medford CO plan as soon as possible to avoid potential federal sanctions.
4. Normal hearing authorization time tables cannot be followed if the EQC is going to adopt the plan in October 1982.

Recommendation

Based upon the Summation, it is recommended that the Commission authorize a public hearing to take testimony on the Medford carbon monoxide portion of the State Implementation Plan as soon as it is finalized by Jackson County.



William H. Young

Attachment: Draft 7 of the Medford CO plan
J.F. Kowalczyk:a
229-6459
July 14, 1982
AA2340 (1)

DRAFT 7

Section 4.9

Control Strategy For
Medford-Ashland Air Quality Maintenance Area
1982 State Implementation Plan Revision
For Carbon Monoxide

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
RECEIVED
JUN 24 1982
AIR QUALITY CONTROL

July, 1982

Jackson County

Oregon Department of Environmental Quality

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4.9.0 MEDFORD-ASHLAND AIR QUALITY MAINTENANCE AREA STATE IMPLEMENTATION
PLAN FOR CARBON MONOXIDE

4.9.0.1 Introduction

The Clean Air Act Amendments of 1977 (CAAA) require states to submit plans to demonstrate how they will attain and maintain compliance with national ambient air standards for those areas designated as "non-attainment." The Act further requires these plans to demonstrate compliance with primary standards no later than December 31, 1982. An extension up to December 31, 1987, is possible if the state can demonstrate that despite implementation of all reasonably available control measures the December 31, 1982, date cannot be met.

On March 3, 1978, the Medford portion of the Medford-Ashland AQMA was designated by the Environmental Protection Agency (EPA) as a non-attainment area for carbon monoxide (CO). In accordance with Section 174 of the Clean Air Act Amendments of 1977, former Governor Straub designated the Jackson County Board of Commissioners as the lead agency for the development of the CO State Implementation Plan (SIP) revisions for the Medford-Ashland AQMA.

On June 20, 1979, the Governor submitted a CO plan for the Medford-Ashland AQMA to EPA with a request for an extension beyond 1982 for the attainment of the CO standard.

The EPA printed an approval of this request in the Federal Register on June 24, 1980, (45 FR 42278) with the condition that New Source Review Regulations (OAR 340-20-190 through 197) would be approved by the

Department of Environmental Quality (DEQ) within six months (by December 24, 1980) meeting the following conditions:

- i) A specific emission offset program with regulations be adopted and submitted.
- ii) The rules governing multiple sources under single ownership be modified so as to require that other sources owned by the company applying for a permit be in compliance "with all applicable emission limitations and standards under the Act."

The approval allowed for an extension of the Medford CO attainment date beyond December 31, 1982, but before December 31, 1987, with a specific date to be identified in the alternatives analysis due to EPA on July 1, 1980.

All of the non-attainment problems identified for 1982, were within the Central Business District (CBD) of the City of Medford. Based on this information, Jackson County agreed that it would be appropriate for the City of Medford to perform the evaluation of the projected growth in population, employment, traffic conditions and the resulting air quality conditions for downtown Medford in 1982 and 1987.

It was also agreed that Jackson County should have primary responsibility for writing the CO plan for the region. Jackson County began the analysis of the transportation control measures in November 1979. The results were submitted to EPA in July, 1980.

4.9.0.2 Summary of Plan

A. It is estimated that CO transportation emissions represented 74% of the total CO emissions generated in the Medford-Ashland AQMA in 1980. In 1987, 56 percent of the CO emissions are still projected to be from transportation.

B. The air quality analysis in this SIP revision indicates that a few streets in the Medford central city area are the only locations in the entire AQMA to violate the eight-hour CO ambient air quality standard in 1982.

C. By December, 1987, all streets are projected to be in compliance with the CO standard via the implementation of the control measures cited in this document. Major CO control measures that are a part of this plan are:

- * County-wide biennial inspection and maintenance program (I/M).
- * Downtown parking controls.
- * Computerized signal system.
- * Roadway improvements.
- * Federal motor vehicle control program.
- * Continued levels of carpool and transit usage.
- * Maintained levels of staggered work hours.

D. A description of previously implemented transportation control measures is included in this SIP revision. Participating jurisdictions have made a commitment to implement the control measures listed in this plan.

E. The analysis of the central business district (CBD) in Medford demonstrated that there is no projected CO problem in the CBD beyond the year 1987.

F. Medford's CO design value for 1979 is 19.1 milligrams per cubic (mg/m³) meter calculated from readings taken at the CAM station. The eight-hour CO standard (State and Federal) is 10mg/m³.

G. While lacking authority for implementation of an I/M program in 1982, Jackson County has made a commitment to implement an I/M program contingent upon state enabling legislation.

H. The Medford Parking and Traffic Circulation Plan commits the city to extensive traffic flow improvement projects.

I. CO Modeling projections indicate that the implementation of all the control strategies identified in this plan will result in only isolated CO hot spots that will not attain the CO eight-hour standard (10mg/m³) by 1987. Site specific measures will be evaluated and implemented in the interim to eliminate these hot spots, if practicable, by 1987.

4.9.1 GEOGRAPHIC DESCRIPTION

Southwestern Oregon is a rugged mountainous region interspersed with small, low-lying valleys, of which the Rogue River Valley is the largest. The region is bounded by the Pacific Ocean to the west, the Willamette and Umpqua Valleys to the north, the Cascade Mountains to the east, and the northern highlands of California to the south.

The mountainous areas of the region are generally sparsely-populated forest lands. The valley areas have traditionally been utilized for various farming and lumber-related manufacturing practices. Medford, the largest city (40,000 pop.) in southwestern Oregon, is centrally located in the Rogue River Valley. Actually, the Medford area is locally known as the Bear Creek Valley, while the Rogue River traverses the northerly edge of the valley, which is approximately 20 miles long, (running north - south) and from 2 miles (to the south) to 10 miles (to the north) in width, and being 5 miles across at Medford.

The Medford-Ashland Air Quality Maintenance Area boundary, figure 4.9.1-1, generally follows the 2000-foot elevation line around the valley, enclosing almost all of the valley floor. As noted above, EPA designated the Medford-Ashland area as an AQMA in 1974 when it was determined that 1970 Clean Air Act standards had a high potential to be consistently violated in the area. The legal description of the Air Quality Maintenance Area is in Appendix 4.9-7.

The AQMA includes some 288 square miles at an elevation of 1200 feet. The surrounding mountains range from 3000 to 9500 feet in elevation. The natural mountainous boundary forms the sides of the bowl in which the AQMA is located. It is the small physical size of this bowl, coupled with an average wind speed of less than 5 miles per hour and frequent air inversions, which limits the amount of air available for emission dispersal. Limited dispersal capability and substantial quantities of CO emissions combine to cause the Medford area to violate federal clean air standards.

Within, and approximately near the center of, the AQMA is Medford's Carbon Monoxide Nonattainment Area which generally includes that part of central Medford from the Big Y on the north to 12th Street on the south, and from Interstate 5 on the east to Oakdale Street on the west. The highest carbon monoxide concentrations have been measured within this area, consistently violating State/Federal eight-hour health standards. Refer to Table 4.9.2-1 for specific violation levels and frequency.

The Carbon Monoxide Nonattainment Area is wholly contained within the City of Medford central commercial area. Figure 4.9.1-2 illustrates the 1979 carbon monoxide nonattainment area.

The carbon monoxide nonattainment area boundary is as follows:

Beginning at the intersection of Crater Lake Highway (Highway 62) south on Biddle Road to the intersection of Fourth Street, west on Fourth Street to Riverside Avenue (Highway 99), south on Riverside

Avenue to Tenth Street, west on Tenth Street to the intersection with Oakdale Avenue, north on Oakdale Avenue to the intersection with Fourth Street, east on Fourth Street to Central Avenue, north on Central Avenue to Court Street, North on Court Street to the intersection with Crater Lake Highway (Highway 62) and east on Crater Lake Highway to the point of beginning.

FIGURE 4.9.1-1

JACKSON COUNTY, OREGON

MEDFORD-ASHLAND
AIR QUALITY MAINTENANCE AREA

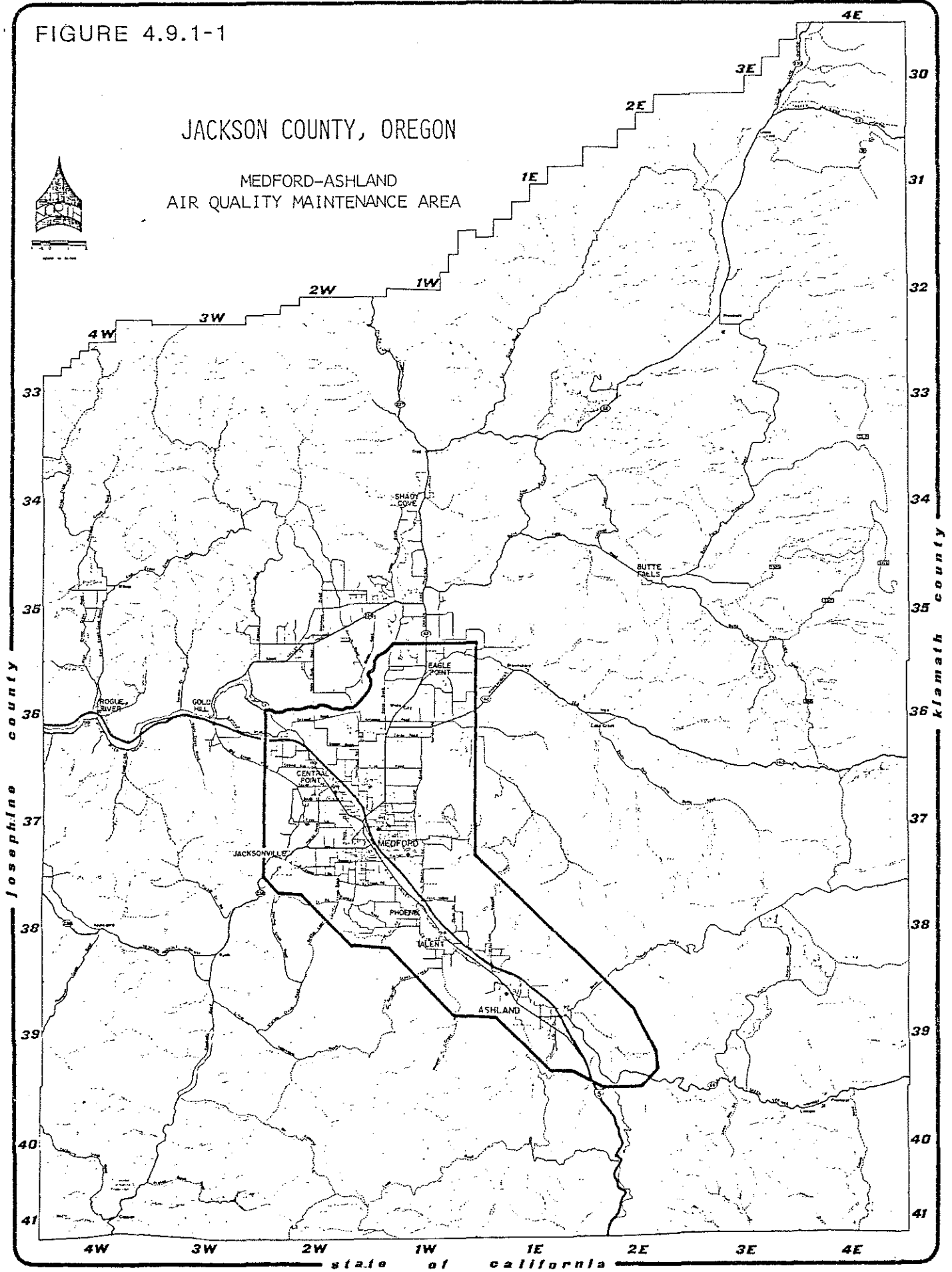
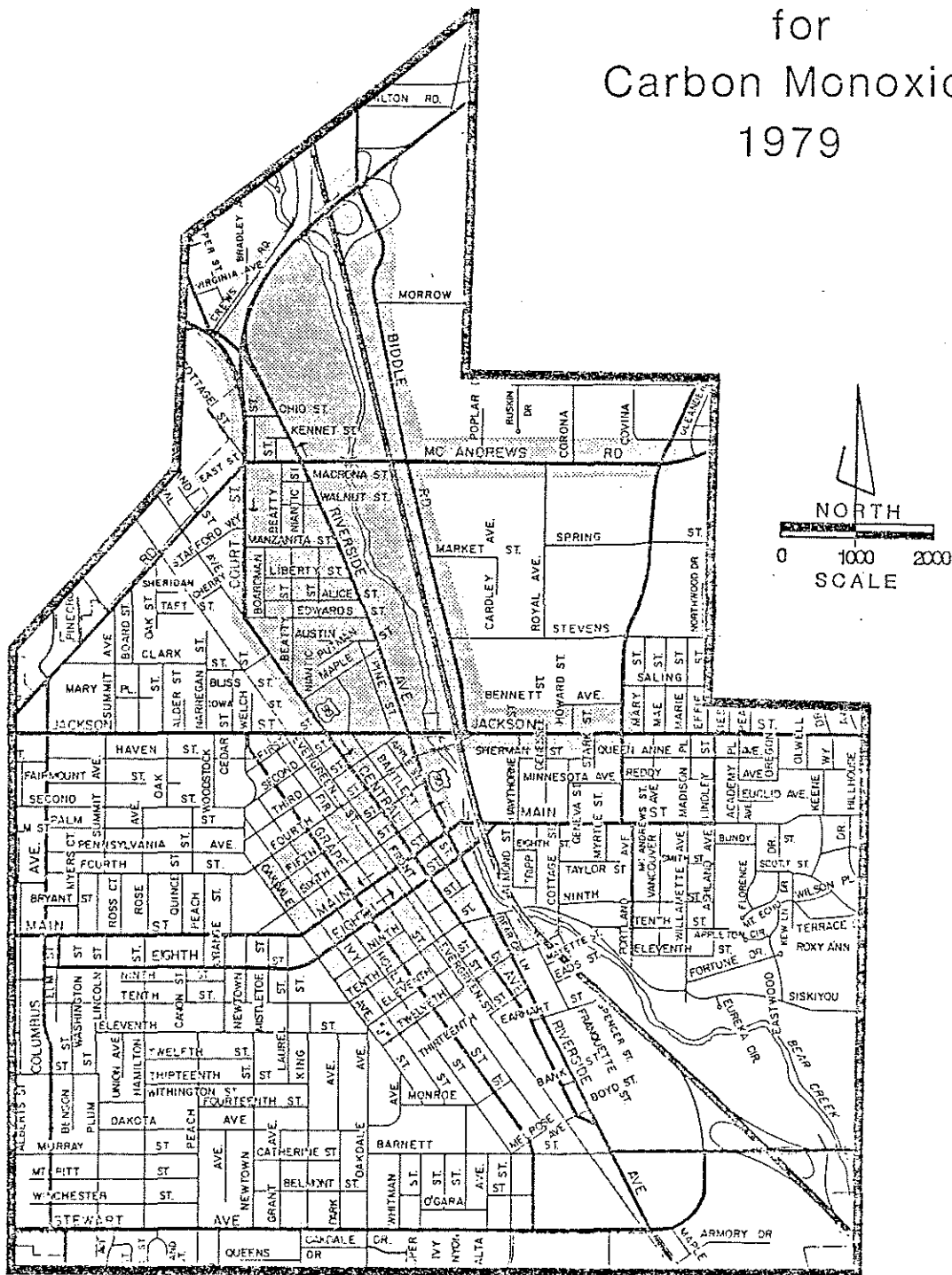


FIGURE 4.9.1-2

NON-ATTAINMENT AREA for Carbon Monoxide 1979



SHADED PORTION OF MAP INDICATES CO NON-ATTAINMENT AREA

SOURCE: JACKSON COUNTY PLANNING DEPT.

4.9.2 AMBIENT AIR QUALITY

4.9.2.1 Monitoring Data

Ambient carbon monoxide measurements are taken at one site located at Main and Central in downtown Medford. The monitor is located and operated in accordance with Environmental Protection Agency requirements. Table 4.9.2-1 indicates the exceedences of the carbon monoxide standard recorded from 1977 through 1981. Table 4.9.2-2 displays the frequency of eight hour standard exceedences by month.

Several special CO sampling surveys have taken place in Medford in the past. The most recent two took place in December, 1978, by the DEQ, and in December, 1979, through January, 1980, by Earth Metrics, an air quality consultant for the City of Medford.

Each of these surveys had similar findings in defining the boundaries of the CO nonattainment area, and the concentrations at selected receptor sites.

Figure 4.9.2-1 displays the results of the DEQ survey, and the results of a screen line analysis used to determine streets with a potential to exceed the eight hour CO standard. The screen line analysis used traffic volumes, speeds, emission density, and receptor distance to determine CO concentration.

Table 4.9.2-3 lists sampling sites and number of samples taken during the Earth Metrics CO survey. Figure 4.9.2-2 displays the results of that survey.

4.9.2.2 Design Concentration

Based on Environmental Protection Agency guidelines, the second highest eight-hour carbon monoxide concentration observed during the last year for which complete data is available is used as the design concentration upon which control strategies are based. In Medford's case, the latest year for which complete data is available for transportation and air quality is 1979. However, as shown in Table 4.9.2-1 below, carbon monoxide concentrations experienced in 1979 were unusually low. Therefore, a second method, provided by the Environmental Protection Agency, was utilized to determine a design value. Appendix 4.9-2 describes the methodology utilized for this calculation. The design value has been determined to be 19.1 mg/m³ based upon this methodology.

Table 4.9.2-1

CO CONCENTRATIONS - DOWNTOWN MEDFORD

Year	Geometric Mean	1 - Hour Averages		8 - Hour Averages	
		Max.	2nd High	Max.	2nd High
1977	4.47	33.3	31.0	21.8	19.8
1978	4.16	39.1	33.3	22.1	20.9
1979	2.78	27.6	25.0	17.0	15.8
1980	2.51	31.3	27.4	22.1	18.0

Source: DEQ Oregon Air Quality Report, 1980 - page 1 - 27.

Table 4.9.2-2

NUMBER OF DAYS PER MONTH WITH 8-HOUR CARBON MONOXIDE CONCENTRATIONS
GREATER THAN 10 mg/m³ (PORTLAND)

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	YEAR TOTAL
Brophy Building -- 1520119													
1976	Station started December 1976											27	27
1977	20	15	6	5	2	0	22	21	17	22	26	20	176
1978	17	14	18	8	4	4	14	21	16	20	24	24	184
1979	15	5	7	5	2	3	4	13	11	19	22	15	121
1980	9	8	2	0	1	1	1	3	4	7	12	20	68
1981	13	6	2	0	2	0	3	0	3	4	8	12	53

Table 4.9.2-3

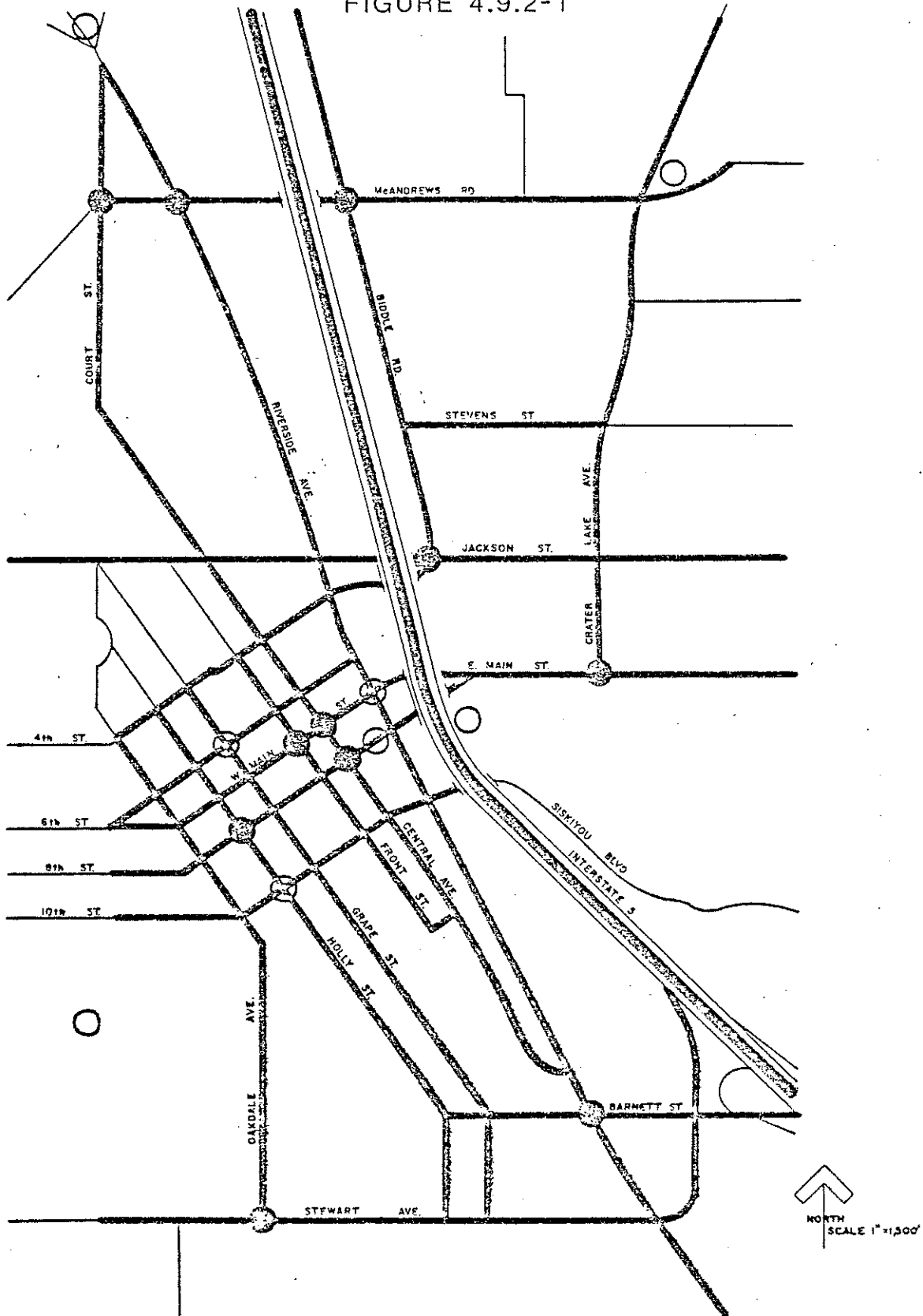
EARTH METRICS CARBON MONOXIDE MONITORING SUMMARY MEDFORD, OREGON

LOCATION OF SAMPLING SITE	NUMBER OF SAMPLES ACQUIRED
*1. North East Corner of McAndrews Road and Riverside Avenue	10
*2. East Side of Crater Lake Highway between Riverside and Interstate 5	10
*3. North Side of McAndrews at railroad tracks	6
*4. South West Corner of McAndrews and Court Street	10
5. North East Corner of Central Avenue and Beatty	5
6. West Side of Riverside between Edwards and Austin	5
7. North East Corner of Biddle Road and Jackson Street	11
*8. North West Corner of Biddle Road and McAndrews Road	11
*9. South East Corner of Biddle Road and Crater Lake Highway	11
*10. South West Corner of Crater Lake Avenue and McAndrews	9
11. South Side of Hillcrest Road at Lyman	6
12. South Side of East Main Street at Crater Lake Avenue	9
13. South East Corner of Central Avenue and 8th	11
14. South East Corner of Riverside Avenue and Main	12
15. North East Corner of Central Avenue and Main - DEQ Site	12
16. West Side of Bartlett South of 6th	12
17. East Side of Front Street South of 5th	11
18. East Side of Riverside Avenue South of 4th	11
19. South Side of West Main St between Grape and Holly Streets	9
20. West Side of Hamilton Street between Dakota and Withington	8
21. South East Corner of Stewart Avenue and Oakdale Avenue	10
22. South East Corner of Riverside and Stewart	10
23. North Side of Barnett Road East of Riverside	10
24. South East Corner of Main and Elm Street	10
*25. East Side of the Big Y Intersection	7
26. South East Corner of Barnett Road and Black Oak Drive	6
27. North Side of 8th Street between Ivy and Holly	5
28. North Side of 13th Street between Central and Riverside	7

* Sampling sites selected for the shopping center study.

MEDFORD 1979 SCREENLINE ANALYSIS & CO SURVEY SITES

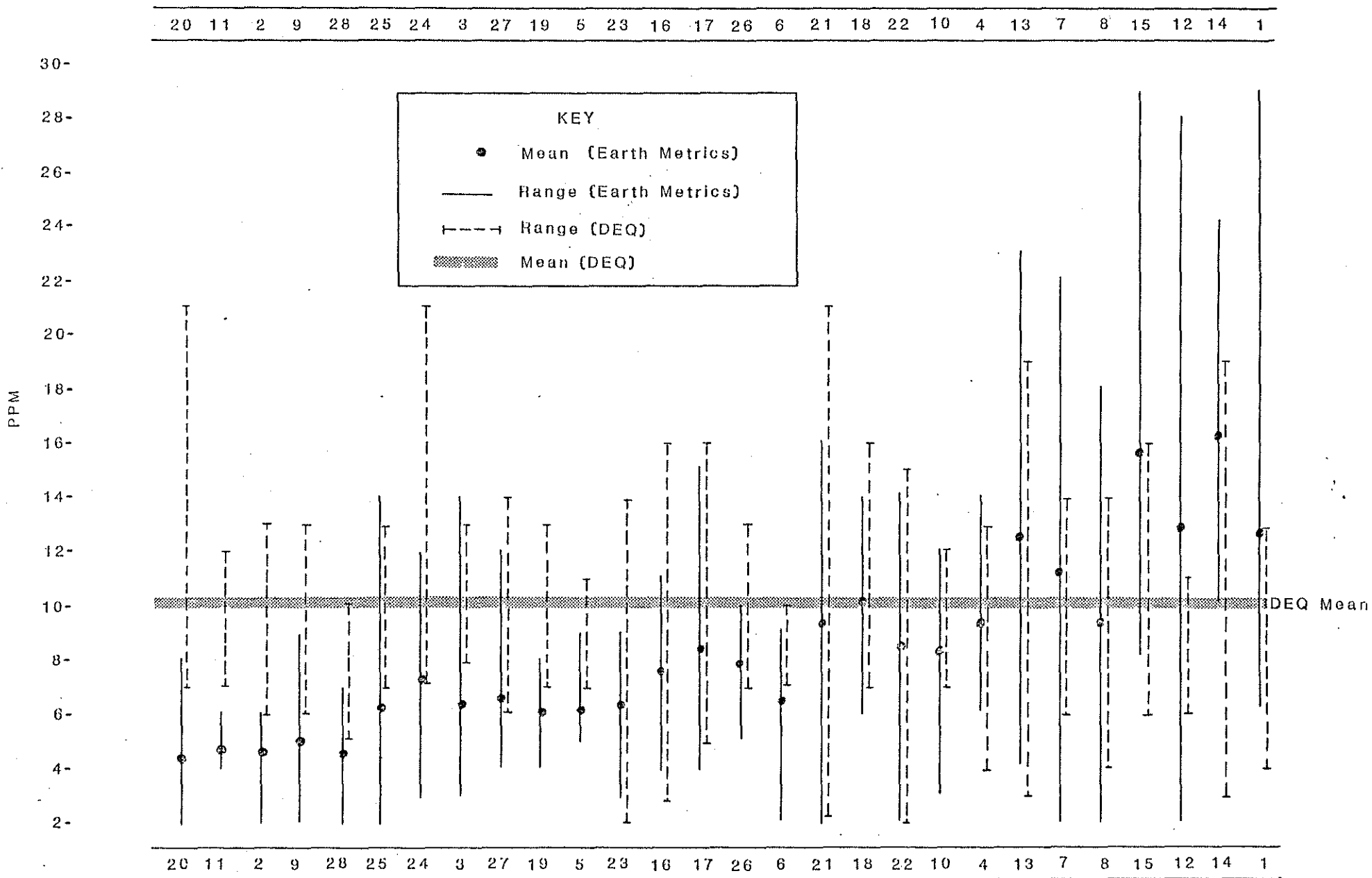
FIGURE 4.9.2-1



- INDICATE STREETS WITH POTENTIAL FOR EXCEEDING CO STATE AND FEDERAL STANDARDS BASED ON MODELING.
- CO SURVEY SITES EXPERIENCING LEVELS ABOVE STATE AND FEDERAL STANDARDS IN DECEMBER, 1978 AND JANUARY, 1979
- CO SURVEY SITES EXPERIENCING LEVELS BELOW STATE AND FEDERAL STANDARDS IN DECEMBER, 1978 AND JANUARY, 1979

FIGURE 4.9.2-2

CO 15-MINUTE LEVELS (PPM) IN MEDFORD, OREGON, DECEMBER 5, 1979 TO JANUARY 11, 1980



4.9.3 REGIONAL EMISSION INVENTORY

4.9.3.1 Emission Inventory

The calendar years 1979, 1982, and 1987 emission inventories are summarized by source category in Table 4.9.3-1. A detailed emission inventory is contained in Appendix 4.9.1. The base or design year is 1979. Tables have been rounded to the nearest hundred, consistent with the precision of available emission factors.

Table 4.9.3-1

Medford-Ashland AQMA CO Inventory, Tons/Year (tpy)

<u>Source</u>	<u>1979</u>	<u>%</u>	<u>1982</u>	<u>%</u>	<u>1987</u>	<u>%</u>
Industrial Processes	1700	3	1800	4	2000	4
Space Heating	10800	21	13500	28	17800	38
Transportation	38400	74	31900	66	26200	56
Solid Waste Disposal	300	1	300	1	300	1
Miscellaneous	900	2	900	2	900	2
Total	52100	100%	48400	100%	47200	100%

4.9.3.1.1 Industrial Sources

Industrial CO emissions were calculated using source test information or emission factors. No major industrial sources are located within the CO nonattainment area. The major industrial CO source in the AQMA is Reichhold Chemicals, Inc. located in White City about 12 kilometers north of the Medford CO nonattainment area. Two wood products industries located in north Medford each emit about 100 tons

of CO per year. All other industrial sources in the AQMA emit less than 100 tons of CO per year. CO emissions from the largest industrial CO sources are as follows:

<u>Source</u>	<u>Inventory Number</u>	CO Emissions, Tons/Year
Reichhold Chemicals, Inc.	EI 15-0041	1300
Medford Corporation	EI 15-0048	120
Boise Cascade Corporation	EI 15-0054	100

4.9.3.1.2 Motor Vehicles

Carbon Monoxide emissions were originally estimated using EPA's Mobile 1 emission factor computer program. In the fall of 1981 and early 1982, the carbon monoxide emissions analysis was completely revised using EPA's latest Mobile 2 emission factor computer program. The revised analysis was conducted for the downtown area which includes the identified carbon monoxide problem area (see Figure 4.9.1-2). The modeling included a separate category for parking lot emissions. Details of the carbon monoxide emissions modeling methodology are documented in Appendix 4.9-3.

4.9.3.1.3 Other Sources

The estimated CO emissions from space heating, solid waste disposal, and miscellaneous sources were based on emission factors. Most of the CO emissions from these other sources are from wood stoves or fireplaces.

Transportation CO sources have a much higher impact per ton of CO emissions than do wood stoves and fireplaces. This is due to the proximity of the transportation sources to the problem intersections and road links. The modeled CO impact of wood stove and fireplace emissions was about 1 mg/mg³ in 1979. Continued increase in the use of wood stoves for home heating could increase this impact to almost 2 mg/m³ by 1987. Proposed control measures, intended primarily for the control of particulate pollution, would maintain the CO impact from wood stoves at or below 1 mg/m³. CO emissions from wood stoves were considered as part of the CO background in the development of this CO strategy.

4.9.3.2 Emission Reduction Necessary for Attainment

In 1977, calculations showed that the carbon monoxide standard was exceeded along approximately 20 miles of roadway. Several conditions have occurred since that time to reduce the number of street miles where the standard is exceeded.

Most notable of these influencing conditions include: higher fuel costs, causing a reduction in travel; declining retail activities in the central business district, thus reducing the number of trips to the area; and the federal motor vehicle control program.

Carbon monoxide concentrations were originally estimated in the Medford Area Transportation Study (MATS) which is contained in Appendix 4.9-8. The MATS concentration analysis for 1987 assumed implementation of an

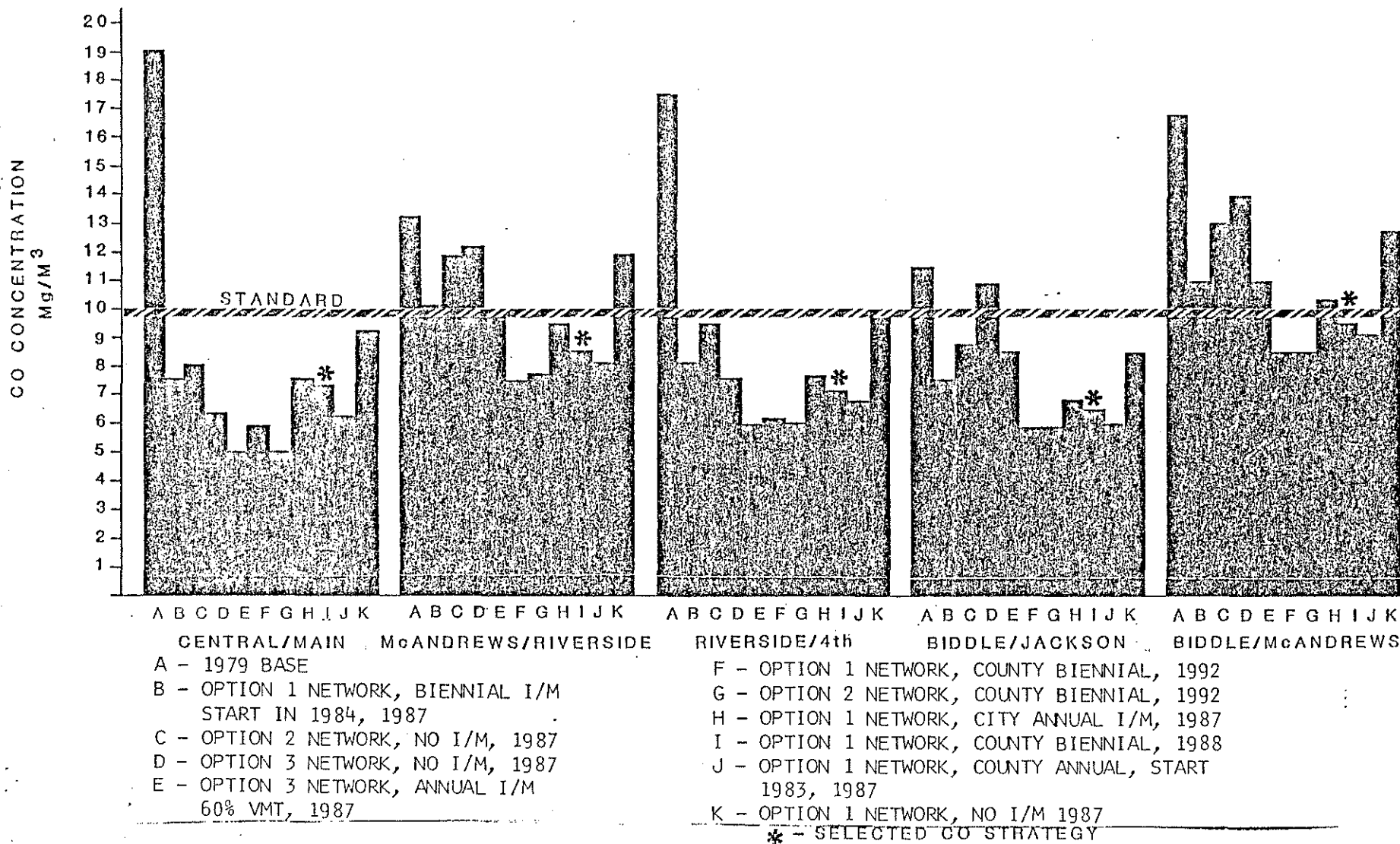
annual inspection maintenance program, starting in 1982. The analysis concluded that two carbon monoxide "hot spots" would remain beyond 1987.

To broaden the scope of the original analysis and to incorporate EPA's latest emission factor methodology, a completely new analysis was undertaken. The revised carbon monoxide emissions modeling, which utilized Mobile 2, provided the basic information for examining a variety of possible control strategies (see Figure 4.9.3-1). The analysis tested various combinations of annual and biennial inspection maintenance programs along with alternative roadway improvement programs (see Section 4.9.4 for a description of the roadway improvements).

To simplify the carbon monoxide concentration analysis so that a comprehensive set of alternatives could be examined in a timely fashion, concentrations were determined by applying emissions ratios to the design concentration of 19.1 mg/m³, 8-hour average. The details of the concentration analytical methodology are presented in Appendix 4.9-9.

An allowable regional CO emission limit is somewhat misleading in that CO concentrations build up to unhealthful levels only at specific sites near heavily traveled roadways. However, based upon monitoring data and CO modeling, an emission reduction of 53.3 percent has been calculated as necessary to meet ambient standards at the CAM site. See Appendix 4.9-2 for methodology used.

FIGURE 4.9.3-1
CO CONCENTRATIONS AT
SELECTED RECEPTOR SITES



SOURCE: JACKSON COUNTY PLANNING

4.9.4 CONTROL STRATEGY

4.9.4.1 Strategies Already Implemented (Prior to 1982)

There are several programs and projects currently under way which serve to reduce CO emissions in the Medford-Ashland AQMA. The following is a summary of these measures.

4.9.4.1.1 Federal Motor Vehicle Control Program (FMVCP)

The Federal Motor Vehicle Control Program (FMVCP) is the first measure recognized in the area which reduces emissions and enhances carbon monoxide air quality. The FMVCP is a program that requires new motor vehicles sold in the United States to meet specific emission limits.

The FMVCP is projected to reduce emissions at the rate of 3.25 percent per year through the study period, 1979-1987, for a total emission reduction of 26 percent. This program represents the largest emission reduction potential of any of the programs considered, with the possible exception of the I/M program.

Any significant relaxation of new car emission limits will have a direct impact on the attainment projections of this plan.

4.9.4.1.2 Traffic Flow Improvement

A. Signalization

The City of Medford recently approved and funded a computerized signalization program for the downtown area. The program includes sophisticated equipment linked to the City's computer in City Hall.

Eventually, sixty intersections will be programmed at a cost of \$1.8 million. Completion is scheduled for 1983.

The Medford computerized signal control system project includes the installation of a "Central Master Computer" to be located in City Hall. The Central Master will control signal operations and timing at 60 of the City's 75 traffic signal locations. The balance of signalized intersections not initially on the computer will be added later as funds permit. All new signals installed will be connected to the "Central Master" computer.

The project also includes the installation of 60 new local signal controllers installed at existing signalized intersections. These new controllers are of the type required to receive and transmit data to the centralized master.

The computerized signal system will improve traffic flow, city-wide, with the exception of Biddle Road and Crater Lake Avenue. Signals on these two arterials will retain their present "Traffic Actuated" timing patterns and programming. These arterials will be added to the computerized system at a later date.

We expect a 15 percent reduction in total travel time, 15 percent less delay in 24 percent fewer stops when the new system is in service.

We also expect some reduction in total number of accidents, it is generally accepted traffic engineering theory that reducing number of stops will reduce accidents.

One of the on-going benefits of the computer signalization project is the computer's ability to adjust signal light sequences to maximize air quality, energy consumption, traffic speeds, or traffic delay benefits. This program will allow the city to adjust traffic signals to reduce emissions on a site specific basis. The City of Medford intends to use these abilities, in conjunction with CO monitoring, to maximize the benefits at the CO hot spot locations. See Appendix 4.9-10 for program details.

B. North Interchange Development

Road improvements associated with development around the north interchange area are targeted for completion in 1983. Developers of the Rogue Valley Mall will spend \$1.7 million to upgrade adjacent streets and intersections as part of the mall development. See Table 4.9.4-1, road improvement impacts on level of service.

1. General Description of Street Improvements

a. Court Street North of McAndrews

Widen North Approach on Court Street from three lanes to five lanes to provide for three thru lanes plus one right turn lane and one left turn lane.

b. McAndrews Road from 300 feet West of Court to Bear Creek Bridge

Widen McAndrews Road to provide for two lanes Eastbound

and two lanes Westbound plus a two way left turn median which will be left turn only lanes at intersections.

c. Riverside Avenue from McAndrews to Crater Lake Highway

Widen Riverside from three to four lanes to provide for an acceleration, deceleration lane along Rogue Valley Mall.

d. Biddle Road at McAndrews

Widen Biddle Southbound at McAndrews by installing a "Right Turn Only" lane. On Biddle Road Northbound at McAndrews, widen "Left Turn Only" lane from one to two lanes.

e. Crater Lake Highway, Riverside to I-5

Add additional lane along Rogue Valley Mall. Provide two left turn lanes from Westbound on Crater Lake Highway to the Southbound I-5 on-ramp.

f. Signalization

Install new traffic signal installations at the following locations:

McAndrews & Court

McAndrews & Riverside

McAndrews & Rogue Valley Mall

Crater Lake Highway & Rogue Valley Mall

Riverside & Ohio

Court & Ohio

Biddle & McAndrews

2. 1987 Level of Service Around Mall

Table 4.9.4-1

Intersection	1981 level of service	1987 level of service without Mall and no street improvements	1987 level of service with Mall & street improvements
Court & McAndrews	E	E	E
Riverside & McAndrews	D	E	E
Biddle & McAndrews	C	D	E
Biddle & I-5 N.B. on and off ramps	B	C	C
Biddle & Crater Lake Hwy W.B. on-off ramps	A	B	B
Crater Lake Hwy & I-5 S.B. on-off ramps	C	E	E
Riverside & Crater Lake Hwy	D	E	E
Court & Ohio	A	B	B
McAndrews & Rogue Valley Mall	N/A	N/A	B
Riverside & Ohio	A	A	B
Crater Lake Hwy & Rogue Valley Mall	N/A	N/A	C

Level of service A describes a condition of free flow, with low volumes and high speeds. Traffic density is low, with speeds controlled by driver desires, speed limits, and physical roadway conditions. There is little or no restriction in maneuverability due to the presence of other vehicles, and drivers can maintain their desired speeds with little or no delay.

Level of service B is in the zone of stable flow, with operating speeds beginning to be restricted somewhat by traffic conditions. Drivers still have reasonable freedom to select their speed and lane of operation. Reductions in speed are not unreasonable, with a low probability of traffic flow being restricted. The lower limit (lowest speed, highest volume) of this level of service has been associated with service volumes used in the design of rural highways.

Level of service C is still in the zone of stable flow, but speeds and maneuverability are more closely controlled by the higher volumes. Most of the drivers are restricted in their freedom to select their own speed, change lanes, or pass. A relatively satisfactory operating speed is still obtained, with service volumes perhaps suitable for urban design practice.

Level of service D approaches unstable flow, with tolerable operating speeds being maintained though considerably affected by changes in operating conditions. Fluctuations in volume and temporary restrictions to flow may cause substantial drops in operating speeds. Drivers have little freedom to maneuver, and comfort and convenience are low, but conditions can be tolerated for short periods of time.

Level of service E cannot be described by speed alone, but represents operations at even lower operating speeds than in level D, with volumes at or near the capacity of the highway. At capacity, speeds are typically, but not always, in the

neighborhood of 30 mph. Flow is unstable, and there may be stoppages of momentary duration.

Level of service F describes forced flow operation at low speeds, where volumes are below capacity. These conditions usually result from queues of vehicles backing up from a restriction downstream. The section under study will be service as a storage area during parts or all of the peak hour. Speeds are reduced substantially and stoppages may occur for short or long periods of time because of the downstream congestion. In the extreme, both speed and volume can drop to zero.

It should be understood that severe overloads may only occur for short periods of time (such as during rush hours). Thus, a street may function at Level "E" for only one-half hour per day, and function at Level "C" or better at other times.

3. In conjunction with commercial development in the north interchange area, a continuous CO monitoring station will be installed at, or near, the intersection of Biddle and McAndrews Roads. This unit will be sited and operated according to EPA guidelines. Information gathered will be used to augment RFP progress and to define the need for site specific control measures. The anticipated schedule is as follows:

- a. A continuous CO monitoring station will be installed in the north Medford CO problem area in 1983 by the Rogue Valley Mall;

b. Ambient CO data and potential traffic adjustments will be evaluated by 1985;

c. Traffic signal changes or other site-specific improvements will be implemented to reduce CO concentrations at hot spot locations, to standard levels if practicable, by 1987.

4.9.4.1.3 Transit Service

The Rogue Valley is serviced with public transit under the auspices of the Rogue Valley Transportation District (RVTD). The transit service includes buses and vans, several routes, and weekday service throughout Medford and connecting Medford with the cities of Jacksonville, Talent, Phoenix and Ashland. Three other cities - Eagle Point, White City (unincorporated) and Central Point - may soon be serviced by the transportation district. The districts' service and ridership have increased significantly between 1977 and 1982, see Table 4.9.4-2.

Table 4.9.4-2

<u>Date</u>	<u>Average Daily Ridership</u>
July 77 - Nov. 77	200
Dec. 77 - Apr. 78	300
May 78 - Nov. 78	450
December 78	600
March 79	800
September 79	1200
July 80	1000
July 81	1075
July 82	1100 source: RVTD
1983 and following years	+5% source: RVTD

The Oregon Department of Transportation (ODOT) has indicated that 40% of the 1980 Jackson County population, 132,456 persons, falls into the

"transportation disadvantaged" category. This means that approximately 53,000 persons in Jackson County are unable to drive due to age, health or income. Expanded public transit could enhance their mobility. In addition, public transit would also greatly benefit the other 60% of the county population in the event of a gasoline shortage. Other benefits from increased usage of mass transit, in addition to improved air quality, would be reduced gasoline usage, insurance savings, and reduced maintenance and parking costs.

According to a recent study, the Medford Area Transportation Study (MATS), even comparatively modest gains in transit usage would entail very significant changes in travel habits and existing conditions, especially regarding downtown parking. The following table, 4.9.4-3, identifies specific numbers regarding trip types and usage.

Table 4.9.4-3

Transit Scenarios*

<u>% Transit</u>	<u>Daily Transit Riders</u>	<u>Daily Auto Trips</u>	<u>% Increase Transit Trips</u>	<u>% Decrease Auto Trips</u>
0.4%	1,000	166,000		
1.0%	2,500	165,000	+ 150%	-0.6%
3.0%	7,500	162,000	+ 650%	-2.4%
5.0%	12,500	158,000	+1,150%	-4.8%
10.0%	25,000	150,000	+2,500%	-9.6%

+ Source: Medford Area Transportation Study, Page 68

As the table indicates, even a tremendous increase in transit usage (2,500%) would only modestly reduce daily auto trips (-9.6%). The MATS study indicated that a realistic projection for transit usage in Medford's future would be 1% to 2% of total ridership. Nevertheless, the RVTD has made a commitment to pursue all available funding sources to provide broader transit coverage.

4.9.4.1.4 Bicycle Plan

The City of Medford produced a Bikeway Master Plan in 1977. This plan identified the existing bikeway system and defined a phased development of an extended bikeway system throughout the city. To this point there has been little implementation of the plan, however. There are various reasons for this, one of which being the change in philosophy in recent years towards the provisions of bikeway facilities. This has been moved away from Class I bikeway, or more capital intensive type of bikeway that is independent of other transportation facilities, towards the Class III bikeway which can be integrated at far lower cost into an existing road system.

4.9.4.1.5 Carpool Program

Carpool and vanpool programs act as a happy medium between private auto usage and the transit mode of travel. Often times it is easier to develop carpool usage, versus transit, because of the common trip end; hours of work; familiarity with participants; and, economic considerations.

In June of 1981, the Jackson County Planning Department conducted a survey regarding parking and commuting for downtown employees. Approximately 6,000 questionnaires were handed to employees, while an additional 700 questionnaires were given to employers. The return rate was 26 percent and 38 percent respectively. Respondents indicated that to commute to work: 85 percent drive alone, 8.5 percent ride in carpools (with 2.7 riders per vehicle), 4 percent walk or ride bicycles, 9.8 percent take the bus, and 1.7 percent fall into the "other" category. See Appendix 4.9-5 for survey details.

4.9.4.1.6 Staggered Work Hours

Jackson County Planning Department conducted a survey in June, 1981, regarding downtown Medford parking and commuting conditions. The largest single work shift population was 8:00 a.m. to 5:00 p.m. with 39 percent of the respondents. The next largest was 8:00 a.m. to 6:00 p.m. with only 8.2 percent of the respondents. See Appendix 4.9-5 for survey details.

4.9.4.2 Strategies Scheduled for Implementation

4.9.4.2.1 Medford Parking and Traffic Circulation Plan

A. Parking Modifications

1. Reduce CBD Two Hour Curb Parking

Table 4.9.4-4

1981 Parking Inventory

Curb Spaces

15 Minute	62
1 Hour	112
2 Hour	854
<u>Sub-Total</u>	1,028
Unlimited	276
Total	1,304

Off Street Spaces

Private Employee & Lease Lots	1,734
Private, Public Use Lots	89
Private Customer Lots	739
<u>City Lots</u>	600
Total	3,162

Total Spaces 4,466

Reduce total 2-hour parking spaces from 854 to 640 spaces. Change 214 2-hour curb spaces to 1-hour parking. Distribute 2-hour parking reductions throughout CBD.

2. Reduce Off-Street 2-hour Parking

Reduce 2-hour off-street parking from 375 spaces to 295 spaces by converting from 2-hour to 8-hour parking.

3. Extend Parking Time Limits

Extend parking time restrictions throughout CBD from 9:00 a.m. to 6:00 p.m. to 7:00 a.m. to 6:00 p.m.

Implementation Date: September 1, 1983

4. <u>Cost:</u>	No. 1	=	\$1,550
	No. 2	=	1,280
	No. 3	=	5,440
	<u>Total</u>	=	8,270

B. Bicycle Transportation Element

1. Bicycle Master Plan

The further development of a linked bicycle network will focus on the planned arterial street road system. We will continue to increase the bicycle network to provide for increased accessibility for bicycle users, to provide for a realistic alternative mode of travel, and a network linking the downtown area, most residential areas and schools.

To implement the bicycle element, we will utilize the bicycle element of Medford Area Transportation Plan Study. As the plan is based on the arterial street network, its implementation will be phased together with the arterial program.

Bicycle facilities recommended in the MATS plan are of four principal types:

- a. New bike-lanes striped onto existing streets or onto new/improved streets; approximately 14 miles of striped bikelane are recommended.
- b. Signed bike-routes on new/improved streets; a further 14 miles of this facility type are recommended, comprising wide curb-lanes (fourteen feet) for mixed auto and bicycle use.
- c. Signed bike-routes on existing streets; a total of 43 miles are recommended, largely requiring the re-striping of existing traffic lanes to provide for a wider curb lane.

Actual width of the curb lane will depend on individual street configurations, layouts and right-of-way width.

d. Bicycle bridge; two bicycle bridges (wooden trestles) are recommended, crossing Bear Creek and linking the Bear Creek bikeway to the downtown. The bridges (10-12 feet wide) are recommended to be located in the area of the Main and 8th Street crossings. They could be either immediately adjacent to the existing roadway structures, or free-standing units.

2. Funding

Basic bicycle network, focusing on bike-lanes and signed bicycle routes would be a \$1.1 million capital improvement program.

No funding exists, future funding dependant upon voter approval of a street improvement bond fund levy.

4.9.4.2.2 Motor Vehicle Inspection and Maintenance (I/M)

Several air quality studies, including this plan, have assessed the need for I/M to attain the carbon monoxide standard. Each study has come to the conclusion that attaining the CO standard will be very unlikely without an I/M program.

The Jackson County Board of Commissioners, the Medford and Ashland City Councils, the Rogue Valley Council of Governments, and several Air Quality Advisory Committees have all supported I/M as an integral part of the CO attainment strategy.

However, local government does not have legal authority to require I/M, specifically tied into vehicle registrations. Local government authority is also limited to their area of jurisdiction; thus, Jackson County could not require vehicles registered within the various cities to pass an I/M test.

Efforts to secure enabling legislation, from the State Legislature, were made in the 1979 and 1981 sessions. On both occasions House passed bills were defeated in the State Senate. The 1983 session will also witness an aggressive effort to secure legislation. Jackson County has made a commitment to pursue I/M through various means. These program commitments include: budgeting \$8,000 for fiscal year 1982-83 for public education and awareness, approximately 25 percent of which will be used exclusively for I/M; adding \$250,000 to the capital projects list for the voluntary testing phase and to offset I/M start up costs; and, political action activities directed towards members of the state Legislature.

The State Department of Environmental Quality currently operates an I/M program in the Portland Metropolitan area. While program parameters for Jackson County may be structured somewhat by enabling legislation, it is anticipated that any program initiated in Jackson County would be equivalent to the Portland program. The parameters of the Portland program are included in the Portland CO SIP, which are also on file with the Environmental Protection Agency.

Responsibility for introducing I/M legislation in the 1983 session will lie with the Jackson County Board of Commissioners. Attempts to

introduce legislation will be made through the Governor's office, the Speaker of the House, President of the Senate, and through the local delegation.

Jackson County will draft the initial authorizing legislation, based on legislation introduced in previous sessions.

The final decision will lie with the Oregon State Legislature. Jackson County will rely on the input of the EPA and Oregon Department of Environmental Quality to assist in presenting technical and legal testimony.

4.9.4.3 Additional Road Improvement Projects Consistent with the CO Attainment Strategy

In the course of this plan development several sets of road improvements and I/M combinations were tested for air quality impacts.

The network improvement scenarios were divided into three categories: Option 1, Option 2, and Option 3.

The Option 1 network included only committed projects: signalization, road improvements around the Rogue Valley Mall, and proposed changes in CBD parking.

The Option 2 scenario included all of the measures in the Option 1 scenario, plus additional road projects.

The Option 3 included the Option 2 scenario, plus more road projects.

The Option 1 scenario is the strategy adopted in this plan. However, it is likely that the City of Medford will implement some or all of the road projects looked at, for reasons other than air quality. In fact, these projects would hasten attainment though their costs could not be justified for air quality benefits alone.

The following sections describe the Option 2 and Option 3 road improvements program.

Option 2 Plan

The Option 2 Plan includes all the elements and projects of the Option 1 Plan. It expands the scope of street projects of the Option 1 Plan by adopting the following street improvement projects.

A. Three-Lane Central or Re-Locate Central Traffic to Front Street

This project will involve one of two choices. Both appear to provide approximately the same level of additional street capacity. Relocating arterial traffic from Central to Front may provide for somewhat better air quality measures than utilizing three lanes on Central.

1. Three-Lane Central

To facilitate three traffic lanes on Central will require the removal of approximately 120 parking spaces on both sides of the street from 4th to 10th.

Traffic signals and street signs would require modifications and some street work would be necessary at intersections.

Three-Lane Central project could be implemented for approximately \$80,000.

2. Re-Locate Traffic from Central to Front

This option involves building new street connections from Central to Front between 2nd and 3rd Streets and from Front to Central between 9th and 10th Streets.

Front Street would be re-built along both curb lanes from 3rd to 9th Streets to provide for three lanes of traffic with no parking permitted.

Current plans call for converting Central to a two-way traffic flow once the Front Street facility has been removed.

The cost of this option is estimated at \$1,700,000, including the signalization, striping and signing revisions to convert Central to a two-way traffic flow.

Which option will be adopted has yet to be approved.

Either option will improve and speed up traffic flow and reduce traffic delay and congestion.

B. McAndrews Road from Court Street to Jackson Street

This project will widen McAndrews Road from two lanes to five lanes from Court to Jackson. Also included will be a four-lane overpass over the Southern Pacific Railroad right-of-way.

Estimated project cost is \$2,800,000.

C. Stewart Avenue from Columbus to Riverside

This project will widen Stewart Avenue from two lanes to five lanes from Columbus to Riverside. Project includes new traffic signals and street re-alignment of Columbus at Stewart and Kings Highway at Stewart.

Estimated total project cost is \$2,900,000.

Funding and scheduling of all three projects listed in the Option 2 Plan and dependent upon the city review process leading to City Council approval and voter approval of an arterial street fund bond levy.

Option 3 Plan

The Option 3 Plan includes all of the elements and projects of both the Option 1 and Option 2 Plans. It also adds three street construction projects to the list of roadway improvements to be adopted.

A. Biddle Road Extension from Jackson to Barnett

This project will extend Biddle Road to the south to a southerly termination at the intersection of Alba and Barnett. The new roadway would be constructed parallel to the I-5 freeway along the edge of Hawthorne Park, past the Senior Citizen Center and continuing south around the Little League ball fields to a connection at Alba Drive.

Biddle Road would be constructed to four lanes with left turn storage lanes at intersections and high turning movement locations. Traffic signals would be installed at the new intersections of Biddle and Main and at Biddle and 10th Streets. Preliminary estimates from the Oregon Department of Transportation has indicated that traffic volumes on Biddle from Jackson to 10th will be 18,500 vehicles per day, many of these trips would be drawn from Riverside and Central. Cost of constructing the Biddle Road extension is estimated at \$2,500,000.

B. Crater Lake Avenue from Jackson to Main

This project will widen Crater Lake Avenue from two lanes to four lanes. Project includes new traffic actuated signalization at the intersection of Crater Lake Avenue and Main Street.

C. Crater Lake Avenue Grandview to Delta Waters

This project will widen Crater Lake Avenue from two lanes to four lanes from Grandview to Delta Waters.

Estimated project cost is \$500,000.

Construction schedule and project funding for all three projects listed in the "Option 3 Plan" are dependent upon the city review process leading to City Council approval and voter approval of an arterial street fund bond levy.

4.9.5 PROVISIONS FOR PROGRESS REPORTING

4.9.5.1 Reasonable Further Progress

The Clean Air Act requires a demonstration that Reasonable Further Progress (RFP) is being made each year towards the attainment of all air quality standards. RFP is defined as annual incremental reductions in emissions sufficient to achieve compliance with standards by the required date.

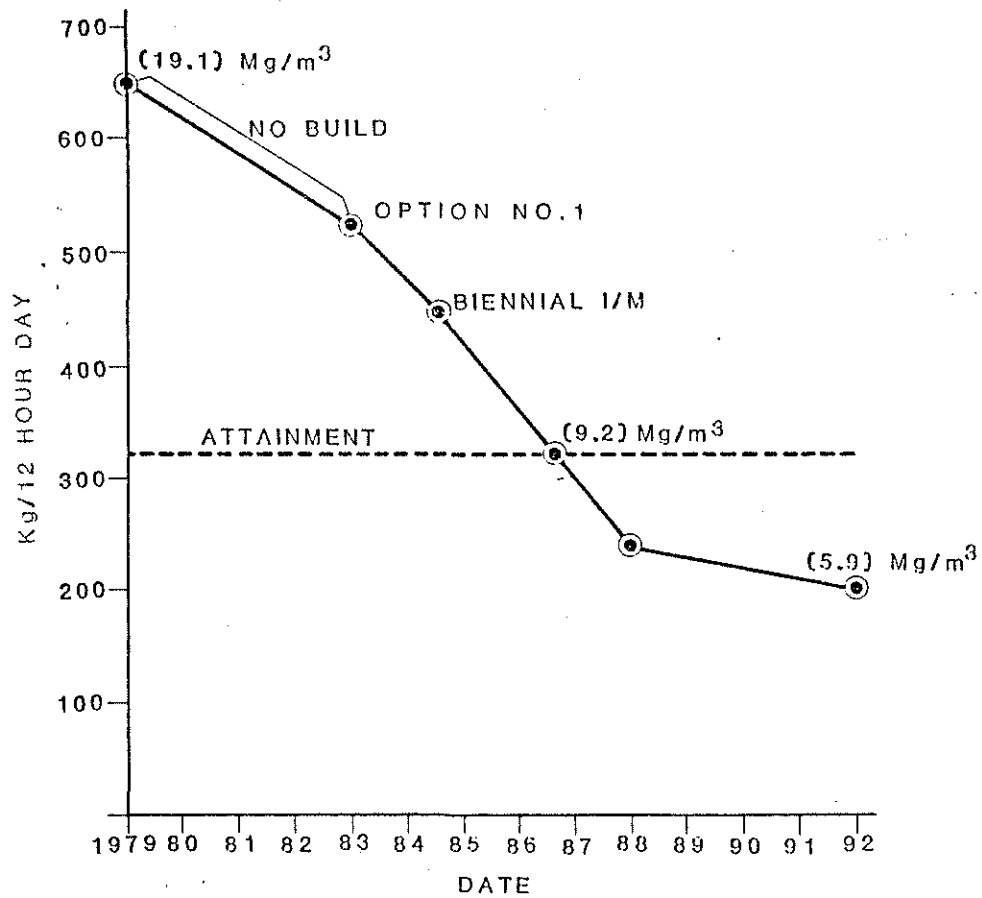
Figures 4.9.5-1 and 4.9.5-2 display RFP at two sites in Medford. The Central and Main site is the location for continuous CO monitoring and has been the site of highest concentrations. The Biddle and McAndrews site is projected to be the most difficult site to show attainment. Both sites' RFP lines represent emissions modeled for the strategies included in this plan. Figure 4.9.5-3 displays the only hot spot area projected for 1987.

4.9.5.2 Monitoring Plan

A monitoring plan to periodically assess the extent to which the transportation measures are actually resulting in meeting this RFP requirement has been established. The primary indicator used to make this judgement will be ambient air quality monitoring. However, traffic counts and land use development will also serve as indicators.

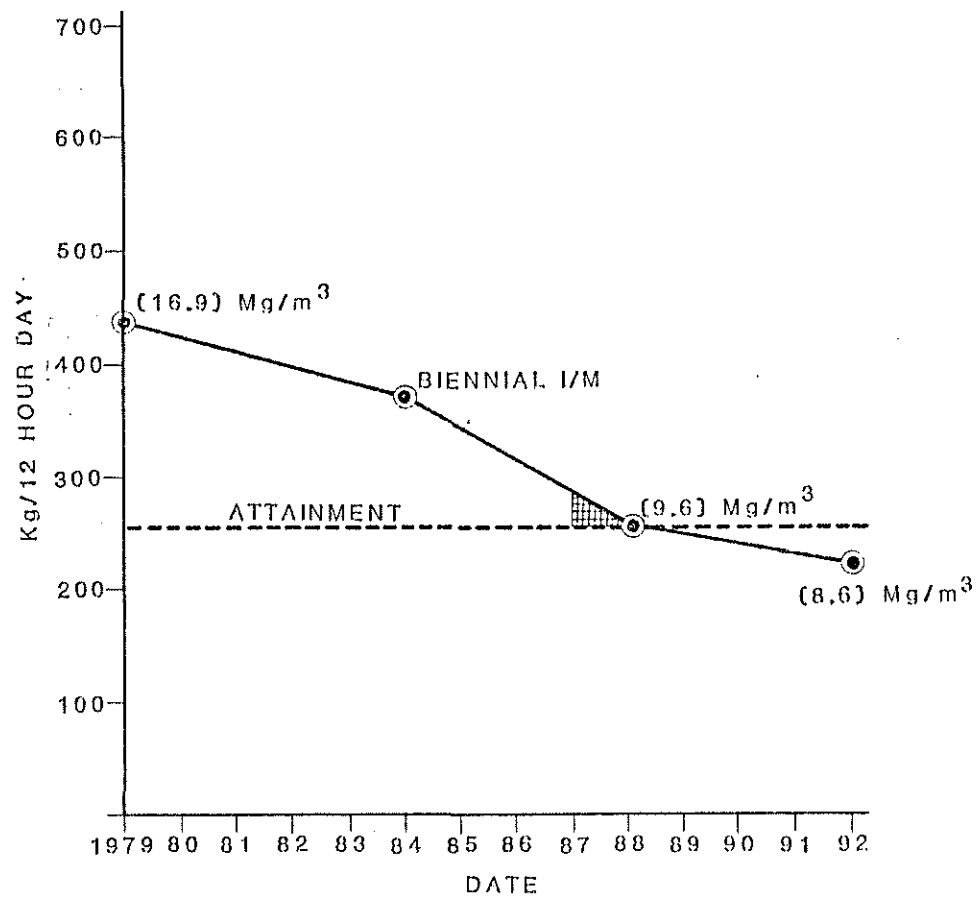
The ambient monitoring data will be collected by the DEQ at the Medford continuous air monitoring station (site no. 1520119 - 10 N. Central) and a station to be installed at the Biddle and McAndrews Roads intersection.

FIGURE 4.9.5-1
 REASONABLE FURTHER PROGRESS
 *CAM SITE
 CENTRAL & MAIN



* CAM, CONTINUOUS AIR MONITORING

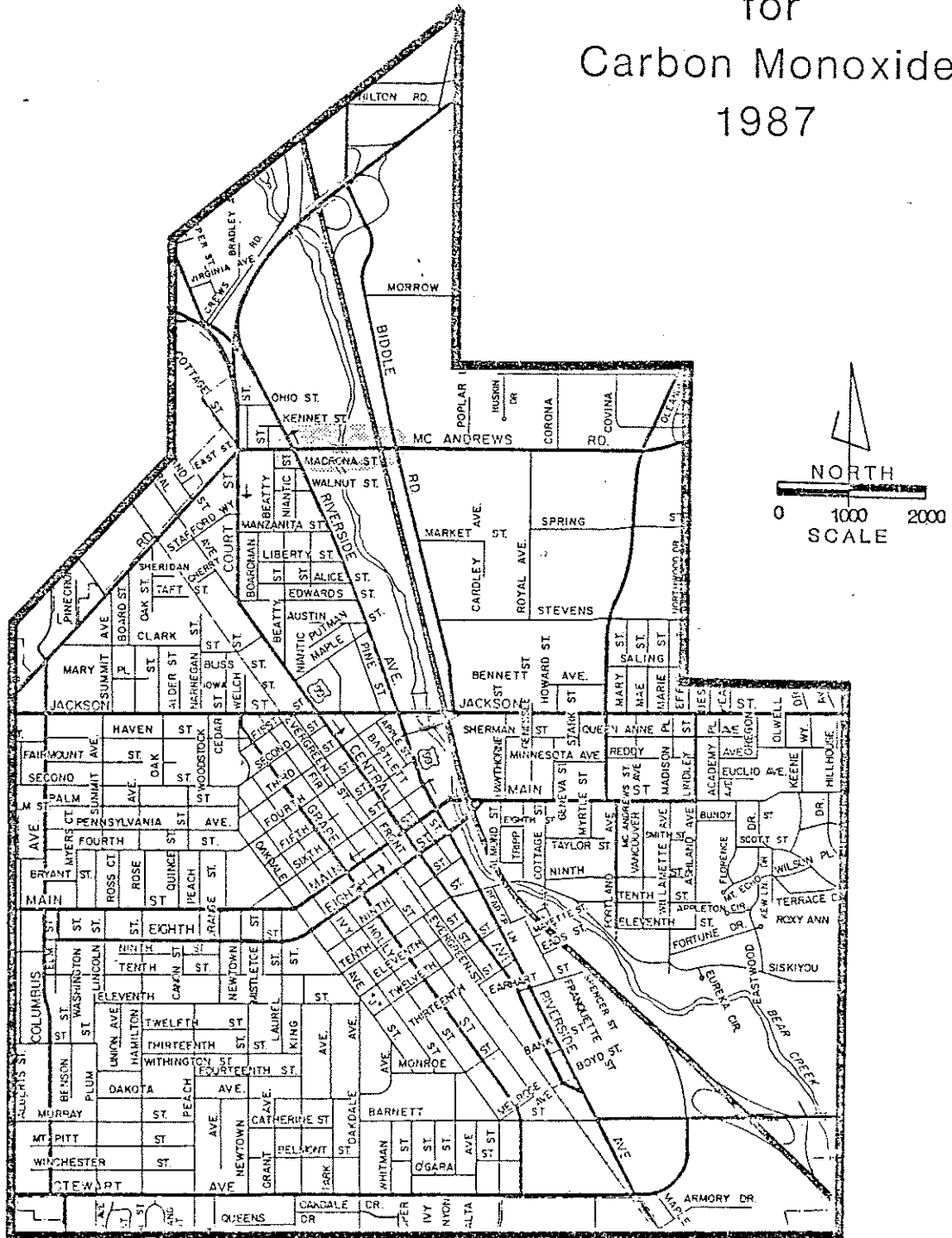
FIGURE 4.9.5-2
 REASONABLE FURTHER PROGRESS
 BIDDLE & McANDREWS



PERIOD BEYOND 1987 ATTAINMENT DEADLINE

FIGURE 4.9.5-3

NON-ATTAINMENT AREA for Carbon Monoxide 1987



SHADED PORTION OF MAP INDICATES CO NON-ATTAINMENT AREA

SOURCE: JACKSON COUNTY PLANNING DEPT.

Quarterly traffic counts will be conducted by the City of Medford. The City of Medford will also prepare a quarterly land use inventory report.

4.9.5.3 Contingency Provision

In the case of the region not being able to demonstrate annual RFP, a "contingency plan" process to identify and implement additional control measures that will compensate for any unanticipated shortfalls in emission reductions has been established. The initial determination of annual RFP compliance will be made by DEQ. If their determination is that RFP is not being met, they will contact the City of Medford and Jackson County.

Jackson County will review the CO strategy elements to see if any projects that were expected to assist in pollution reductions have been delayed or if projects with an adverse effect have been included. The City will review the Downtown PTCP to see if measures scheduled for adoption have been delayed. If either agency identifies problems with delays, every effort will be made to bring the projects back on line. If any transportation projects with adverse impacts are identified, they will be delayed while other measures are adopted to make up for the shortfall. Any new measures that need to be adopted will become part of a revised SIP and will be adopted through the consultation of state and local government officials, and the public hearing processes described in Section 4.9.7.

4.9.5.4 Annual Report

DEQ and the City of Medford will jointly submit a report each July 1, for the preceding calendar year which will comply with the following requirements:

- A. identification of major new or modified existing sources, minor new sources (less than 100 tons/year), and mobile sources;
- B. reduction in emissions for existing sources;
- C. update of the emission inventory;
- D. land use inventory;
- E. ambient CO measurements;
- F. quarterly traffic counts; and,
- G. determination of RFP compliance.

4.9.5.5 Conformity of Federal Actions

U.S. Department of Transportation rules require that the Regional Transportation Plan and Transportation Improvement Program conform with air quality State Implementation Plans. Transportation plans and programs are determined to be in conformance with SIP's if they:

- A. Reflect reasonable progress in implementing those transportation control measures that are called for in the SIP to meet air quality standards; and
- B. Do not include actions that would reduce the effectiveness of planned transportation control measures.

However, in the Medford case, no regional transportation plan or transportation improvement program exists. This is due to the fact that Medford was not designated an urban area until after the 1980 census.

Very little transportation planning has taken place in the local area. What planning has occurred has resulted from Oregon Department of Transportation work, city and county comprehensive land use planning, and the Rogue Valley Transportation District capital projects planning.

The City of Medford has adopted the Parking and Traffic Circulation Plan elements in its comprehensive land use plan.

All projects will still be evaluated in accordance with procedures specified in the National Environmental Policy Act. For major projects which require an Environmental Impact Statement, a micro-scale air quality analysis will be performed. If the analysis indicates that the project will contribute to or exacerbate a violation of air quality standards, all practicable mitigation measures will be incorporated into the design of the project. Projects and facilities will comply with all provisions and requirements of the SIP regardless of initial conformity findings by the local review process.

Prior to any State of Oregon or federal agency guaranteeing funding for any project, the City of Medford shall submit findings of conformance with the parking and traffic circulation plan, and the Department of Environmental Quality shall submit findings that the project is in conformance with the SIP.

4.9.6 RESOURCE COMMITMENT

4.9.6.1 City of Medford

The City of Medford has made a substantial commitment to see the provisions of this plan implemented. Adequate funding has been budgeted for implementation of the parking controls, and assistance to the Rogue Valley Transportation District for signs within the city limits. Street and road improvement projects will be funded through voter approval bond sales.

Sufficient city staff time has been allocated for traffic counts and preparation of reports to the Department of Environmental Quality.

4.9.6.2 Jackson County

Jackson County has made the necessary commitments to see the provisions of this plan implemented. The county has allocated 1.2 full time equivalent persons to the program.

The county has also budgeted funds for public awareness and education. These funds will be used in the encouragement towards transit and rideshare programs.

The county has also committed itself to an aggressive effort at securing I/M legislation in the 1983 state legislative session.

4.9.6.3 Department of Environmental Quality

The Department of Environmental Quality and Environmental Quality Commission have the ultimate responsibility of ensuring all regions of the state are in compliance with state and federal air quality regulations and standards. As such, they have invested heavily in air quality studies, monitoring, public awareness, and local government assistance.

This plan commits the department to continue that level of service through the timeframe of the plan. This commitment will take the form of air quality monitoring, reasonable further progress determination and project conformance reviews.

4.9.7 DESCRIPTION OF THE PLANNING PROCESS

4.9.7.1 Designation of Lead Agency

The Jackson County Board of Commissioners was designated by the Governor as the lead agency for transportation related pollutants on March 30, 1978. The Environmental Protection Agency concurred on April 14, 1978.

Jackson County, in conjunction with the Air Quality Advisory Committee, meets the lead agency requirements of the Clean Air Act for air quality transportation planning.

4.9.7.2 Interagency Coordination

Interagency coordination between the City of Medford, Jackson County, Oregon Department of Transportation, and the Oregon Department of Environmental Quality is discussed in subsections 4.9.7.2.1 - 4.9.7.2.4 of this section.

4.9.7.2.1 The Medford-Ashland Air Quality Maintenance Area Air Quality Work Plan

The work plan outlines the overall transportation planning program by Jackson County, City of Medford, Oregon Department of Transportation, and the Department of Environmental Quality during 1979 through 1981.

The roles and responsibilities of each agency are shown in Table 4.9.7-1.

Table 4.9.7-1

Planning Roles and Responsibilities

<u>Role/Responsibility</u>	<u>Agency</u>
1. Lead agency for air quality planning; Program Management	Jackson County
2. Air Quality Advisory Committee support	Jackson County
3. Mobile source emission estimates	DEQ/ODOT
4. Stationary source emission estimates	DEQ
5. Air quality analysis	DEQ
6. Technical analysis and evaluation of control	ODOT
a. mobile	Jackson County/ City of Medford
b. stationary	DEQ
7. Implementing regulations and schedules	
a. mobile	City of Medford Jackson County/ DEQ
b. stationary	DEQ
8. Preparing mobile source control strategies	Jackson County/ City of Medford
9. Preparing stationary source control measures	DEQ
10. State Implementation Plan revision hearing	DEQ
11. Hearing and adoption	DEQ/EQC

4.9.2.2.2 Project Participants

Development of this plan occurred through the joint efforts of the following entities: Environmental Protection Agency (EPA), Depart-

ment of Environmental Quality, State of Oregon (DEQ), Jackson County, Jackson County Air Quality Advisory Committee (AQAC), City of Medford, Oregon Department of Transportation (ODOT), and the Urban Mass Transit Administration (UMTA).

A. Environmental Protection Agency

EPA is the reviewing agency appointed by Congress to ascertain that all State Implementation Plans (SIP's) properly address all provisions of the 1970 Clean Air Act and the 1977 Clean Air Act Amendments.

B. Oregon Department of Transportation

ODOT is the resource agency for all transportation computer modeling utilized in the SIP. All necessary base data was programmed into the ODOT computer and, utilizing appropriate modeling techniques, statistical projections were developed for future traffic levels and speeds based on a number of air quality improvement scenarios.

C. Urban Mass Transit Administration

UMTA is the Federal agency responsible for primary funding (via grants) of the SIP. Over the last three years UMTA has committed \$102,000 toward the completion of the local portion (transportation measures) of the state's efforts to meet Federal Ambient Air Quality standards for carbon monoxide.

D. City of Medford

The City of Medford, in conjunction with Jackson County, gathered base data, conducted analysis of the data, developed attainment procedures to achieve Federal air quality standards for carbon monoxide, and completed a transportation study of the Medford area.

E. Department of Environmental Quality

DEQ holds ultimate responsibility for statewide air quality planning. Additional responsibility includes stationary source controls, air quality monitoring, technical assistance in the analysis of control strategies, and related functions.

F. Air Quality Advisory Committee (AQAC)

AQAC, the county advisory committee on air quality matters, has provided citizen involvement leadership since 1978. AQAC accomplishments include extensive public education, air control strategy recommendations, preliminary analysis of various attainment measures, and other similar activities. See Appendix 4.9-4 for a list of committee members and entities represented.

G. Jackson County

Jackson County is the lead agency for transportation-related air quality planning in the Medford-Ashland area as designated by the

Governor on March 30, 1978. The County Board of Commissioners provides policy direction for conducting the transportation planning program.

4.9.7.2.3 Elected Official Involvement

Adoption of each control measure will be by the governmental entity responsible for implementing the respective measure.

Each of the AQMA cities and the Rogue Valley Transportation District were invited to name an elected official to the AQAC. This allowed for elected official involvement throughout the process of review and selection of control measures.

4.9.7.2.4 A-95 Review

This control strategy is subject to A-95 review. A summary of comments is in Appendix 4.9-4 and were submitted to the Environmental Protection Agency.

4.9.7.3 Citizen Participation

4.9.7.3.1 Citizen Involvement

Citizen involvement was provided through the Air Quality Advisory Committee, public hearings held on specific control measures, public hearings held on this plan, and through submitting certain portions of this plan to a public vote.

The Air Quality Advisory Committee accomplishments included extensive public education through the media, recommendations regarding a total suspended particulate strategy, recommendation for a motor vehicle inspection and maintenance program, and recommendations regarding the Medford Parking and Traffic Circulation Plan. See Appendix 4.9-4 for public comment.

Appendix 4.9.8 contains the hearing notice and paid advertisements pertaining to the control strategy.

4.9.8 PUBLIC HEARING

A public hearing was held on _____. A summary of testimony is in Appendix 4.9-4 and was submitted to the Environmental Protection Agency.

why young
cc: Olson
cc: FQC

O'DONNELL, SULLIVAN & RAMIS

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CORINNE C. SHERTON
STEPHEN F. CREW
STEVEN L. PFEIFFER
THOMAS L. MASON

July 8, 1982

Environmental Quality Commission
c/o Bill Young, Director
Department of Environmental Quality
522 S. W. 5th Avenue
Box 1760
Portland, Oregon 97207

Re: WQ-SSS-Variance Denial - Mr. and Mrs. John Mullivan

Dear Mr. Young:

We represent Mr. and Mrs. John Mullivan with respect to the above matter. On or about July 1, 1982, Mr. and Mrs. Mullivan received a letter from the Department of Environmental Quality stating that the hearing on the appeal was tentatively set for 7/16/82. On July 8, 1982, they received a letter dated July 7, 1982 setting this hearing definitely for 7/16/82.

Mr. and Mrs. Mullivan have retained me to represent them in this appeal. I will be out of the city on vacation during the week of July 16, 1982.

I will be returning on July 19, 1982. Please reset the hearing to the Commission's August 27, 1982 hearing.

Sincerely,

Mark P. O'Donnell
MOD:sw

cc: Mr. and Mrs. John Mullivan
Mr. William Doak

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
RECEIVED
JUL 9 1982

OFFICE OF THE DIRECTOR

Item C

26-1682/T-1142
26-2764/T-1172

July 16, 1982

SUBMISSION OF TIME OIL CO. BEFORE
ENVIRONMENTAL QUALITY COMMISSION
DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF OREGON

Re: Tax Relief Applications No. T-1142 and T-1172

Time Oil appreciates this opportunity to make this presentation to the Oregon State Environmental Quality Commission in support of its application for certification of two pollution control facilities for tax relief.

BACKGROUND

On November 20, 1979 and on January 30, 1980 Time Oil applied for tax credit certification for two projects in the Portland area involving the installation of internal floating tank covers for gasoline storage tanks.

After the filings were made there was a lengthy review process that contained a number of unexplained delays. (A chronology of the events as seen by Time Oil is attached.)

On August 20, 1981 Time Oil was advised that Time Oil's requests for certification would be presented to the Commission on August 28, 1981. Copies of a staff reports dated July 1981 were attached to that notification. Each of those reports concluded that the facilities were designed for and were being operated to a substantial extent for the purpose of air pollution control. The staff reports went on to conclude

that the costs properly allocable to pollution control were less than 20%. This determination, if accepted by the Board, would have entitled Time Oil to an annual tax credit equal to 1% of the cost of the facilities.

Time Oil's application was not considered at that August 1981 meeting because the Company requested an opportunity to review the figures that had led the staff to conclude that the costs allocable to pollution control were less than 20% of the total project cost. After reviewing the figures, Time advised DEQ staff that it was in agreement with the staff figures. Accordingly the application was scheduled for presentation to the Commission at its December 4, 1981 meeting. For some reason unknown to Time Oil, the application was not considered at that meeting.

By letter dated July 29, 1982, Time received copies of a new staff report issued in connection with its applications wherein the staff changed its earlier recommendation that the facilities be certified and now recommended that the applications be denied.

THE FACTORS TO BE CONSIDERED BY THE COMMISSION

Oregon Statutes establish the factors to be applied in determining whether a facility is to be certified for tax credit.

ORS 468.170(4) sets forth the following factors.

1. Was the facility "erected, constructed or installed in accordance with the requirements of ORS 468.175 and subsection of (1) of ORS 468.165".
2. Was the facility "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 ...".
3. Is facility necessary to satisfy the intents and purposes of Chapter 468 ORS and other specified statutes.

A review of the May 26, 1982 staff reports clearly shows that the first and third factors stated above have been satisfied. (See staff report dated May 26, 1982, paragraph 4(a) through 4(c).)

The only remaining factor is the question of whether the facilities operate "to a substantial extent" for the purpose of reducing air pollution. It is curious that the current staff reports do not address this factor in its summation section. It would appear that this factor is the most significant test to be used in determining whether a certification should be granted.

However in section 3 of its May 1982 reports, the staff has acknowledged that the facilities were "installed to insure that the new

installed tanks would meet the Department's Volatile Organic Compounds (VOC) regulations," and further that the Department of Environmental Quality had inspected the facilities and that their reduction of VOC emissions was 233 tons per year for one facility and 400 tons per year at the other. Therefore it would appear from section 3 of the report that the staff found that the facilities were "designed and operated to a substantial extent for the purpose" of reducing air pollution.

Indeed the identical findings as are set forth in section 3 of the May staff reports were made by the staff in section 3 of the reports dated July 8, 1981. Those findings in the 1981 report led the staff to conclude in section 4 of its summary

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

There is no explanation as to why the determinations made in 1981 that Time Oil's floating roofs were installed to insure that the Company met the VOC regulations and that in fact total of 633 tons of emissions were kept out of the air because of the floating roofs, would constitute operating to a "substantial extent" to reduce air pollution in 1981 but that somehow in 1982 those identical findings no longer constituted a reduction in air pollution to a "substantial extent." Certainly the staff could not have concluded that hundreds of tons of reduced VOC emissions is not substantial! But that is apparently what has happened. However there is absolutely no reason given for this change of position.

It has always been Time Oil's position that the floating roofs were installed for the sole purpose of reducing air pollution, i.e. to comply with applicable regulations. Oregon Statutes of course do not require that the "sole purpose" for installation be for pollution control. The only requirement under the statutes is that the facilities be designed and operated "to a substantial extent for the purpose" of preventing air pollution.

It is significant to note that the Oregon Legislature did not require that the test be something more burdensome such as "a predominate" or "a major purpose" be for air pollution. The test is only that of "a substantial extent".

Webster's New Collegiate Dictionary, Copyright 1979, defines the word "substantial" as follows:

a:consisting of or relating to substance b:not imaginary or illusory

Clearly the reduction of annual emissions by 233 tons in one instance and 400 tons in the other "relates to substance" and is "not imaginary". It is submitted that to say otherwise would fly in the face of common sense and reason.

Although it is not entirely clear, it appears that the staff concluded that the facility does not operate to "a substantial extent" for air pollution purposes was based on its conclusion that the costs attributable to pollution control were negligible. (See Staff Report dated May 26, 1982, paragraph 4.e.) However that determination has no

relevancy to the question of whether the facility operates to a substantial extent to reduce air pollution. As discussed below, the question of the percentage of costs allocable to pollution control has only to do with the dollar amount of tax credit to which an applicant is entitled. It is not involved in the question of whether a facility should be certified.

Therefore as reflected in the staff reports' recognition of the reason the Company installed the floating roofs and the staff reports' recital of the volume of emissions kept out of the atmosphere, Time Oil's facilities were clearly designed and operated to a "substantial extent" for air pollution control, and all of the statutory requirements of ORS 468.170(4) have been satisfied.

The Legislature stated in Section 4 of ORS 468.170 that if the requirements discussed above have been satisfied then the Commission "shall certify" the facility. There is no room for exercise of discretion or the ability to look to any other factors. Since the listed statutory factors have been satisfied, under the provisions of ORS 468.170(4) the Commission is required to certify Time Oil's facilities.

PORTION OF COST ALLOCABLE TO POLLUTION CONTROL

This leaves the question of what percentage of the actual costs of the facilities is to be allocable to pollution control.

The staff report concludes that no portion of either facility is properly allocable to pollution control. This determination was apparently based on the staff's conclusion that Time Oil's return on investment for the air pollution control facilities was higher than a specified bench mark criteria. (Section V. of the Pollution Control Facilities Tax Credit Program Guideline Handbook dated August 1981 and ORS 468.190 provide five factors to be considered in determining the costs allocable to pollution control. Since the staff report only discusses one of the five (i.e. return on investment) it is not possible to determine if the other factors were considered).

However the use of the Factors intended to establish which costs are allocable to pollution control in order to determine whether a facility qualifies for certification demonstrates an apparent misunderstanding of the statutory scheme for certification.

As shown above, the Oregon Legislature has required that the Commission certify a facility if specified statutory factors have been met. After that determination has been made, the question then to be resolved is into which of five percentage ranges do the facility costs allocable to pollution control fall.

ORS 468.170(1) provides as follows:

... the action of the Commission shall include certification of the actual costs of the facility and, for facilities qualifying under paragraph (a) or (b) of subsection (1) of ORS 468.165, the portion of the actual costs properly allocable to the prevention, control or reduction of air, water or noise pollution as set forth in subsection (2) of ORS 468.190.

The portion of actual costs properly allocable shall be:

- (a) Eighty percent or more.
- (b) Sixty percent or more but less than eighty percent.
- (c) Forty percent or more but less than sixty percent.
- (d) Twenty percent or more but less than forty percent.
- (e) Less than twenty percent.

(Emphasis added)

Therefore the function of the determination of costs allocable to pollution control is solely to determine which of five tax credit categories the qualifying facility will be placed. It has absolutely no bearing on the question of whether a facility will be certified.

Finally with regard to the question of the category into which Time Oil's facilities should be placed - the Legislature established the five percentage ranges quoted above. It makes no provision for the denial of an application if actual dollar costs (after considering return on investment) attributable to pollution control are low or nominal or indeed, zero. Instead the Legislature has declared that the costs of air pollution control must be placed into one of the five categories. If the costs to be so attributed are very low those costs must be allocated into the less than twenty percent category.

CONCLUSION

Time Oil has satisfied the factors of ORS 468.170(4) necessary to qualify for "Certification." The only factor about which there is any question has to do with the "substantial extent" test. However the uncontroverted facts contained in the staff reports show that the

floating roofs were installed by Time Oil to comply with air pollution regulations and further that 633 tons of air pollutants have been contained annually as a result of their installation. This on its face satisfies the "substantial extent" test.

It is patently incorrect and a gross misunderstanding of the statutory scheme to deny certification because the staff has determined a low percentage of costs is properly attributable to pollution control. Under the statute, that allocation is made solely to determine the amount of the tax credit an applicant will receive. Understandably the Legislature wanted to reduce the available tax benefit if an applicant realized other savings or income as the result of the installation of a pollution control facility. But there is nothing to indicate that the Legislature intended to completely eliminate the tax credit if those other benefits were significant. The fact that the Legislature created a range of percentage categories and established a number of factors to be considered when placing a facility into the proper place in that a range is the method chosen by the Legislature to take into account any economic benefits realized by an applicant as the result of the installation of the pollution control facility.

Also by establishing the category of costs defined as "Less than twenty percent" is irrefutable evidence that the intent was to allow even a miniscule cost attributable to pollution control to qualify for some tax benefit. Otherwise the Legislature would have established another

catagory that would have reached costs allocable to pollution control that were for example less than five percent or one percent or .5 percent, and which catagory would not result in any tax credit. But this was not done and it is submitted by Time Oil that this Commission has no authority to attempt to establish any such additional catagory.

Therefore once a facility qualifies for certification under ORS 468.170(4), the Commission must grant the certificate and as part of that process determine into what percentage range the costs attributable to pollution control fall. Time Oil qualifies for certification and based on the staff report must be placed in the less than twenty percent catagory entitling Time Oil to the tax credits applicable to that catagory.

Respectfully submitted,

A handwritten signature in cursive script, reading "Terrill L. Henderson".

Terrill L. Henderson

Corporate Counsel

ATTACHMENT TO SUBMISSION OF
TIME OIL CO.
DATED JULY 16, 1982
RE. NO. T-1142 AND T-1172

The following is taken from Nick Weber's log of telephone conversations and meetings with the Oregon Department of Environment Quality Personnel regarding the two Time Oil Co. Air Pollution Control facilities.

November 20, 1979

Time Oil properly submitted its application (T-1142) to the DEQ including plot plans, cost breakdowns by unit, a CPA firm's certification of costs and documents showing approval of the facility by all as called for in the instructions.

January 30, 1980

Time Oil properly submitted its application (T-1172) to the DEQ together with the information described above.

September 15, 1980

Nick Weber called the DEQ to inquire why no word had been received on our applications and when they would be presented to the Environmental Quality Commission Board members. Ray Potts said nothing had been done to date with the two applications but Chuck Clinton would get right on them.

December 4, 1980

Nick Weber called the DEQ and talked to Clinton. Clinton said he would attempt to get approval of the two Time Oil applications before the end of the year so Time could use the tax credits on its 1980 Oregon State tax return when it was filed.

June 18, 1981

Nick Weber called for Clinton and he was to call back, but did not.

July 16, 1981

Nick Weber called DEQ and talked with Clinton who said the applications were still in process, but that the DEQ members had agreed among themselves on specific Time Oil loss figures from additional data which TOC had supplied. He stated the paper work would be ready for the August 28, 1981 Commission meeting and Time Oil would receive written confirmation of this.

August 24, 1981

Time Oil received the Tax Relief Application Reports from DEQ. We were surprised to see only a recommendation that less than 20% of the cost be deemed applicable to pollution control. Nick Weber called Clinton who agreed to delete our Applications from the August 28th Board meeting so we could all go over the calculations.

September 15, 1981

Joe Sanzo, the Time Oil Co. Loss Control Manager, and Nick Weber met with Fritz Skirvin, Chuck Clinton and Ray Potts at the DEQ office in Portland to review the DEQ calculations in depth. It was agreed we would return to Seattle with the DEQ formulas and analyze all the data to see if we could find any differences.

September 16, 1981 to October 26, 1981

Time Oil Co. personnel analyzed the figures, calculations and formulas (using AP-42 which is the only published guideline) and concluded there were no significant differences.

October 28, 1981

Nick Weber wrote a letter to Fritz Skirvin stating we agreed with the DEQ findings and instructed him to go ahead and process the Time Oil applications as they were.

November 3, 1981

Nick Weber received a telephone call from Ray Potts who said that applications T-1142 and T-1172 were ready for presentation to the Board at its meeting of December 4, 1981. Potts assured Weber that everything was fine and Time would receive its tax credits to use with the filing of the 1981 Oregon State tax return.

March 30, 1982

Nick Weber called Potts to inquire why Time had not received its tax credit certification statements. Potts admitted they didn't get the applications in at the December 4th Board meeting and he would check to see what happened.

June 10, 1982

Potts called Nick Weber to make sure Time Oil Co. knew the DEQ was now recommending no tax credits for their two applications to the Board at their meeting the following day. Weber inquired of Potts as to why the DEQ was doing this when Time and the DEQ had agreed to the figures last fall and the

DEQ had promised Time would receive the tax credits. He stated they had changed their mind due to the theoretical rate of return percent predicted for the first year of operation. He stated it was a series of "accidents" on the DEQ's part that held up Time's applications for two and a half years. He explained that the applications were the first of this type to be submitted to the Board recommending zero tax credits and therefore the DEQ had decided to make them test cases. If the DEQ position passed the Board the DEQ wouldn't have problems with similar applications in the future. Potts then had Jack Weatherbee call back. He agreed to hold back Time Oil's applications until the July Board meeting in order to allow a representative of Time Oil to present its predicament.