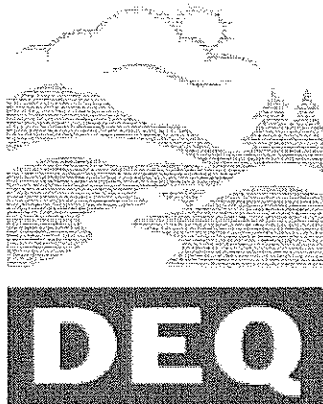


8/19/1983

**OREGON
ENVIRONMENTAL QUALITY
COMMISSION MEETING
MATERIALS**



**State of Oregon
Department of
Environmental
Quality**

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OREGON ENVIRONMENTAL QUALITY COMMISSION MEETING

August 19, 1983

14th Floor Conference Room
Department of Environmental Quality
522 SW 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 as amended

A. Minutes of July 8, 1983 EQC meeting and August 1, 1983 special EQC meeting.

APPROVED

B. Monthly Activity Report for June, 1983.

APPROVED

C. Tax Credits.

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

APPROVED

Missing
D. Request for authorization to conduct a public hearing on proposed amendments to the Motor Vehicle Emission Control Inspection Test Criteria, Methods, and Standards (OAR 340-24-300 through 24-350) specifically affecting the pollution equipment visual inspection, the engine exchange policy, test method, and licensed fleet policy.

ACTION AND INFORMATION ITEMS

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

APPROVED

E. Proposed adoption of amendments to rules governing construction and use of waste disposal wells, OAR 340-44-005 through 340-44-055.

APPROVED

F. Request for Commission to (1) adopt revisions to administrative rules 340-53-005 through 340-53-035, development and management of the statewide Sewerage Works Construction Grants Priority List; and (2) approve the FY 84 Construction Grants Priority List.

APPROVED

G. Request for extension of a variance from OAR 340-25-315(1)(b), veneer dryer emission limits, for Champion International Corporation, Lebanon Plywood Division, steam-heated dryers.

(more)

APPROVED H. Public hearing to consider approval of the Portland International Airport noise abatement program (pursuant to OAR 340-35-045).

APPROVED I. Administrative review of agency-issued permits.

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 SW Sixth Avenue, Portland; and will lunch at DEQ Headquarters, 522 SW Fifth Avenue, Portland.

OREGON ENVIRONMENTAL QUALITY COMMISSION

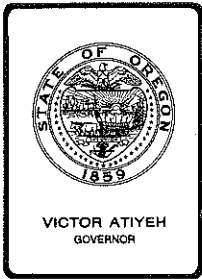
August 19, 1983

BREAKFAST AGENDA

1. Variance tracking Young

LUNCH

1. Possible editorial visit on backyard burning Kowalczyk/Young
2. Final legislative report Biles



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: William H. Young

Subject: Variance Tracking

The attached log is a preliminary effort to display a summary of authorized deviations from agency rules. These instances of recognized non-compliance take two forms: formal variances and stipulated enforcement (consent) orders.

The idea of some recording and reporting of this information came as an inquiry by Commissioner Bishop at your last meeting.

The draft is offered to allow the Commission to decide whether the information provided is satisfactory in kind and extent, and to direct the frequency with which it is presented.

The draft follows the format of our program activity report which is sent to you before each meeting. It could appear as part of that report.

LKZucker:d
229-5383
August 10, 1983
Attachment
HD60

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

VARIANCE LOG

July 1983

* Source and	* Location	* Variance From	* Date	* Date	* On
* Permit No.		(Rule)	* Granted	* Expires	*Schedule*
*	*	*	*	*	*

AIR QUALITY

Weyerhaeuser Sawmill (18-0099)	Bly	Particulate Standards OAR 340-21-020(1) (b)	8/31/79	Permanent	
Timber Products (15-0025)	Medford	Particle Dryer Standards OAR 340-30-045(d)	12/19/80	6/30/83	
Van Bean Shell Station ()	Portland	VOC Standards OAR 340-	7/17/81	7/1/85	Yes
Mt. Mazama Plywood (10-0022)	Sutherlin	Veneer Dryer Standards OAR 340-25-315(1) (b)	7/17/81 4/16/82 4/3/83 7/8/83	5/1/84	Yes
Coos County Garbage Incinerators (04-0099)	Beaver Hill	Particulate Standards OAR 340-21-025(2) (b)	10/9/81	Permanent	
Champion International (22-5195)	Lebanon	Veneer Dryer Standards OAR 340-25-315(1) (b)	4/16/82	7/1/83	No
FMC (26-2944)	Portland	VOC Standards OAR 340-22-170	10/15/82	12/31/86	Yes
Carnation Can (34-2677)	Hillsboro	VOC Standards OAR 340-22-170(4) (a) (D)	10/15/82	12/31/85	Yes
Champion International (14-0002)	Dee	Visible Emission Standards OAR 340-21-015(2) (b) OAR 340-21-030(2) (b)	10/15/82	1/1/84	Yes

MAR.22 (7/83)
ME40 (1)

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

VARIANCE LOG

July 1983

* Source and	* Location	* Variance From	* Date	* Date	* On
* Permit No.		(Rule)	* Granted	* Expires	*Schedule*
*	*	*	*	*	*

AIR QUALITY (cont.)

Rancho-Rajneesh Funeral Pyre (16-0021)	Jefferson County	Opacity Standards OAR 340-21-025 (b)	12/3/82	Permanent	
Diamond International (09-0001)	Bend	Fugitive Emission Standards OAR 340-21-030 (2) OAR 340-21-060 (1)	12/3/82	6/15/84	Yes
Oil-Dri (19-0018)	Christmas Valley	Fugitive Control Standards OAR 340-21-015 (2) (b) OAR 340-21-030 (2)	12/3/82	4/1/84	Yes
Boeing (26-2204)	Portland	VOC Standards OAR 340-22-170 (4) (j)	1/14/83	1/1/84	Yes
Winter Products (26-3033)	Portland	VOC Standards OAR 340-22-170 (4) (j)	1/14/83	1/1/87	Yes
Mid-Oregon Crushing (37-0174)	Deschutes County	Particulate Opacity Standards OAR 340-21-015 (2) (b) OAR 340-21-030	7/8/83	11/1/83	Yes
Kingsford Co. ()	Springfield	Particulate Emission Standards LRAPA Rules 33-065	7/8/83	9/31/83	Yes

MAR.22 (7/83)

ME40 (2)

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

VARIANCE LOG

July 1983

* Source and * Permit No. *	* Location *	* Variance From * (Rule) *	* Date * Granted *	* Date * Expires *	* On * Schedule *
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NOISE

Murphy* Veneer	Myrtle Point	Log loader noise OAR 340-	6/20/80	7/1/82	No
Med Co.	Rogue River	Noise emission standards OAR 340-	8/27/82	12/31/83	Yes
Jackson County Sports Park	White City	Drag race mufflers OAR 340-	5/20/83	10/31/83	Yes

*Plant not operating at expiration date.

MAR.22 (7/83)
ME40 (3)

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

VARIANCE LOG

July 1983

* Source and	* Location	* Variance From	* Date	* Date	* On
* Permit No.	* Location	(Rule)	* Granted	* Expires	*Schedule*
*	*	*	*	*	*

WATER QUALITY STIPULATED CONSENT ORDERS

NOTE:

There are currently seven (7) outstanding water quality stipulated consent orders:

City of Cottage Grove
City of Cannon Beach
City of Coquille
City of Silverton

Bear Creek Valley Sanitary Authority
City of Seaside
City of Happy Valley

The Commission recently extended the first five of this list, and redrafting of expired orders for Seaside and Happy Valley is continuing.

More complete information is being developed and will be available in table form for the next report.

MAR.22 (7/83)

ME40 (4)

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

VARIANCE LOG

July 1983

* Source and * Permit No. *	* Location *	* Variance From * (Rule) *	* Date * Granted *	* Date * Expires *	* On * Schedule *
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SOLID WASTE DISPOSAL SITES

Cannon Beach ()	Clatsop County	Open Burning Dump Standards OAR 340-	9/26/75	11/1/83	No
Seaside ()	Clatsop County	Opening Burning Dump Standards OAR 340-	9/26/75	11/1/83	No
Powers ()	Coos County	Open Burning Dump Standards OAR 340-	1/13/78	6/30/84	No
Adel ()	Lake County	Open Burning Dump Standards OAR 340-	9/21/79	7/1/85	Yes
Christmas Valley ()	Lake County	Open Burning Dump Standards OAR 340-	9/21/79	7/1/85	Yes
Fort Rock ()	Lake County	Open Burning Dump Standards OAR 340-	9/21/79	7/1/85	Yes
Paisley ()	Lake County	Open Burning Dump Standards OAR 340-	9/21/79	7/1/85	Yes
Plush ()	Lake County	Open Burning Dump Standards OAR 340-	9/21/79	7/1/85	Yes
Silver Lake ()	Lake County	Open Burning Dump Standards OAR 340-	9/21/79	7/1/85	Yes
Summer Lake ()	Lake County	Open Burning Dump Standards OAR 340-	9/21/79	7/1/85	Yes

MAR.22 (7/83)

ME40 (5)

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

VARIANCE LOG

July 1983

* Source and	* Location	* Variance From	* Date	* Date	* On
* Permit No.		(Rule)	* Granted	* Expires	*Schedule*
*	*	*	*	*	*

SOLID WASTE DISPOSAL SITES (cont.)

Mitchell ()	Wheeler County	Open Burning Dump Standards OAR 340-	4/24/81	7/1/86	Yes
Butte Falls ()	Jackson County	Open Burning Dump Standards OAR 340-	7/16/82	7/1/85	Yes

THESE MINUTES ARE NOT FINAL UNTIL APPROVED BY THE EQC

MINUTES OF THE ONE HUNDRED FIFTIETH MEETING

OF THE

OREGON ENVIRONMENTAL QUALITY COMMISSION

AUGUST 19, 1983

On Friday, August 19, 1983, the one hundred fiftieth meeting of the Oregon Environmental Quality Commission convened at the Department of Environmental Quality, Portland, Oregon. Present were Commission members Chairman James Petersen; Vice-Chairman Fred J. Burgess; Arno Denecke; and Mary Bishop. Commissioner Wallace Brill was absent. Present on behalf of the Department were its Director, William H. Young, and several members of the Department staff.

The staff reports presented at this meeting, which contain the Director's recommendations mentioned in these minutes, are on file in the Office of the Director of the Department of Environmental Quality, 522 SW 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

1. Variance tracking: The Director reviewed a proposed variance reporting format with the Commission. Chairman Petersen asked what legal authority we have for treating some cases as variances and others as merely permit conditions. The Director said the Department intends to include in the report format those cases where we have handled the noncompliance by a permit modification. The Commission would like a brief explanation for noncompliance in those cases where a facility is not complying with variance terms. The staff was instructed to return to the Commission with an expanded report for further discussion.
2. Administrative law course: The Director described this conference and asked whether any Commission members would like to attend. Jan Shaw will send each member the conference description, agenda, and registration forms.
3. Goals & Objectives: The Director reviewed the Department's G & O planning schedule and invited the Commission members to attend any sessions they would be interested in. Staff will provide the Commission with a schedule of those sessions.
4. Teledyne Wah Chang: The Director reported that he had recently assessed a \$4,000 penalty against TWCA for illegal open burning.

FORMAL MEETING

Commissioners Petersen, Burgess, Denecke, and Bishop were present at the formal meeting.

AGENDA ITEM A: Minutes of the July 8, 1983, EQC Meeting and the August 1, 1983, special meeting.

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

AGENDA ITEM B: Monthly Activity Reports for April and May, 1983

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

AGENDA ITEM C: Tax Credits

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

On another subject, the Chairman asked the Director to report on the progress of the first meeting of the Woodstove Advisory Committee.

PUBLIC FORUM: No one chose to appear.

AGENDA ITEM D: Request for Authorization to Hold a Public Hearing on Proposed Amendments to the Motor Vehicle Emission Control Inspection Test Criteria, Methods, and Standards (OAR 340-24-300 through 24-350) Specifically Affecting the Pollution Equipment Visual Inspection, the Engine Exchange Policy, Test Method, and Licensed Fleet Policy.

The Commission was asked to authorize a public hearing on proposed changes to the motor vehicle emission testing program rule. Changes are proposed to the testing schedule, equipment requirements, and inspector licensing of the licensed fleet program. Housekeeping modifications in the test method and criteria sections are proposed. Further modification is proposed to simplify the underhood inspection procedure for 1974 and older vehicles and to the engine exchange policy.

The tentative date for the hearing, if approved, would be October 3, 1983.

Director's Recommendation

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

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

AGENDA ITEM E: Proposed Adoption of Amendments to Rules Governing Construction and Use of Waste Disposal Wells, OAR 340-44-005 through 340-44-055.

On May 20, the Commission authorized a hearing on a proposed revision of waste disposal well regulations. The hearing was held on June 24. There were no objections to the rules expressed at the hearing. There were some suggestions for clarifying Section (7) of Rule 340-44-015. Some changes were made in the proposed rules to address those concerns. The rules were brought back before the Commission for adoption.

Director's Recommendation

Based on the summation, the Director recommends that the Commission adopt the rules as amended.

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

AGENDA ITEM F: 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 Grants Priority List; and (2) Approve the FY84 Construction Grant Priority List.

This item is (1) the recommended sewerage works construction grants priority list for federal fiscal year 1984, beginning October 1, 1983; and (2) several minor changes to the administrative rules for developing and managing the priority system. A public hearing on these materials was held on June 24, 1983.

In July, the President signed the appropriations bill for EPA which includes \$2.43 billion nationally for this program. Oregon will receive approximately \$27.6 million for construction grants for FY84.

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 FY84 Construction Grants Priority List.

Scott Huff, City of Gresham sanitary engineer, described the city's progress in sewerage and that it hoped for an upgraded position on the Construction Grants Priority List in order to take advantage of any additional money that might become available.

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

AGENDA ITEM G: Request For An Extension Of A Variance From OAR
340-25-315(1)(b) Veneer Dryer Emission Limits, For
Champion International Corporation, Lebanon Plywood
Division, Steam Heated Dryers 1 through 6.

Champion International has requested an extension of the Commission's April 16, 1982, variance from the Department's veneer dryer opacity rules for the Lebanon Plywood Division. The company has projected that the existing steam-heated dryer control system (hogged fuel boiler incineration) will continue to be inadequate in controlling dryer emissions because of permanent changes in mill operation brought about by the recession. Champion has submitted a schedule for modifying and upgrading the dryer controls which will achieve compliance by September 1, 1984. The variance extension is necessary to arrange for funding, design, fabrication and installation of the additional equipment necessary to complete the upgrading project.

Director's Recommendation

Based on the Summation, it is recommended that the Commission grant an extension to Champion International Corporation, Lebanon Plywood Division's April, 1982, variance from OAR 340-25-315(1)(b), Veneer Dryer Emission Limits, with final compliance and increments of progress as follows:

1. Complete engineering and obtain funding to modify the Coen sanderdust burners and install necessary ducting and related equipment by March 1, 1984.
2. Issue purchase orders for equipment and contracts for construction and installation of the burner modifications by April 15, 1984.
3. Complete burner modifications and ductwork installation (including ducting of the No. 5 dryer green end stack to the boilers) by August 1, 1984.
4. Demonstrate compliance with the Department's opacity limits by September 1, 1984.

In addition, the variance should be modified to limit the number of aborted steam-heated dryers to 1 plus the green end stack of the No. 5 dryer during the period of the variance extension. The quarterly reporting requirement should be modified to replace the forecasting of future supplies of hogged fuel with quarterly progress reports on achieving compliance. All other reporting requirements remain in effect.

Ralph Heinert, Champion International, answered some questions from the Commission regarding the possible damage to the company in the case that the requested variance is not issued.

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

Chairman Petersen requested better documentation in the future for finding of economic hardship.

AGENDA ITEM H: Public Hearing to Consider Approval of the Portland International Airport Noise Abatement Program (Pursuant to OAR 340-35-045).

Portland International Airport is the focus of substantial citizen interest and discussion regarding noise pollution. Last August, the airport proprietor, the Port of Portland, initiated development of an airport noise abatement plan in accordance with airport noise control regulations. This plan is now complete and was back before the Commission for public comment and proposed approval.

The main elements within this plan are those flight operational controls designed to shift takeoff and landing paths to less populated areas, primarily over the Columbia River.

The plan also includes major land use and development controls designed to mitigate existing noise impacts and prevent future impacts. These will be accomplished through controls such as zoning restrictions and sound-proofing programs. Some of these land use controls must be implemented by the appropriate local governmental body responsible for land use actions while others will be pursued by the Port.

Most of the flight operational controls should be fully implemented by mid-1984. These controls will reduce the number of people within the noise impact boundary by 69,000 people, a 39-percent reduction.

Director's Recommendation

Based on the Summation, it is recommended that the Commission approve the proposed Portland International Airport Noise Abatement Program outlined in this report and Attachment B with the following conditions:

1. All operational controls shall be implemented within the schedule shown in Table 2.
2. All land use controls shall be pursued as scheduled, to the extent feasible, by the Port of Portland.
3. Prior to January 1, 1985, the Department shall submit an informational report on the status of this abatement program, an evaluation of implementation progress, and the need to amend the program.
4. Approval of this program and these conditions is an order of the Commission and is enforceable pursuant to OAR 340-12-052.

Lloyd Anderson, Port of Portland Executive Director, described briefly the Noise Abatement Program and introduced Bill Supak to discuss it more fully.

Bill Supak, Director of Aviation, described in detail the Port's Noise Abatement Program.

Chuck Sears, FAA air traffic representative and tower chief at PIA, answered some questions from the Commission and assured them of his group's support and cooperation with the program.

Jane Cease, State Representative, approved of the program but hoped that the DEQ would continue to monitor the noise from the PIA.

Linore Allison, Northeast Coalition of Neighborhoods, was concerned about the west departure patterns because flight altitudes do not provide much abatement in noise, and she would prefer more distance before flight course adjustment is made to a final destination route. She continues to be concerned about commuter aircraft, helicopter, and F-4 aircraft noise over the neighborhoods which she represents. In addition, she hopes that the Department will be the agency who will monitor the implementation of this program.

Mathilda Goldsmith, Hayden Bay Homeowners Association, complained that since July 1, aircraft have been flying over her neighborhood and asked what enforcement there would be and from what agency.

George Walker, Chairman of the Rose City Park Association, spoke generally in favor of the plan and echoed some of the others' concerns and then introduced Martha Johnston to use his allotted time before the Commission.

Martha Johnston, East Columbia Neighborhood Association, suggested that Item (a) under Land Use Management Program on page 6 of the staff report should read "... under existing residential zoning or under the Portland Comprehensive Plan ..." (Underlined language to be added.)

Gene K. McLaughlin, North Portland Citizens Committee, fully approves of the proposed Noise Abatement Program.

Billie Graap, Columbia-Bridgeton Neighborhood Association, did not want new homebuilding to be prohibited in her neighborhood to avoid complete industrialization of the area.

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

AGENDA ITEM I: Administrative Review of Agency-Issued Permits.

The Commission asked staff to examine the agency permit appeal practices to see if they can be improved and to bring alternatives to the Commission for consideration. This item attempts to do that.

Director's Recommendation

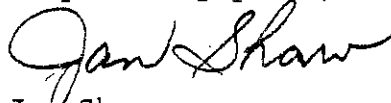
It is recommended the Commission take note of this report and direct staff to use public hearing alternative "D" described on page 6.

Alexander Gordon, attorney representing the Oregon Environmental Council, reiterated OEC's concern that "any aggrieved person" be allowed to request a contested case hearing.

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

There being no further business, the meeting was adjourned.

Respectfully yours,



Jay Shaw
EQC Assistant

JS:d

THESE MINUTES ARE NOT FINAL UNTIL APPROVED BY THE EQC

MINUTES OF THE ONE HUNDRED FORTY-NINTH MEETING

OF THE

OREGON ENVIRONMENTAL QUALITY COMMISSION

JULY 8, 1983

On Friday, July 8, 1983, the one hundred forty-ninth meeting of the Oregon Environmental Quality Commission convened at the Department of Environmental Quality, Portland, Oregon. Present were Commission members Chairman James Petersen; Fred J. Burgess, Vice-Chairman; Wallace B. Brill; Arno Denecke; and Mary 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 SW 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

1. Legislative update: Stan Biles, Assistant to the Director, reviewed a summary of the status of bills which are of interest to the Department.
2. Oregon Sun Ranch - status report: Bob Danko, DEQ Central Region, reported that the company is now in compliance and no complaints have been received for at least six weeks.
3. Clean Air Act sanctions policy: Jack Weathersbee, Administrator, Air Quality Division, reported on the previous policy of former EPA head Anne Burford to strictly enforce sanction provisions of the CAA. The new EPA administrator, William Ruckelshaus, apparently has a more lenient policy and appears to be more flexible than the previous administrator. John Vlastelicia, EPA Oregon Operations Office, distributed a summary of Mr. Ruckelshaus's policy and reviewed it for the Commission.
4. Tillamook County: The Director reported on discussions he and staff have held with the County regarding their implementation of the sub-surface program in that county.

FORMAL MEETING

Commissioners Petersen, Burgess, Brill, Denecke, and Bishop were present for the formal meeting.

AGENDA ITEM A: Minutes of the May 20, 1983, EQC Meeting

It was MOVED by Commissioner Bishop, seconded by Commissioner Brill, and carried unanimously that the Minutes be approved. Commissioner Bishop requested staff to include in the Minutes a report of the total number of variances issued and in effect.

AGENDA ITEM B: Monthly Activity Reports for April and May, 1983

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

AGENDA ITEM C: Tax Credits

An addendum to this staff report was submitted requesting the Commission to deny the request for preliminary certification for tax credit submitted by Freres Lumber Company, Inc., Lyons.

Robert J. Pranger, USDA Soil Conservation Service, appeared in behalf of Vernon Duyck, application number T-1605 for an animal waste control facility. He reported that Mr. Duyck had relied on his agency to initiate and to follow through with the preliminary certification process.

Edd Evans, Soil Conservation Service, appeared and affirmed what Mr. Pranger had said in regard to their presumed responsibility.

Vernon Duyck, applicant, appeared to further explain his reliance on these government agencies and his private contractor in this matter.

It was MOVED by Commissioner Burgess, seconded by Commissioner Brill, and passed unanimously to grant Mr. Duyck's tax credit (T-1605) because of special circumstances which included an oversight by government agencies.

It was further MOVED by Commissioner Burgess, seconded by Commissioner Brill, and passed unanimously to approve numbers 1 and 3 in the Director's Recommendation.

PUBLIC FORUM

No one chose to appear.

AGENDA ITEM D: Request for Authorization to Hold a Public Hearing to Amend Standards of Performance for New Stationary Sources, OAR 340-25-510 through 655, to Include New Federal Rules for Asphalt Processing and Asphalt Roofing and Five Volatile Organic Compound Sources; and to Amend the State Implementation Plan.

Five more federal new source performance standards have been added in the last year to EPA air regulations. The Department requests hearing authorization to add these rules to Oregon Administrative Rules and then delegation to administer them can be sought. The alternative to delegation would be that EPA would administer these regulations for Oregon sources.

Director's Recommendation

It is recommended that the Commission authorize the Department to hold a hearing to consider the attached amendments to OAR 340-25-510 to 340-25-675, rules on Standards of Performance for New Stationary Sources, and to submit those rule changes to EPA as amendments to the State Implementation Plan.

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

AGENDA ITEM E: Request for a Variance from OAR 340-21-015(2)(b) and OAR 340-21-030 and Mid-Oregon Crushing Company Asphaltic Concrete Plant

Mid-Oregon Crushing Company operates an asphalt plant at Lower Bridge, seven miles northwest of Redmond. The company is requesting a variance from both particulate and visible emission limits through the remainder of this year's paving season. The company received its first variance from the Commission in July 1981. That variance expired last October.

Director's Recommendation

Based upon the findings in the Summation, it is recommended that the Commission grant a variance from OAR 340-21-015(2)(b) and OAR 340-21-030 until November 1, 1983 for emissions from the asphaltic concrete plant owned by Mid-Oregon Crushing Company, subject to the company meeting the conditions contained in the Summation.

Robert Johnnie, Mid-Oregon Crushing Company, appeared to speak further in behalf of his variance request.

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

AGENDA ITEM F: Request for Approval of Variance from Lane Regional Air Pollution Authority Rules Section 33-065, Charcoal Producing Plants, Extension of Final Compliance Date from December 31, 1982 to October 31, 1983 Granted to Kingsford Company, Springfield, Oregon, LRAPA Board Order No. 1983-1

The Lane Regional Air Pollution Authority Board of Directors granted a variance to the Kingsford Company on May 2, 1983, for operation of their charcoal briquette plant in violation of the emission limit in the LRAPA charcoal-producing plant rule until October 31, 1983. Kingsford has spent about \$2,880,000 on pollution control-related plant improvements, but the emission reductions have not been adequate to comply with the rule. The additional time granted by the LRAPA Board will be used by the company to complete and evaluate further improvements.

The Lane Regional Air Pollution Authority is required to submit all variances to the Commission for approval, denial, or modification. The Department recommends that the Commission approve the variance granted by the Lane Regional Air Pollution Authority Board for the Kingsford plant.

Director's Recommendation

Based on the findings in the Summation, it is recommended that the Commission approve the variance as granted to the Kingsford Company, Springfield, by the Lane Regional Air Pollution Authority Board of Directors (LRAPA Board Order No. 1983-1).

Don Arkell, Lane Regional Air Pollution Authority, answered questions from the Commission.

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

AGENDA ITEM G: Proposed Facilities and Time Schedule to Remove or Alleviate Condition Alleged Dangerous to Public Health at Ocean View Mobile Estates in Harbor, Curry County, Oregon; Certification of Approval to Health Division in Accordance with ORS 431.720

This is a request for approval of preliminary plans, specifications and time schedule to remove an alleged health hazard near the existing Harbor Sanitary District in Curry County. (An involuntary annexation to a sanitary district differs from an involuntary annexation to a city. In this case, approval and certification of plans precedes actual determination by the Health Division of health hazard. With a city, EQC action on plans follows the declaration of Health Hazard.)

Director's Recommendation

Based upon our findings in the Summation, it is recommended that the Commission approve the proposal of Curry County, certify said approval to the Health Division, and inform Curry County of said approval.

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

AGENDA ITEM H: Surety Bonds for Sewerage Facilities -- Discussion of Alternatives

The Department is having difficulty implementing the statutory requirements for filing surety bonds for private sewage collection, treatment and disposal facilities.

This item was prepared to outline the problems and certain alternatives. The Department is looking for direction from the Commission in narrowing the alternatives which should be further investigated.

Director's Recommendation

It is recommended that the Commission discuss the alternatives and advise the Department on those that should be further developed.

C. Kent Ashbaker, Water Quality Division, appeared and answered questions from the Commission.

George Ward, consulting civil engineer, offered to share with the Department some new federal guidelines which might be of help to staff in dealing with this matter.

The Chairman suggested that staff pursue an investigation into a possible cash and bond combination in amounts not less than \$25,000.

AGENDA ITEM I: DEQ v. Victor Frank

Victor Frank has asked the Commission to review the hearing officer's decision affirming a \$1,000 civil penalty levied against him for unauthorized field burning.

Mr. Frank relied on the written materials submitted, and the Department was represented by Robb Haskins, Department of Justice.

It was MOVED by Commissioner Burgess, seconded by Commissioner Bishop, and passed unanimously that the hearing officer's decision be upheld.

AGENDA ITEM J: Relationships with Other Agencies

At the April EQC meeting, the Commission had before them a petition asking for a declaratory ruling on the Department's decision not to require a water quality permit for the spraying of a pesticide to eradicate mud and ghost shrimp in Tillamook Bay.

In denying the petition, the Commission requested that staff return with a report detailing our relationships with other agencies where we may work with another agency to ensure their permits are adequate to provide environmental protection. This report is an inventory of those agencies and the types of activities involved. This report will be followed by another which will characterize our relationships with these agencies in greater detail.

This report was accepted by the Commission which looks forward to receiving the final report in the future.

AGENDA ITEM K: Status Report: Request for an Additional Extension of Variance From OAR 340-25-315(1)(b). Dryer Emission Limits, by Mt. Mazama Plywood Company. Supplementary Report to the April 8, 1983 EQC Meeting.

Mt. Mazama Plywood Company has been under variance from veneer dryer emission limit rules since March 21, 1980. Since the initial variance in 1980, the Environmental Quality Commission has granted three additional variances -- on July 17, 1981; April 16, 1982; and April 8, 1983.

In each instance, the company has failed to meet the conditions of the variances, pleading economic hardships and inability to raise the funds to install the necessary control equipment.

It has been brought to the Department's attention that Mt. Mazama Timber Products, Inc., voluntarily filed Chapter 11 reorganizational bankruptcy proceedings in May 1983.

Members of the staff met in Sutherlin on June 1, 1983, with representatives of Mt. Mazama Plywood Company.

It is recommended that the Commission grant an extension to the variance until the end of the 120-day period allowed for Chapter 11 reorganization and reconsider the Mt. Mazama variance at the November 18, 1983, meeting.

Director's Recommendation

Based on the Summation, it is recommended that the Commission grant an extension to the variance with final compliance and incremental progress steps for Mt. Mazama Plywood Company as follows:

1. By November 20, 1983, issue purchase orders for all major emission control equipment components.
2. By December 1, 1983, begin construction and/or installation of the emission control equipment.
3. By May 1, 1984, complete installation of emission control equipment and demonstrate compliance with both mass emission and visible standards.

Further, that Mt. Mazama Plywood Company continue to supply the Department with monthly financial data. In addition, the Department is to be informed by October 1, 1983, of the company's position relative to the outcome of Mt. Mazama Timber Products, Inc., Chapter 11 reorganization bankruptcy proceedings and the forecast of economic impacts upon continued operation.

Jim Kline, General Manager, Mt. Mazama Plywood, appeared before the Commission to confirm the facts in the staff report and to answer questions from the Commission.

Chairman Petersen suggested that the Trustee and the parent company commit to writing an agreement to install the pollution control equipment at Mt. Mazama Plywood if the parent company is successful in liquidating sufficient assets to do so.

It was MOVED by Commissioner Denecke, seconded by Commissioner Burgess and passed unanimously that the Director's Recommendation be approved and in addition instructed staff to contact the Trustee and others with the Commission's concerns that the company's control equipment be allowed to be brought up to standard.

Chairman Petersen suggested that the Department initiate contacts with the owners and the Court to secure assurances (either written by the company or by inclusion as part of the reorganization plan) that the pollution control requirements be met upon realization of the plan itself.

AGENDA ITEM L: Proposed Establishment of Woodstove Advisory Committee

HB 2235, establishing a statewide woodstove certification program, recently passed both the House and the Senate and has been signed into law by the Governor. A first step in proceeding toward EQC rulemaking on this issue is establishment of an advisory committee to assist the EQC in adopting woodstove emission standards and testing procedures. The staff report makes a recommendation to establish a specific 6- or 7-member committee.

Director's Recommendation

It is recommended the EQC establish the 7-member Woodstove Advisory Committee as specified in Attachment 1. The Department should also be directed to request organizations to appoint committee members who have a strong technical background and experience to address issues associated with wood combustion and testing methods.

Keith Cochran, Oregon Chimney Sweeps Association, suggested that a member of his organization be included in the membership of the woodstove advisory committee, if such is established.

Tom Donaca, Associated Oregon Industries, recommended that only technical personnel be included as members of the committee and others (such as AOI representatives or members from the chimney sweeps) be included as ex officio members. He also noted that he was convinced that the Legislature was particularly firm in assigning the July 1, 1984, compliance date and expected that date to be strictly held to.

John Charles, Oregon Environmental Council, suggested that an eighth member should be a representative from the chimney sweeps and went on to suggest that a ninth person should be a representative from the public health sector, such as was included on the Coal Burning Advisory Committee.

Commissioner Burgess said he wanted the charge to the committee to be articulated and submitted for approval by the EQC at the time they participate in a conference call to approve the membership of the committee.

Chairman Petersen said he wanted circulated in advance of the conference call the list of those people being proposed and any possible suggestions as to who could act as chairman of this committee. He recommended a 7-person committee and wants to follow closely the charge of the statute.

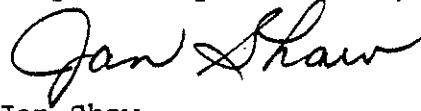
Commissioner Denecke suggested that a member of the chimney sweeps should be included on the committee. He also wanted staff to have approval power over the slate of names forwarded to the Commission.

It was MOVED by Commissioner Burgess, seconded by Commissioner Bishop, and passed unanimously to direct Department staff to proceed to formulate an advisory committee, not to exceed nine persons, consisting of the representation on Attachment 1 but with the possibility of adding two more. The agencies will be asked to nominate an individual or individuals. The staff will come back to the Commission by telephone conference call, together with a charge to the committee, and a timetable for action will be included in that charge.

Commissioner Brill asked that staff send the names and resumes of the nominees to the Commission at least a week before the conference call in order to provide time for a proper review.

There being no further business, the meeting was adjourned.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jan Shaw".

Jan Shaw
Commission Assistant

JS:d
DOD25

THESE MINUTES ARE NOT FINAL UNTIL APPROVED BY THE EQC

MINUTES OF A SPECIAL MEETING OF THE
OREGON ENVIRONMENTAL QUALITY COMMISSION

August 1, 1983

On Monday, August 1, 1983, a special meeting of the Oregon Environmental Quality Commission was convened by conference telephone at the offices of the Department of Environmental Quality, Portland, Oregon. Present by telephone were Commission members Chairman Jim Petersen, Vice-Chairman Fred Burgess, Mary Bishop, and Arno Denecke. Commissioner Brill was absent. Present in person on behalf of the Department were its Director, William H. Young, and several members of the Department staff.

The staff report presented at this meeting, which contains the Director's recommendations mentioned in these minutes, are on file in the Office of the Director, 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.

SPECIAL MEETING

The woodstove certification bill (HB 2235), as signed into law by the Governor on July 5, 1983, gives the EQC authority to establish an advisory committee to aid the Commission in the adoption of woodstove emission performance standards and testing criteria. At its July 8 meeting, the Commission agreed to establishing a committee and asked the staff to return with specific nominations and a charge. The Commission convened to consider the composition of the Woodstove Advisory Committee; to formulate the charge to that committee; and to establish a time schedule for action by the committee.

Director's Recommendation

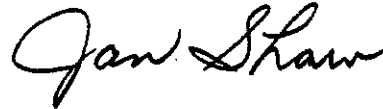
The Director recommends that the EQC establish a nine-member wood stove advisory committee with specific members listed in the summation of this report. The Director further recommends that the EQC

- 1) appoint the scientific community representative as chairman;
- 2) direct the Department to solicit comments to the advisory committee from Drs. Schade and Campbell regarding establishment of a woodstove emission standard protective of public health;
- 3) approve the attached mission statement as the official charge to the committee; and
- 4) direct the Department to keep other interested parties informed about committee activities and to keep the committee informed about comments made by interested individuals on committee activities.

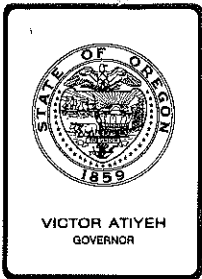
After a brief discussion, it was MOVED by Commissioner Burgess, seconded by Commissioner Denecke, to adopt the Director's Recommendation, and further MOVED to authorize the Director, with the concurrence of the Chairman, to approve alternate members to this committee should any member find he/she cannot serve. The motion passed unanimously.

There being no further business the meeting was adjourned and the call terminated.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jan Shaw".

Jan Shaw
EQC Assistant



Environmental Quality Commission

Mailing Address: BOX 1760, PORTLAND, OR 97207

522 SOUTHWEST 5th AVENUE, PORTLAND, OR 97204 PHONE (503) 229-5696

MEMORANDUM

To: Environmental Quality Commission

From: Director

Subject: Agenda Item No. B, August 19, 1983, EQC Meeting

June 1983 Program Activity Report

Discussion

Attached is the June 1983 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, 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.

William H. Young

CASplettstaszer:d
229-6484
July 27, 1983
Attachments
MD26

DEPARTMENT OF ENVIRONMENTAL QUALITY

Monthly Activity Report

June, 1983

Table of Contents

<u>Air Quality Division</u>	<u>Page</u>
Summary of Plan Actions	1
Listing of Plan Actions Completed	2
Summary of Permit Actions	3
Listing of Permit Actions Completed	4
<u>Water Quality Division</u>	
Summary of Plan Actions	1
Listing of Plan Actions Completed	6
Summary of Permit Actions	9
Listing of Permit Actions Completed	10
<u>Solid Wastes Management Division</u>	
Summary of Plan Actions	1
Summary of Solid and Hazardous Waste Permit Actions	13
Listing of Solid Waste Permit Actions Completed	14
Listing of Hazardous Waste Disposal Requests	16
<u>Noise Control Section</u>	
Summary of Noise Control Actions	23
Listing of Noise Control Actions Completed	24
<u>Enforcement Section</u>	
Civil Penalties Assessed	25
<u>Hearings Section</u>	
Contested Case Log	26

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

AQ, WQ, SW Divisions
(Reporting Unit)

June 1983
(Month and Year)

SUMMARY OF PLAN ACTIONS

	Plans Received		Plans Approved		Plans Disapproved		Plans Pending
	<u>Month</u>	<u>FY</u>	<u>Month</u>	<u>FY</u>	<u>Month</u>	<u>FY</u>	
<u>Air</u>							
Direct Sources	3	72	3	75	0	1	16
Small Gasoline							
Storage Tanks							
Vapor Controls	0	0	0	0	0	0	0
Total	3	72	3	75	0	1	16
<u>Water</u>							
Municipal	17	176	22	172	0	3	14
Industrial	17	72	9	72	0	0	15
Total	34	248	31	244	0	3	29
<u>Solid Waste</u>							
Gen. Refuse	2	22	0	13	0	0	8
Demolition	1	3	1	3	0	1	0
Industrial	1	21	0	18	0	0	6
Sludge	1	12	2	12	0	0	1
Total	5	58	3	46	0	1	15
<u>Hazardous Wastes</u>	0	15	0	13	0	0	2
<u>GRAND TOTAL</u>	42	393	37	378	0	5	62

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

COUNTY	NUMBER	SOURCE	PROCESS DESCRIPTION	DATE OF ACTION	ACTION
WABASH	957	PSE BORDMAN	FUG COAL DUST SUPP SYS	06/01/82	APPROVED
LINN	902	TELEDYNE WAH CHANG	PEPL CAUSTIC SCRUBBER	06/03/83	APPROVED
WOOD RIVER	903	CASCADE LOCKS LUMBER CO.	TRUCK LOADING PIN	06/16/83	APPROVED

TOTAL NUMBER QUICK LOOK REPORT LINES 3

2

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Air Quality Division
(Reporting Unit)

June, 1983
(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 (1)</u>							
New	4	32	0	28	16		
Existing	2	13	1	22	16		
Renewals	13	60	10	160	82		
Modifications	<u>4</u>	<u>43</u>	<u>3</u>	<u>49</u>	<u>20</u>		
Total	23	148	14	259	134	1747	1779
<u>Indirect Sources</u>							
New	0	4	0	4	3		
Existing	0	0	0	0	0		
Renewals	0	0	0	0	0		
Modifications	<u>0</u>	<u>6</u>	<u>2</u>	<u>6</u>	<u>0</u>		
Total	0	10	2	10	3	206	209
<u>GRAND TOTALS</u>	23	158	16	269	137	1953	1988

(1) Number of
Pending Permits

Comments

27	To be reviewed by Northwest Region
14	To be reviewed by Willamette Valley Region
22	To be reviewed by Southwest Region
6	To be reviewed by Central Region
7	To be reviewed by Eastern Region
18	To be reviewed by Program Operations Section
10	To be reviewed by Planning & Development Section
25	Awaiting Public Notice
<u>5</u>	Awaiting End of 30-day Notice
134	

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
MULTNOMAH	CHEVRON USA, INC.	26	2027 04/02/82	PERMIT ISSUED	05/25/83	MOD
JACKSON	3M COMPANY	15	0029 11/16/81	PERMIT ISSUED	05/26/83	RNW
DESCHUTES	CENTRAL OREGON PAVERS	09	0064 03/13/83	PERMIT ISSUED	06/01/83	RNW
LINN	THOMPSONS MILLS	22	1026 04/07/82	PERMIT ISSUED	06/01/83	RNW
MULTNOMAH	UNION OIL CO OF CALIF	26	1589 02/02/83	PERMIT ISSUED	06/01/83	RNW
MULTNOMAH	ASH GROVE CEMENT CO	26	1891 04/19/83	PERMIT ISSUED	06/01/83	RNW
MULTNOMAH	BOYD COFFEE COMPANY	26	2477 04/07/82	PERMIT ISSUED	06/01/83	RNW
WASHINGTON	MERCER IND. INC	34	2579 05/29/82	PERMIT ISSUED	06/01/83	RNW
PORT.SOURCE	YACUINA HEAD QUARRIES INC	37	0193 03/11/83	PERMIT ISSUED	06/01/83	RNW
PORT.SOURCE	WASCO COUNTY ROAD DEPT.	37	0205 04/20/83	PERMIT ISSUED	06/01/83	RNW
DOUGLAS	YONCALLA TIMBER PRODUCTS	10	0035 05/27/83	PERMIT ISSUED	06/06/83	MOD
MULTNOMAH	FMC CORP MAPINE AND RAIL	26	2944 01/13/82	PERMIT ISSUED	06/06/83	EXT
MULTNOMAH	GREAT NORTHERN PRODUCTS	26	2991 05/06/83	PERMIT ISSUED	06/15/83	RNW
UMATILLA	MID-COLUMBIA ASPHALT CO	30	0003 06/20/83	PERMIT ISSUED	06/23/83	MOD

TOTAL NUMBER QUICK LOOK REPORT LINES 14

4

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Air Quality Division
(Reporting Unit)

June, 1983
(Month and Year)

PERMIT ACTIONS COMPLETED

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

Indirect Sources

Washington	St. Vincent Hospital - Parking Structure Addition (Modification), 558 Spaces, File No. 34-7021	06/28/83	Final Permit Addendum Issued
Washington	Koll Center Creekside (Modification), 73 Spaces, File No. 34-8301	06/06/83	Final Permit Addendum Issued

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division
(Reporting Unit)

June 1983
(Month and Year)

PLAN ACTIONS COMPLETED - 31

* County	* Name of Source/Project * /Site and Type of Same	* Date of * Action	* Action	* *
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MUNICIPAL WASTE SOURCES 22

Douglas	Twin Rivers Vacation Park On-Site Disposal System Roseburg	6/15/83	Comments to Owner and Designer	
Douglas	Sutherlin Larry Waller Extension	6/17/83	P.A.	
Clackamas	Wilsonville City Hall Extension	6/23/83	P.A.	
Hood River	Columbia Gorge Resort (American Adventure) Mosier	6/24/83	P.A.	
Columbia	Vernonia Sewage Lagoon Improvements	6/27/83	P.A.	
Jackson	Shady Cove Loma Rogue Estates Sanitary Sewers	6/27/83	P.A.	
Lincoln	Gleneden S.D. Oceanside Properties Sanitary Sewer	6/28/83	P.A.	
Marion	Donald Sewage Collection and Treatment System	6/29/83	P.A.	
Clatsop	Cannon Beach Wastewater Facilities Improvements	6/29/83	P.A.	
Clatsop	City of Warrenton L.I.D. #7	6/30/83	P.A.	
Clackamas	Molalla Faurie Avenue Ext.	6/30/83	P.A.	

MAR.3 (5/79) WG2228

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division
(Reporting Unit)

June 1983
(Month and Year)

PLAN ACTIONS COMPLETED

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

Douglas	Sutherlin Koleno Sewer (Revised)	6/30/83	P.A.	
Clackamas	West Linn Sunburst II Townhouse Dev.	6/30/83	P.A.	
Tillamook	Bay City Seattle Street Sewer Ext.	6/30/83	P.A.	
Marion	Stayton Westown Park No. 10	6/30/83	P.A.	
Douglas	Winston Road San. Sewer Winston	6/30/83	P.A.	
Multnomah	Columbia Shores Sanitary Sewers	6/30/83	P.A.	
Jackson	Jackson Co. Dept. of Rec. Emigrant Lake Resort World Entertainment Co. Ext.	7/1/83	Comments to Engineer	
Deschutes	Redmond Casa Bonita Subdivision Sanitary Sewers	7/1/83	P.A.	
Jackson	Medford Alder Creek Unit 2 Sanitary Sewers	7/1/83	P.A.	
Jackson	Shady Cove Project E-607-83 Sanitary Sewer Extensions	7/1/83	P.A.	
Clackamas	Tri City S.D. Administration and Shop Building and Finish Site Work	7/5/83	P.A.	

MAR.3 (5/79) WG2228

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division June, 1983
 (Reporting Unit) (Month and Year)

PLAN ACTIONS COMPLETED 31

* County	* Name of Source/Project * /Site and Type of Same	* Date of * Action	* Action	*
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INDUSTRIAL WASTE SOURCES 9

Marion	Dessert Seed Inc. Seed Cleaning Irrigation System Brooks	6/1/83	Approved	
Washington	Permapost Products, Inc. Pond Liners and Lysimeters Aloha	6/3/83	Approved	
Clackamas	Avison Lmbr. Co., Molalla Pentachlorophenol Control System	6/7/83	Approved	
Polk	Cyril Klika, Independence Manure Control System	6/13/83	Approved	
Linn	National Fruit Canning, Irrigation Runoff Return System Albany			
Yamhill	Donald R. Heidgerken Manure Control Facility Yamhill	6/15/83	Approved	
Tillamook	Prince Dairy Manure Control System Tillamook	6/20/83	Approved	
Clackamas	Burns Bros., Wilsonville Storm Runoff Oil/Water Separator	6/28/83	Approved	
Douglas	Pacific Power & Light Co. Dixonville, Oil Spill Containment System	6/29/83	Approved	

MAR.4 (5/79)

WG2323

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division
(Reporting Unit)

June, 1983
(Month and Year)

SUMMARY OF WATER PERMIT ACTIONS

	Permit Actions Received		Permit Actions Completed		Permit Actions Pending	Sources Under Permits	Sources Reqr'g Permits
	Month	Fis.Yr.	Month	Fis.Yr.			
	* /**	* /**	* /**	* /**	* /**	* /**	* /**
<u>Municipal</u>							
New	0 /1	3 /15	1 /2	2 /22	2 /5		
Existing	0 /0	0 /0	0 /0	0 /0	0 /0		
Renewals	4 /1	60 /14	4 /1	59 /12	32 /7		
Modifications	1 /1	5 /4	1 /1	5 /4	0 /0		
Total	5 /3	68 /33	6 /4	66 /38	34 /12	236/127	238/132
<u>Industrial</u>							
New	0 /2	5 /12	2 /3	6 /8	2 /6		
Existing	0 /0	0 /0	0 /0	0 /0	0 /1		
Renewals	0 /1	37 /34	5 /4	31 /31	37 /15		
Modifications	0 /0	4 /1	1 /0	6 /1	0 /0		
Total	0 /3	46 /47	8 /7	43 /40	39 /22	196/165	198/72
<u>Agricultural (Hatcheries, Dairies, etc.)</u>							
New	0 /0	0 /0	0 /0	1 /0	1 /0		
Existing	0 /0	0 /0	0 /0	0 /0	0 /0		
Renewals	0 /0	0 /3	0 /0	0 /1	0 /3		
Modifications	0 /0	0 /0	0 /0	0 /1	0 /0		
Total	0 /0	0 /3	0 /0	1 /2	1 /3	3 /13	4 /13
<u>GRAND TOTALS</u>	5 /6	114/83	14 /11	110/80	74 /37	435/305	440/217

* NPDES Permits

** State Permits

7 General Permits Granted

Note: Number of sources under permits have been adjusted by subtracting the 296 General Permits.

MAR.5W (8/79) WG2528

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

<u>Water Quality</u>	<u>June, 1983</u>
(Reporting Unit)	(Month and Year)

PERMIT ACTIONS COMPLETED

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

MUNICIPAL AND INDUSTRIAL SOURCES - NPDES (12)

Lane	Pope & Talbot Inc. Oakridge	6-10-83	Permit Renewed
Lane	City of Junction City STP	6-10-83	Permit Renewed
Hood River	Diamond Fruit Growers Central - Odell	6-14-83	Permit Renewed
Hood River	Diamond Fruit Growers Packing - Odell	6-14-83	Permit Renewed
Hood River	Diamond Fruit Growers Packing - Parkdale	6-14-83	Permit Renewed
Hood River	Diamond Fruit Growers Packing - Van Horn	6-14-83	Permit Renewed
Klamath	City of Klamath Falls Kingsley, STP	6-14-83	Permit Renewed
Yamhill	Boise Cascade Willamina Veneer	6-15-83	Permit Issued
Clackamas	Forest Park Mobile Village STP	6-15-83	Permit Issued
Multnomah	Special Asphalt Products Portland	6-27-83	Permit Issued
Lincoln	City of Waldport, STP	6-27-83	Permit Renewed
Multnomah	Hayden Corporation Portland, STP	6-27-83	Permit Renewed

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality (Reporting Unit)	June, 1983 (Month and Year)
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PERMIT ACTIONS COMPLETED

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

Umatilla	New Life Adventures, Inc. Lehman Hot Springs, STP	6-3-83	Permit Issued	
Multnomah	Scenic Fruit Company Gresham	6-10-83	Permit Renewed	
Baker	Robert Lattig Placer Mine - Baker	6-10-83	Permit Issued	
Grant	City of Prairie City, STP	6-14-83	Permit Renewed	
Deschutes	Starwood Sanitary District Bend, STP	6-15-83	Permit Issued	
Baker	Minexco, Inc. Blue Alka Claim - Baker	6-15-83	Permit Issued	
Yamhill	Williams Slaughterhouse Sheridan	6-15-83	Permit Renewed	
Multnomah	Airco, Inc. - Portland Welding Products	6-27-83	Permit Issued	
Linn	Georgia Pacific Corp. Millersburg - Resin Plant	6-27-83	Permit Renewed	
Jackson	M.C. Lininger & Sons, Inc. Ready Mix - Medford	6-217-83	Permit Renewed	

MUNICIPAL AND INDUSTRIAL SOURCES - MODIFICATIONS (3)

Columbia	City of Rainier, STP	6-15-83	Addendum #1	
Coos	Weyerhaeuser Co. Plywood & Sawmill North Bend	6-24-83	Addendum #1	
Deschutes	City of Bend McGrath Road - STP	6-27-83	Addendum #1	

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality (Reporting Unit)	June, 1983 (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 - GENERAL PERMITS (7)

Cooling Water - Permit No. 0100J, File 32550 (3)

Linn	Richard Dalke (Heat Pump) Albany	6-6-83	General Permit Issued	
Benton	Delmer Nichols (Heat Pump) Corvallis	6-24-83	General Permit Issued	
Benton	Monty H. Brown (Heat Pump) Corvallis	6-24-83	General Permit Issued	

Portable Suction Dredges - Permit No. 0700J, File 32600 (3)

Multnomah	John Leverrich, Portland 6" Suction Dredge Rogue River	6-6-83	General Permit Issued	
State of Washington	Betty Ann Holt Edmond, Washington 3" & 6" Suction Dredge Illinois River	6-13-83	General Permit Issued	
Multnomah	Rick Denhart - Portland 4" Suction Dredge Illinois River	6-22-83	General Permit Issued	

Gravel Mining - Permit No. 1000, File 32565 (1)

Douglas	Dan M. Parker Roseburg	6-13-83	General Permit Issued	
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DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Solid Waste Division
(Reporting Unit)

June 1983
(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	-	4	-	3	2		
Existing	-	-	-	-	-		
Renewals	4	29	11	35	6		
Modifications	-	12	-	10	2		
Total	4	45	11	48	10	176	176
<u>Demolition</u>							
New	-	1	-	2	-		
Existing	-	-	-	-	-		
Renewals	-	2	-	2	-		
Modifications	-	5	-	5	-		
Total	0	8	0	9	0	21	21
<u>Industrial</u>							
New	2	11	-	13	5		
Existing	-	-	-	-	-		
Renewals	2	20	4	18	7		
Modifications	-	3	-	-	-		
Total	4	34	4	31	12	102	102
<u>Sludge Disposal</u>							
New	-	7	-	8	-		
Existing	-	-	-	-	-		
Renewals	-	3	1	4	-		
Modifications	3	5	1	4	1		
Total	3	15	2	16	1	17	17
<u>Hazardous Waste</u>							
New	-	12	-	5	7		
Authorizations	105	785	105	785	-		
Renewals	-	-	-	-	-		
Modifications	-	5	-	5	-		
Total	105	802	105	795	7	15	20
<u>GRAND TOTALS</u>	116	904	122	899	30	331	336

SC1068.A
MAR.5S (4/79)

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Solid Waste Division	June 1983
(Reporting Unit)	(Month and Year)

PERMIT ACTIONS COMPLETED

* County	* Name of Source/Project * /Site and Type of Same	* Date of * Action	* Action	*
*	*	*	*	*
Lane	Franklin Landfill Existing facility	6/8/83	Permit renewed	
Marion	Marion Forks Hatchery Existing landfill	6/10/83	Letter authorization renewed	
Coos	Westbrook Wood Products Existing landfill	6/23/83	Permit renewed	
Curry	Rogge Lumber Sales Existing landfill	6/23/83	Permit renewed	
Grant	Long Creek Landfill Existing facility	6/23/83	Permit renewed	
Grant	Monument Landfill Existing facility	6/23/83	Permit renewed	
Douglas	Glide Lumber Products Existing landfill	6/30/83	Permit renewed	
Harney	Andrews Disposal Site Existing landfill	6/30/83	Permit renewed	
Harney	Crane Disposal Site Existing landfill	6/30/83	Permit renewed	
Harney	Diamond Disposal Site Existing landfill	6/30/83	Permit renewed	
Harney	Drewsey Disposal Site Existing landfill	6/30/83	Permit renewed	
Harney	Fields Disposal Site Existing landfill	6/30/83	Permit renewed	
Harney	Frenchglen Disposal Site Existing landfill	6/30/83	Permit renewed	
Harney	Riley Disposal Site Existing landfill	6/30/83	Permit renewed	

SC1068.D
MAR.6 (5/79)

* County	* Name of Source/Project * /Site and Type of Same	* Date of * Action	* Action	*
Harney	Sod House Disposal Site Existing landfill	6/30/83	Permit renewed	*
Lincoln	T & L Septic Tank Service Sludge lagoon	6/30/83	Permit amended	*
Linn	Cox Lagoon Sludge lagoon	6/30/83	Permit renewed	*

SC1068.D
MAR.6 (5/79)

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Solid Waste Division
(Reporting Unit)

June 1983
(Month and Year)

HAZARDOUS WASTE DISPOSAL REQUESTS

CHEM-SECURITY SYSTEMS, INC., GILLIAM CO.

WASTE DESCRIPTION

* * Date *	* Type *	* Source *	* Present *	* Quantity * Future *	* *
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DISPOSAL REQUESTS GRANTED - 104

OREGON - 24

6/6	Arsenic/mercury-contaminated rags, gloves, etc.	Electronic co.	--	50 drums	
6/6	Cupric chloride etching solution	Electronic co.	--	60,000 gal.	
6/13	Chrome trioxide-contaminated empty containers	Electronic co.	--	25 drums	
6/13	Chrome-contaminated adsorbent	Electronic co.	25 drums	--	
6/13	Sodium bisulfite granules	Electronic co.	2,000 lb.	--	
6/15	Isoset resin containing latex, inert fillers and water-soluble polymer	Wood product	2,300 lb.	--	
6/15	Paint products	Paint manuf.	25 tons	--	
6/15	Paint sludge	Truck manuf.	--	27,500 gal.	
6/15	Solidified paint sludge and varnish	Wood product	--	60 drums	
6/21	Rosin flux dissolved in IPA	Electronic co.	--	10 drums	

* * Date *	* Type *	* Source *	* Quantity *		* * *
			* Present	* Future	
6/23	Gasoline-contaminated water	Spill cleanup	2,600 gal.	--	
6/27	PCB-contaminated debris	Spill cleanup	30 cu.yd.	--	
6/27	Caustic-contaminated debris	Spill cleanup	52,420 lb.	--	
6/27	Sevin 4 insecticide-contaminated debris	Spill cleanup	27,690 lb.	--	
6/30	Asphalt tank bottoms	Asphalt plant	100 drums	--	
6/30	Solidified honing oil sludge with Zr, Hf and Al ₂ O ₃	Smelting	--	100 drums	
6/30	Acetone with fiber-glass compounds	Smelting	--	6 drums	
6/30	Organic lab solvents (MIBK, CCl ₄ , acetone)	Smelting	--	500 gal.	
6/30	Paint thinners/paint sludge	Smelting	--	500 gal.	
6/30	Penta sludge	Wood treatment	--	200 drums	
6/30	Penta/creosote sludge	Wood treatment	--	50 drums	
6/30	Obsolete pesticides and empty containers	State agency	--	10 drums	
6/30	Leaded gasoline tank bottoms	Storage facil.	6,000 gal.	3,000 gal.	
6/30	Zn chloride sludge with hydraulic oil	Zinc electroplating	--	1,200 gal.	
WASHINGTON - 59					
6/6	Stoddard solvent from aircraft parts cleaning	Fed. facility	--	1,500 gal.	
6/6	Ignitable paint epoxy remover	Fed. facility	--	15 drums	
6/6	Tricresyl phosphate flame retardant	Fed. facility	--	10 drums	

SC1068.E
MAR.15 (1/82)

* * Date *	* Type *	* Source *	* Quantity *		* Future *
			* Present *	* Future *	
6/6	Ignitable paint sludge	Fed. facility	--	200 drums	
6/6	Caustic solution with heavy metals from Western Processing	Superfund proj.	20,000 gal.	--	
6/6	PCB-contaminated cleanup debris from Western Processing	Superfund proj.	10 cu.yd.	--	
6/6	PCB capacitors from Western Processing	Superfund proj.	3 units	--	
6/10	Paint sludge	Paint manuf.	--	5 drums	
6/13	Creosote tank bottoms	Wood preserving	60 drums	100 drums	
6/13	Arsenic-contaminated tank bottoms and filter bags	Wood preserving	50 drums	75 drums	
6/13	Penta tank bottoms	Wood preserving	60 drums	100 drums	
6/13	Creosote tank bottoms	Wood preserving	60 drums	100 drums	
6/14	Solvents: trichloroethylene/triethylene glycol/Freon 113	Fed. facility	--	115 drums	
6/14	Old paints and paint sludge	Fed. facility	--	20,000 cu.ft.	
6/14	Paint thinners	Fed. facility	--	480 drums	
6/14	Bilge oil slop	Fed. facility	--	800 drums	
6/14	Cyanide bearing plating sludge	Fed. facility	--	5 drums	
6/14	EPA Priority Pollutant Kit	Fed. facility	--	2 drums	
6/14	OSHA Regulated Chemical Kit	Fed. facility	--	2 drums	
6/14	Solid lithium hydroxide	Fed. facility	--	20 drums	
6/14	Acid solutions HCl, glycolic acid and acetic acid	Fed. facility	--	25 drums	

* * Date *	* Type *	* Source *	* Present *	* Quantity * Future *	* *
6/15	Miscellaneous lab chem.	Electronic co.	--	1 drums	
6/15	Dewatered leaded gaso- line tank bottoms	Waste processor	--	120 drums	
6/21	PCB oils	University	--	20 drums	
6/21	PCB transformers	University	--	20 units	
6/21	Drained PCB transfor- mers	University	--	10 units	
6/21	PCB capacitors	University	--	500 cu.ft.	
6/21	PCB-contaminated solids	University	--	5 drums	
6/21	Contaminated tar	Oil co.	15 drums	--	
6/23	Ignitable lab chemicals	Tools manuf.	--	25 drums	
6/23	Paint sludge	Paint manuf.	--	8 drums	
6/23	Alkyd resin-based Al with mineral spirits	Roof coatings	32 drums	--	
6/23	Coal tar-contaminated asphalt with mineral spirits	Roof coatings	114 drums	--	
6/23	Mineral spirits- contaminated water	Roof coatings	--	100 drums	
6/27	Triaryl phosphate hydraulic fluid/Freon still bottoms and paint sludge with lead	Shipyard	--	492 drums	
6/27	Tertiary butyl perben- zoate catalyst	Fiberglass manuf.	68 gal.	--	
6/27	Caustic sludge	Oil refinery	--	100 drums	
6/27	Leaded tank bottoms solids	Oil refinery	--	60 drums	
6/27	Leaded tank bottoms sludge	Oil refinery	--	60 drums	
6/27	Printing ink sludge/ mineral spirits	Ink manuf.	--	15 drums	

SC1068.E
MAR.15 (1/82)

* * *	* * *	* * *	* * *	* * *	* * *	* * *	* * *
Date	Type	Source	Present	Quantity	Future		
6/27	Paint stripper methylene chloride/toluene	Shipyards	--	12 drums			
6/27	Corrosive lab chemicals	Research facil.	--	10 drums			
6/27	Ignitable lab chemicals	Research facil.	--	20 drums			
6/27	Poison B lab chemicals	Research facil.	--	20 drums			
6/27	PCB capacitors	Paper co.	--	6 drums			
6/27	PCB liquids	Paper co.	--	2 drums			
6/27	Lime kiln bricks containing chrome	Paper mill	--	200 tons			
6/27	Dry paint sludge and contaminated filters	Foundry	--	1,200 drums			
6/27	Oily sludge and contaminated booms, absorbent, etc.	Foundry	--	24 drums			
6/27	Wet paint sludge	Foundry	--	12 drums			
6/27	Asbestos cement bottom boards with paint sludge	Foundry	--	24 drums			
6/27	Paint thinners	Foundry	--	12 drums			
6/27	Stoddard cleaning solvent with toluene, mineral spirits, etc.	Foundry	--	12 drums			
6/27	PCB-contaminated rags, clothing, etc.	Al reduction	--	2 drums			
6/27	PCB oils	Al reduction	--	10 drums			
6/27	PCB-contaminated fluid	Al reduction	--	25 drums			
6/27	PCB-contaminated liquid from Western Processing	Superfund proj.	200 drums	--			
6/28	PCB capacitors	Chemical co.	--	2,600 lb.			
6/28	PCB transformers	Chemical co.	--	1,800 gal.			

SC1068.E
MAR.15 (1/82)

* Date *	Type	Source	Present	Quantity Future
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OTHER STATES - 21

6/6	Paint sludge	Can coating (HI)	26 drums	12 drums
6/10	Arsenic-contaminated diisopropanolamine/oxazolidone sludge	Chemical co. (AK)	9,300 gal.	--
6/15	Lead-contaminated soil	Oil refin. (MT)	300 tons	--
6/15	Iron chromate shift catalyst	Oil refin. (MT)	--	200 drums
6/15	PCB-contam. solids	PCB treat. (AK)	--	2,000 drums
6/15	Asbestos	Asbestos remov. project (MT)	--	2,000 cu.ft.
6/15	PCB-contaminated transformers	Railroad co. (ID)	--	500 gal.
6/15	PCB transformers	Railroad co. (ID)	--	500 gal.
6/16	Battery acid	Research facil. (ID)	--	37 cu.ft.
6/16	Dilute formaldehyde solution	Research facil. (ID)	--	200 gal.
6/16	Dilute formaldehyde/mercuric nitrate sol.	Research facil. (ID)	--	500 gal.
6/21	PCB transformers	Fed. agency (AK)	37 cu.ft.	--
6/21	PCB oils	Fed. agency (AK)	37 cu.ft.	--
6/21	PCB-contam. solids	Fed. agency (AK)	37 cu.ft.	--
6/21	Household chemicals	State agency (AK)	200 drums	--
6/21	PCB capacitors	Food proc. (ID)	--	2,000 lb.
6/21	PCB transformers	Food proc. (ID)	--	2,200 gal.
6/21	Emulsified oil-water	Shipyard (HI)	--	24 drums
6/21	Sump water with methylene chloride, phenolics and oil-water emulsion	Shipyard (HI)	--	48 drums

* * Date *	* Type *	* Source *	* Quantity *		* * *
			Present	Future	
6/23	Tetraethyl lead-contaminated oil	Chemical co. (AK)	340 gal.	--	
6/30	PCB capacitors	Research fac. (ID)	--	12,000 lb.	

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Noise Control Program
(Reporting Unit)

June, 1983
(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	11	95	10	86	113	112
Airports			1	12	1	1

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Noise Control Program
 (Reporting Unit) June, 1983
 (Month and Year)

FINAL NOISE CONTROL ACTIONS COMPLETED

* County *	* Name of Source and Location *	* Date *	* Action *
Clackamas	Canby Sewage Treatment Plant Canby	6/83	Noise discontinued
Multnomah	Brachonelli Car Repair Portland	6/83	No violation
Multnomah	Grain Elevator Portland	6/83	No violation
Multnomah	Humming Noise West of Mt. Tabor	6/83	No violation
Multnomah	Northwest Retreaders, Inc. Portland	6/83	No violation
Multnomah	Unknown high pitched noise Portland	6/83	Noise discontinued
Washington	Courtesy Auto Body West Slope	6/83	In compliance
Washington	Dandy Lion Day Care Center Portland	6/83	No further action
Linn	Morse Brothers Quarry Lebanon	6/83	No violation
Josephine	Copeland Sand and Gravel Murphy	6/83	In compliance
Coos	Benham Airport Coquille	6/83	Boundary approved

CIVIL PENALTY ASSESSMENTS
DEPARTMENT OF ENVIRONMENTAL QUALITY
1983

CIVIL PENALTIES ASSESSED DURING MONTH OF JUNE, 1983:

<u>Name and Location of Violation</u>	<u>Case No. & Type of Violation</u>	<u>Date Issued</u>	<u>Amount</u>	<u>Status</u>
Economy Auto Parts, Inc. Portland, Oregon	AQOB-NWR-83-52 Open burned commercial wastes (a couch).	6-6-83	\$50	Paid 6-24-83.
Michael A. Collatt Coos Bay, Oregon	SS-SWR-83-56 Repaired an on-site sewage disposal sys. without obtaining a permit.	6-13-83	\$100	Awaiting response to notice.
Candi Van Hook Astoria, Oregon	AQOB-NWR-83-53 Open burned prohibited materials.	6-13-83	\$50	Awaiting response to notice.
Royal Acker Corvallis, Oregon	AQOB-WVR-83-54 Open burned demolition waste.	6-13-83	\$250	Certified mail returned unclaim- ed. Notice sent to sheriff's office for personal service.
David Roster and Wilda Roster dba/ Western Professional Metal Finishing Clackamas County	WQ-NWR-83-60 Operating a disposal system without a permit and discharg- ing waste water to surface of the ground.	6-17-83	\$500	Certified mail returned unclaim- ed. Notice sent to sheriff's office for personal service.
Mark E. Riddle Multnomah County	AQOB-NWR-83-61 Open burned construc- tion/demolition waste.	6-21-83	\$250	Awaiting service confirmation.
Mid-Oregon Crushing Co., Inc. Deschutes County	AQ-CR-83-62 Operated an air contaminant source, an asphaltic concrete plant, without a permit.	6-28-83	\$500	Awaiting response to notice.

GB2380

JUNE 1983
DEQ/EQC Contested Case Log

<u>ACTIONS</u>	<u>LAST MONTH</u>	<u>PRESENT</u>
Preliminary Issues	6	4
Discovery	1	0
Settlement Action	3	2
Hearing to be scheduled	1	2
Hearing scheduled	4	5
HO's Decision Due	2	3
Briefing	0	0
Inactive	4	4
SUBTOTAL of cases before hearings officer.	<u>21</u>	<u>20</u>
HO's Decision Out/Option for EQC Appeal	0	1
Appealed to EQC	1	0
EQC Appeal Complete/Option for Court Review	0	1
Court Review Option Pending or Taken	1	0
Case Closed	4	2
TOTAL Cases	<u>27</u>	<u>24</u>

15-AQ-NWR-81-178 15th Hearing Section case in 1981 involving Air Quality Division violation in Northwest Region jurisdiction in 1981; 178th enforcement action in the Department in 1981.

§ Civil Penalty Amount

ACDP Air Contaminant Discharge Permit

AG1 Attorney General 1

AQ Air Quality Division

AQOB Air Quality, Open Burning

CR Central Region

DEC Date Date of either a proposed decision of hearings officer or a decision by Commission

ER Eastern Region

FB Field Burning

FWO Frank Ostrander, Assistant Attorney General

Hrng Rfrl Date when Enforcement Section requests Hearing Section schedule a hearing

Hrngrs Hearings Section

LMS Larry Schurr, Enforcement Section

NP Noise Pollution

NPDES National Pollutant Discharge Elimination System wastewater discharge permit.

NWR Northwest Region

OSS On-Site Sewage Section

P Litigation over permit or its conditions

Prtys All parties involved

RLH Robert L. Haskins, Assistant Attorney General

Rem Order Remedial Action Order

Resp Code Source of next expected activity in case

SS Subsurface Sewage (now OSS)

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

VAK Van Kollias, Enforcement Section

WQ Water Quality Division

WVR Willamette Valley Region

June 1983

DEQ/EQC Contested Case Log

Pet/Resp Name	Hrng Rqst	Hrng Rfrl	DEQ Atty	Hrng Date	Resp Code	Case Type & No.	Case Status
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	03-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	<u>Settlement being discussed. Limited summary ruling requested.</u>
PULLEN, Arthur W. dba/Foley Lakes Mobile Home Park	07/15/81	07/15/81	RLH		Prtys	16-WQ-CR-81-60 Violation of EQC Order, Civil Penalty of \$500	Dept. does not wish to actively pursue further enforcement action pending expected progress in establishing a community sewage facility.
FRANK, Victor	09/23/81	09/23/81	LMS	06/08/82	Resp	19-AQ-FB-81-05 FB Civil Penalty of \$1,000	<u>EQC denied appeal. Resp. must seek court review by 9/12/83.</u>
GATES, Clifford	10/06/81		LMS	08/23/83	Prtys	21-SS-SWR-81-90 SS Civil Penalty of \$275	Hearing scheduled.
SPERLING, Wendell dba/Sperling Farms	11/25/81	11/25/81	LMS	03/17/83	Hrgs	23-AQ-FB-81-15 FB Civil Penalty of \$3,000	Decision due.
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>Decision issued 6/30/83. Must appeal by 8/1/83.</u>
PULLEN, Arthur dba/Foley Lakes Mobile Home Park	03/16/82	03/29/82	RLH		Prtys	28-WQ-CR-82-16 Violation of EQC Order, Civil Penalty of \$4,500	See companion case above.
BOWERS-ENCAVATING & FENCING, INC.	05/20/82	05/25/82	LMS	06/08/83	Prtys	30-SW-CR-82-34 SW Civil Penalty of \$1,000	EQC approved stipulated. Settlement of \$750 on 7/8/83.
OLINGER, Bill Inc.	09/10/82	09/13/82	RLH	<u>10/20/83</u>	Prtys	33-WQ-NWR-82-73 WQ Civil Penalty of \$1,500	<u>Hearing scheduled.</u>
TOEDTEMEIER, Norman	09/10/82	09/13/82	LMS	07/14/83	Hrgs	34-AQOB-WVR-82-65 OB Civil Penalty of \$250	<u>Decision due.</u>
SYLER, Richard E.	09/20/82	09/28/82	VAK	05/24/83	Hrgs	35-AQOB-WVR-82-76 OB Civil Penalty of \$100.	<u>Decision due.</u>
FIREBALL CONSTRUCTION CORP. & Glenn Dorsey	09/27/82		RLH		Prtys	38-SS-SWR-82-85 Remedial Action Order	A repair permit has been issued. Hearing deferred pending resolution of environmental problem.
TIPPET, James	12/02/82	12/06/82	LMS	09/15/83	Prtys	39-AQ-FB-82-AG1 Ag. Burning Civil Penalty of \$50	Hearing scheduled.
GIANELLA, Vermont	12/17/82	12/28/82	VAK	<u>09/20/83</u>	Prtys	41-AQ-FB-82-08 FB Civil Penalty of \$1,000	Hearing scheduled.
SCHLEGEL, George L.	12/30/82	01/03/83	VAK	<u>10/09/83</u> (tentative)	Hrgs	43-AQ-FB-82-05 FB Civil Penalty of \$400	To be scheduled.
FAXON, Jay dba/Faxon Farms	01/03/83	01/07/83	LMS	<u>10/12/83</u> (tentative)	Prtys	44-AQ-FB-82-07 FB Civil Penalty of \$1,000	<u>To be scheduled.</u>
MARCA, Gerald	01/06/83	01/11/83	LMS	08/10/83	Prtys	45-SS-SWR-82-101 SS Civil Penalty of \$500, 46-SS-SWR-82-114 Remedial Action Order	<u>Hearing scheduled</u>

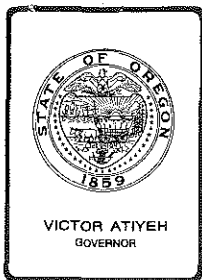
CONTES.TA

July 27, 1983

June 1983

DEQ/EQC Contested Case Log

Pet/Resp Name	Hrng Rqst	Hrng Rfrrl	DEQ Atty	Hrng Date	Resp Code	Case Type & No.	Case Status
ALTHAUSER, Glenn L.	01/28/83	02/03/83	LMS	<u>11/09/83</u> (tentative)	Prtys	47-SW-NWR-82-111 Solid Waste Civil Penalty of \$350	Preliminary Issues
OREGON ENVIRONMENTAL COUNCIL	02/01/83				Resp	40-Declaratory Ruling	Appeal time expired. Case closed.
HAYWORTH FARMS, INC., and HAYWORTH, John W.	01/14/83	02/28/83			Prtys	50-AQ-FB-82-09 FB Civil Penalty of \$1,000	Preliminary Issues
OREGON SUN RANCH	04/04/83	04/12/83	RLH		Prtys	51-AQ-CR-83-33 AQ Civil Penalty of \$500.	Preliminary Issues
<u>McINNIS ENT.</u>	<u>06/17/83</u>	<u>06/21/83</u>	<u>LMS</u>		<u>Prtys</u>	<u>52-SS/SW-NWR-83-47</u> <u>SS/SW Civil Penalty</u> <u>of \$500.</u>	<u>Preliminary Issues.</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, August 19, 1983, EQC Meeting

TAX CREDIT APPLICATIONS

Director's Recommendation

It is recommended the Commission take the following actions.

1. Approve tax credit applications:

Appl. No.	Applicant	Facility
T-1514	International Paper Company	Caustic plant mud washer
T-1612	Boise Cascade Corporation	Air lock fuel feeders
T-1613	Boise Cascade Corporation	Baghouse
T-1614	Boise Cascade Corporation	Multiclone ash collector
T-1616	Bohemia, Inc.	Scrubbers
T-1617	Bohemia, Inc.	Scrubbers
T-1618	Cascade Construction Co., Inc.	Baghouse upgrading
T-1620	Boise Cascade Corporation	Scrubber
T-1622	Boise Cascade Corporation	Scrubbers
T-1624	Continental Brass, Inc.	Heavy metal removal and cyanide destruction system
T-1625	Shell Oil Company	Gasoline vapor recovery system
T-1626	Shell Oil Company	55 gasoline vapor recovery systems
T-1632	Stayton Canning Co. Coop.	pH monitoring system
T-1633	Paul E. Carroll	Manure control system

2. Revoke Pollution Control Facility Certificate 1049 issued to West Harvard Furniture Company as the certified equipment has been sold (see review report).
3. Revoke Pollution Control Facility Certificate 562 issued to Woodfold-Marco Manufacturing Company and reissue it to Woodfold-Marco Mfg., Inc. (see review report).

Agenda Item C
August 19, 1983, EQC Meeting
Page 2

3. Revoke 27 Pollution Control Facility Certificates issued to Weyerhaeuser West Coast, Inc. and reissue them in the name of Weyerhaeuser Company.

Certificates: 354, 383, 384, 400, 429, 495, 559, 608, 611,
644, 652, 653, 654, 778, 781, 886, 887, 889,
924, 985, 986, 1081, 1134, 1135, 1136, 1172



William H. Young

CASplettstaszer
229-6484
7/27/83
Attachments

Agenda Item C
August 19, 1983, EQC Meeting
Page 3

PROPOSED AUGUST 1983 TOTALS

Air Quality	\$ 2,419,258
Water Quality	206,918
Solid/Hazardous Waste	-0-
Noise	-0-
	<hr/>
	\$ 2,626,176

CALENDAR YEAR TOTALS TO DATE

Air Quality	\$ 6,271,902
Water Quality	27,076,105
Solid/Hazardous Waste	1,329,526
Noise	-0-
	<hr/>
	\$34,677,533

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 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 a caustic plant mud washer.

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 May 9, 1979, completed on February 1, 1980, and the facility was placed into operation on February 1, 1980.

Facility Cost: \$528,101.68 (Accountant's Certification was provided).

3. Evaluation of Application

The claimed facility, a caustic plant mud washer, employs a clarifier consisting of a tank, drive mechanism, center shaft with rake arms, adjustable weir, and a support truss. Installation of this facility which replaced a previous mud washer employing a thickener was required to control Total Reduced Sulfur (TRS) emissions, primarily hydrogen sulfide, from the lime kiln stack and to handle the additional mud associated with the plant expansion. The mud washer controls the TRS emissions by efficient washing of the lime mud, effectively reducing the amount of highly soluble sodium sulfide reaching the lime kiln where it would react to form hydrogen sulfide.

The claimed facility has been inspected by Department personnel and has been found to be operating in compliance with regulations and permit conditions.

The applicant reports that the additional amount of sodium sulfate collected annually by the new mud washer is approximately 2624 tons. The value of this material is approximately \$368,665.99. The annual operating expense of the claimed facility is \$21,443.87 and consists of the following items:

Maintenance	-	\$18,778.20
Utilities	-	1,709.81
Insurance	-	<u>955.86</u>
Total		\$21,443.87

The annual value of the sodium sulfate collected exceeds the annual operating expenses before taxes, exclusive of depreciation, by \$347,222.12. The resulting rate of return on the investment (ROI) determined by the procedures established in the "Tax Credit Guidance Handbook" is greater than 50%. Therefore, less than 20% of the claimed facility cost is allocable to pollution control.

The application was received on March 29, 1982, additional information was received on May 31, 1983, and the application was considered complete on May 31, 1983.

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 less than 20%.

5. Director's Recommendation

Based upon the findings in the Summation, it is recommended that a Pollution Control Facility Certificate bearing the cost of \$528,101.68 with less than 20% allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1514.

W.J. FULLER:a
AA3502
(503) 229-5749
June 28, 1983

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Boise Cascade Corp.
Independence Plywood Plant
P. O. Box 50
Boise, Idaho 83728

The applicant owns and operates a plywood plant at Independence.

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

2. Description of Claimed Facility

The facility described in this application are two rotary air lock fuel feeders for the hogged fuel boiler.

Request for Preliminary Certification for Tax Credit was made on November 7, 1977 and approved on November 14, 1977.

The facility was constructed and placed into operation after November 7, 1977.

Facility Cost: \$9283.93 (Documentation by copies of invoices was provided.)

3. Evaluation of Application

To provide improved control of combustion air to the hogged fuel boiler, two rotary air locks were installed in the fuel feeders. A particulate source test conducted prior to the installation showed variations in emissions which could have been attributed in part to irregular and uncontrolled entrance of air into the combustion chamber.

This installation may have had some benefits to process control. However, a substantial purpose of the project was for pollution control and no significant operational savings are identifiable. A particulate source test has demonstrated compliance and with emissions much lower than was shown to exist prior to the installation of the air locks.

The \$9283.93 cost of the project should be allocated to pollution control at 80% or more.

The application was received on March 24, 1983 and was considered complete on March 28, 1983.

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 \$9283.93 with 80% or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1612.

L. Kostow:h
(503) 229-5186
July 19, 1983

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Boise Cascade Corp.
P.O. Box 50
Boise, ID 83728

The applicant owns and operates a plywood plant at Valsetz, 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 baghouse to control sanderdust emissions from an existing cyclone on a fuel bin.

Request for Preliminary Certification for Tax Credit was made on May 19, 1977, and approved on May 25, 1977.

Construction was initiated on the claimed facility in June 1977, completed on July 24, 1977, and the facility was placed into operation on July 25, 1977.

Facility Cost: \$36,625 (Accountant's Certification was provided).

3. Evaluation of Application

Boise Cascade Corporation installed a Clarke's bagfilter to control sanderdust emissions from an existing cyclone located on a fuel bin. Bagfilter control is accepted as the best practicable air emission control for sanderdust. The source is in compliance with the Department's rules.

The primary purpose of the facility is pollution control. There is no economic benefit from operating the facility, therefore 80% or more of the cost is allocable to pollution control tax credit.

The application was received on March 24, 1983 and considered complete on March 29, 1983.

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 \$36,625 with 80% or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1613.

D.K. NEFF:a
(503) 229-6480
July 15, 1983
AA3576

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

North Santiam Plywood Co.
P. O. Box 377
Mill City, Oregon 97360

The applicant leases and operates a plywood plant at Mill City.

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

2. Description of Claimed Facility

The facility described in this application is a multiclone ash collector used in conjunction with the Energy Products of Idaho "fluid flame" heat source for the veneer dryers.

Request for Preliminary Certification for Tax Credit was made on July 22, 1981 and approved on September 4, 1981.

Construction was initiated on the claimed facility on December 1, 1981, completed in August, 1982, and the facility was placed into operation on May 10, 1983.

Facility Cost: \$173,470 (Accountant's Certification was provided.)

3. Evaluation of Application

North Santiam Plywood Co. installed a wood waste fired facility to supply heat to the three soft wood veneer dryers. The dryers were previously gas fired. The total cost of the project was \$2,184,926 including \$173,470 claimed for pollution control equipment.

The claimed pollution control equipment is a multiclone to reduce the amount of unburned particulate matter which would enter the atmosphere via the veneer dryers. Upon request for additional cost support information, the applicant submitted documents indicating material costs of \$207,682 for the multiclone, ash handling system and insulation on the multiclone. No cost of installing the equipment was documented.

The Company has advised the Department that they don't wish to revise the tax credit claim, but rather maintain the claim for \$173,470 for the multiclone. They have applied for and received energy tax credit on the rest of the project. The Department believes that the eligible expenses of cost of the multiclone, the addition of outside insulation and installation would exceed the claimed amount.

The system has demonstrated compliance with applicable air quality control rules.

The multiclones may provide some benefit to the process in preventing contamination of the veneer with ash; however, it is substantially a

pollution control device. There is no identified economic advantage to the multiclone, and 80 percent or more of the cost is allocable to pollution control.

The application was received on March 28, 1983, additional information was received on April 18, 1983, and the application was considered complete on April 18, 1983.

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 \$173,470 with 80% or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1614.

L. Kostow:h
(503) 229-5186
July 20, 1983

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Bohemia, Inc.
Junction City Plant
2280 Oakmont Way
Eugene, OR 97401

The applicant owns and operates a green veneer and plywood manufacturing plant at Junction City.

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

2. Description of Claimed Facility

The facility described in this application consists of two Burley Industries scrubbers installed on the two existing veneer dryers.

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

Request for Preliminary Certification for Tax Credit was made on November 17, 1980, and approved on January 6, 1981.

Construction was initiated on the claimed facility on December 1, 1980, completed and placed into operation on March 1, 1982.

Facility Cost: \$267,581.54 (Accountant's Certification was provided).

3. Evaluation of Application

Bohemia, Inc., installed a Burley scrubber system (Model C-3) on each of two veneer dryers at their green veneer and plywood plant at Junction City. The project included performing various mechanical work and adding seals to each dryer to control fugitive emissions. An automatic damper control was installed on the 18 section dryer to allow adjustment of internal dryer pressures for proper emission control system operation.

The retrofitting of Burley scrubber systems to control veneer dryer emissions has been accepted in a number of plants throughout the state. Bohemia's Junction City plant remains shut down at this time because of poor product marketing conditions. The Company plans to resume operation of the mill when the market improves. Prior to the

temporary closure in 1981, LRAPA certified dryer 1 in compliance with applicable air emission standards. The Company is committed to demonstrate emission compliance of dryer 2 at restart.

LRAPA believes the Company is making a sincere effort to assure compliance and supports the issuance of the pollution control tax credit certification.

The primary purpose of the project was for air pollution control. There is no economic benefit from operating the facility, therefore, 80% or more of the claimed cost is allocable to pollution control tax credit certification.

The application was received on April 12, 1983, and the application was considered complete on April 18, 1983.

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 will be 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 \$267,581.54 with 80% or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1616.

DON NEFF:a
(503) 229-6480
July 27, 1983
AA3591

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Bohemia, Inc.
Culp Creek Mill
2280 Oakmont Way
Eugene, OR 97401

The applicant owns and operates a green veneer and plywood manufacturing plant at Culp Creek.

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 Burley scrubber systems installed on each of two veneer dryers.

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

Request for Preliminary Certification for Tax Credit was made on October 6, 1980, and approved on January 6, 1981.

Construction was initiated on the claimed facility on November 14, 1980 and completed and placed into operation on December 15, 1982.

Facility Cost: \$299,519.07 (Accountant's Certification was provided).

3. Evaluation of Application

Bohemia, Inc., installed a Burley scrubber system (Model C-3) on each of two veneer dryers at their green veneer and plywood plant at Culp Creek. The project included performing various mechanical work and adding seals to each dryer to control fugitive emissions. An automatic damper control was installed on the dryers to allow adjustment of internal dryer pressures for proper emission control system operation.

The retrofitting of Burley scrubber systems to control veneer dryer emissions has been accepted in a number of plants throughout the state.

LRAPA has certified both veneer dryers in compliance with the applicable air emission standard. They support the granting of pollution control tax credit at the facilities.

The primary purpose of the project was for air pollution control. There is no economic benefit from operating the facility, therefore, 80% or more of the claimed cost is allocable to pollution control tax credit certification.

The application was received on April 12, 1983, and the application was considered complete on April 18, 1983.

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 \$299,514.07 with 80% or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1617.

DON NEFF:a
(503) 229-6480
July 27, 1983
AA3589

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Cascade Construction Company, Inc.
P.O. Box 4267
Portland, OR 97208

The applicant owns and operates a stationary asphalt paving plant at the foot of S.W. Abernathy, 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 upgrading.

Request for Preliminary Certification for Tax Credit was made on December 9, 1982, and approved on January 11, 1983.

Construction was initiated on the claimed facility on January 17, 1983, completed on January 31, 1983, and the facility was placed into operation in March 1983.

Facility Cost: \$36,179.24 claimed (Accountant's Certification was provided) of which \$17,611.68 is eligible.

3. Evaluation of Application

The claimed facility consists of upgrading an existing baghouse for which tax credit has been received, by increasing the filter area from 18,020 ft.² to 19,077 ft.², an increase of 9.75%, to improve collection efficiency. To accomplish this, 65 eight-foot bags and 533 ten-foot bags were replaced with 598 twelve-foot bags. Coincident with this change the remaining 667 ten-foot bags and 135 eight-foot bags were replaced with identical bags. This replacement of identical bags does not qualify for tax credit as replacement of this nature is considered maintenance.

The claimed facility has been inspected by Department personnel and has been found to be operating in compliance with regulations and permit conditions.

The claimed facility cost of \$36,179.44 was reduced by \$18,567.76 which represent costs associated with the replacement of the 667 ten-foot bags and 135 eight-foot bags considered as maintenance items to arrive at the eligible facility cost. A breakdown of the eligible facility cost is noted below:

Twelve-foot bags	14,261.88
598 clamps	712.62
Shipping for eligible items	990.38
Labor for eligible items	<u>1,646.80</u>
Eligible Facility Cost	\$17,611.68

Since there is no return on the investment in the facility and the replaced items have no salvage value, 80% or more of the eligible cost is allocable to pollution control.

The application was received on April 21, 1983, and the application was considered complete on April 21, 1983.

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 eligible 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 \$17,611.68 with 80% or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1618.

W. FULLER:a
(503) 229-5749
June 23, 1983
AA3483

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Boise Cascade Corporation
Sweet Home Plant
P. O. Box 50
Boise, Idaho 98728

The applicant owns and operates a plywood mill at Sweet Home.

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 Georgia Pacific air emission scrubber installed on an existing Prentice veneer dryer.

Request for Preliminary Certification for Tax Credit was made on March 6, 1980 and approved on September 5, 1980.

Construction was initiated on the claimed facility in July, 1980 and considered complete in December, 1982. The facility was placed into operation in December, 1981, but necessary modifications followed until December, 1982.

Facility Cost: \$175,048.75 (Accountant's Certification was provided).

3. Evaluation of Application

Boise Cascade Corporation installed a Georgia Pacific air emission scrubber at their Sweet Home plywood plant. The scrubber was installed on an existing two-zone direct wood-fired Prentice veneer dryer to reduce stack air emissions to meet state standards.

Other emission control scrubbers considered for this application were the Burley at a cost of about \$125,000 and a Ceilcote costing about \$300,000. The Burley unit was rejected because its success on direct wood-fired dryers was questionable.

The selected Georgia Pacific scrubber incorporates the candle filter system as a third stage of emission control. The scrubber system was initially completed and placed into operation in December, 1981. Filter material failures plagued the system until mid-1982 requiring engineering modifications. It was certified in compliance with the emission standards on October 19, 1982. During this period while the Company is still gaining operating experience there have been excursions into non-compliance or marginal compliance with visual standards. Although the system was in operation since December, 1981, the company didn't consider the project complete until December, 1982.

The primary purpose of the facility was for air pollution control. There is no economic benefit from operating the facility, therefore, 80% or more of the claimed cost is eligible for pollution control tax credit certification.

The application was received on April 21, 1983 and considered complete on April 28, 1983.

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 \$175,048.75 with 80% or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1620.

Lloyd Kostow;h
(503) 229-5186
July 27, 1983

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Boise Cascade Corporation
Independence Plant
P.O. Box 50
Boise, ID 98728

The applicant owns and operates a green veneer and plywood manufacturing plant at Independence.

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 Burley scrubbers and associated equipment to control air emissions from two veneer dryers.

Initial request for Preliminary Certification for Tax Credit was made on August 9, 1976, and approved on September 2, 1976.

A request for preliminary certification for tax credit for system modifications was made on November 7, 1977 and approved on November 15, 1977.

Construction was initiated on the claimed facility in October 1976, completed and placed into operation in June 1978.

Facility Cost: \$144,886.06 (Accountant's Certification was provided).

3. Evaluation of Application

Boise Cascade Corporation installed two three-stage Burley scrubbers on each of two veneer dryers at their plywood plant at Independence to meet State air emission standards. The project included sealing the dryers to prevent escapement of fugitive emissions.

Following a few months of operation, it became apparent that the three-stage scrubbers could not adequately control dryer stack emissions. The Company replaced the scrubbers on each end of the dryers with a single, larger five-stage scrubber on the green ends. A dry end pressure seal and pressure balancing system was also added to each dryer.

Exhausting the veneer dryer stack gases to the hogged fuel boiler was a control alternative considered. This technique was estimated to cost \$150,000.

The application of five-stage Burley scrubbers to control veneer dryer stack emissions at the Boise Cascade Independence plant has resulted in compliance with air emission standards.

While the systems were essentially completed and placed into operation in June 1978, the Company did not consider the project complete until February 1980, after final adjustments were made by the equipment supplier.

The primary purpose of the project was for air pollution control. There is no economic benefit from operating the facility, therefore, 80% or more of the claimed facility cost is eligible for pollution control tax credit certification.

The application was received on April 22, 1983, was considered complete on April 28, 1983.

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 \$144,886.06 with 80% or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1622.

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Continental Brass, Inc.
11555 N.E. Sumner St.
Portland, OR 97220

The applicant owns and operates a metal finishing facility near Parkrose.

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 heavy metal removal and cyanide destruction system consisting of the following items:

- a. Two stage cyanide destruction system with automatic caustic, acid and chlorine feed;
- b. A Titan 100 neutralization cell, clarifier, and sand filter;
- c. A flocculant feed system;
- d. A sludge thickener tank;
- e. A Hercules B-60 sludge filter press;
- f. Transfer pumps and chemical mixers;
- g. Associated electrical control equipment; and
- h. 1400 Square feet of land.

Request for Preliminary Certification for Tax Credit was made September 4, 1981, and approved February 17, 1982. Construction was initiated on the claimed facility February 1, 1982, completed December 1982, and the facility was placed into operation December 1982.

Facility Cost: \$190,477.52 (Accountant's Certification was provided).

3. Evaluation of Application

The applicant constructed a new facility to finish furniture hardware at the Parkrose location. The property is served by the Multnomah County Inverness Sewerage District which required Continental Brass to install the pretreatment system. The system removes approximately 275 pounds of heavy metals (zinc and copper) per day. The waste metal sludge is barreled and periodically hauled to Arlington. The system has functioned well within the requirements of Multnomah County. There is no return on investment from this facility.

4. Summation

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

5. Director's Recommendation

Based upon the findings in the Summation, it is recommended that a Pollution Control Facility Certificate bearing the cost of \$190,477.52 with 80 percent or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1624.

Charles K. Ashbaker:1
(503) 229-5325
June 20, 1983

WL2566

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Shell Oil Company
P.O. Box 2463
Houston, TX 77001

The applicant owns and operates a gasoline terminal at 5880 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 a gasoline vapor recovery system. The gasoline vapors displaced when the storage tanks are filled with gasoline are converted back to liquid gasoline by the system.

Request for Preliminary Certification for Tax Credit was made on April 27, 1979, and approved on July 24, 1979.

Construction was initiated on the claimed facility on February 29, 1980, completed on May 21, 1981, and the facility was placed into initial operation on May 21, 1981.

Facility Cost: \$692,624 (Accountant's Certification was provided).

3. Evaluation of Application

Before installation of the vapor recovery system, the gasoline storage tanks were closed tanks with the vapor spaces connected to a flexible vapor diaphragm shaped like a dome. This vapor dome prevented vapor losses due to temperature changes (breathing losses). The claimed facility is the installation of the vapor recovery system which is connected to the vapor dome vent and the installation of equipment to pipe vapors from the loading of delivery trucks to the vapor dome. All vapors are now processed.

The vapor recovery system is based on feeding a lean oil stream in the top of an absorber tower where it flows down through packing coming in intimate contact with gasoline vapor introduced into the base of the tower where it flows up through the packing. The lean oil absorbs the hydrocarbons in the vapor becoming rich oil. The rich oil

collects in the tower sump where it is pumped to gasoline storage. Air and some small percentage of hydrocarbons goes out the top of the tower to atmosphere.

The system has been source tested and works satisfactory.

The system recovers about 1000 tons of gasoline vapor per year which equals 322,000 gallons. At \$1.00 per gallon pipe line value of gasoline, this is \$322,000 per year recovered. The operating expenses are \$317,000 per year. The operating expenses include 1,736,000 gallons of "lean oil" used in the absorber tower which ends up in gasoline at a net cost of 17 cents per gallon or \$295,100 per year. The return on investment is less than 1%. The allocation of cost to pollution control is 80% or more.

The application was received on June 1, 1983, additional information was received on July 27, 1983, and the application was considered complete on July 27, 1983.

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 \$692,624 with 80% or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1625.

RAY POTTS:a
(503) 229-6093
July 27, 1983
AA3590

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Shell Oil Company
P.O. Box 2463
Houston, TX 77001

The applicant owns and operates gasoline service stations in the Portland and Salem areas that require air contaminant control equipment.

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 gasoline vapor recovery at all underground storage tanks. The claimed facilities are at 55 locations. Upon approval of this tax relief application, the Department will issue a pollution control facility certificate for each location. The locations and cost are itemized on the attached sheets.

Request for Preliminary Certification for Tax Credit was made and approved as shown on the attached sheets.

Construction was initiated and completed, and the facilities were placed into operation as shown on the attached sheets.

Facility Cost: \$74,510.07 (Accountant's Certification was provided).

3. Evaluation of Application

Gas stations in the Portland and Salem areas that are supplied gasoline from a terminal are required to transfer the vapors displaced during the filling of the storage tanks back to the delivery trucks. The claimed facilities are for the portion of the vapor return system that is installed on the underground storage tanks. The installed vapor return system is approved by the Department.

Since all gasoline storage tanks had submerged fill prior to conversion to vapor control, there is no reduction in gasoline vapor loss to the stations and, therefore, no return on investment. The vapors collected in the tank trucks are returned to the terminal for processing. The value of the returned vapors is negligible and, while it does offset the operating cost, does not provide any return on capital investment.

The application was received on June 1, 1983, and the application was considered complete on June 1, 1983.

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 Pollution Control Facility Certificates bearing a total cost of \$74,510.07 with 80% or more allocated to pollution control, be issued for the 55 facilities claimed in Tax Credit Application No. T-1626.

RAY POTTS:a
(503) 229-6093
7-27-83
AA3588

STATION LOCATION	NO. TANKS	CONSTRUCTION				COST	APPLICATION	
		INITIATED ON	COMPLETED ON	PLACED IN OPERATION	MADE ON		APPROVED ON	
1. 5820 N.E. Glisan, Portland	3	10/14/80	10/17/80	10/17/80	\$3,451.41	05-01-79	12-13-79	
2. 2025 N.E. Stark, Gresham	3	09/25/80	09/25/80	09/25/80	610.90	05-01-79	12-13-79	
3. 1327 N.E. 82nd, Portland	4	09/26/80	09/26/80	09/26/80	698.49	05-01-79	12-13-79	
4. 1755 E. Burnside, Gresham	3	08/05/80	08/05/80	08/05/80	586.87	05-01-79	02-08-80	
5. 4616 N. Interstate, Portland	3	09/03/80	09/09/80	09/09/80	486.00	05-01-79	02-08-80	
6. 4456 N.E. 42nd, Portland	4	09/26/80	10/17/80	10/17/80	828.48	05-01-79	12-13-79	
7. 12216 N.E. Halsey, Portland	4	08/07/80	08/08/80	08/08/80	2,385.14	05-01-79	12-13-79	
8. 4350 S. E. 82nd, Portland	5	09/26/80	10/01/80	10/01/80	2,584.39	05-01-79	12-13-79	
9. 18025 E. Burnside, Portland	6	08/01/80	08/01/80	08/01/80	1,360.57	05-01-79	12-13-79	
10. 2800 S.W. Sam Jackson Parkway Portland	4	09/11/80	09/12/80	09/12/80	1,029.85	05-01-79	02-08-80	
11. 1231 N.E. Broadway, Portland	4	09/03/80	09/09/80	09/09/80	1,527.07	05-01-79	02-08-80	
12. 1525 N.E. Union Ave., Portland	4	09/03/80	09/09/80	09/09/80	618.31	05-01-79	02-08-80	
13. 428 S.E. 82nd, Portland	3	10/17/80	10/22/80	10/22/80	4,115.93	05-01-79	02-08-80	
14. 16222 S.E. Stark, Portland	3	08/04/80	08/07/80	08/07/80	923.44	05-01-79	02-08-80	
15. 1514 S.E. 39th Ave., Portland	3	09/30/80	09/30/80	09/30/80	646.60	05-01-79	02-08-80	
16. 1967 S.W. 4th, Portland	3	09/29/80	09/29/80	09/29/80	1,229.76	05-01-79	01-31-80	
17. 1817 S.W. Skyline Blvd., Portland	3	11/22/80	11/22/80	11/22/80	557.09	05-01-79	12-18-79	
18. 4229 N.E. 122nd Ave., Portland	3	09/24/80	09/24/80	09/24/80	550.05	05-01-79	01-30-80	
19. 10134 S.E. Stark, Portland	3	09/29/80	10/01/80	10/01/80	1,231.69	05-01-79	01-30-80	
20. 3520 S.W. Patton Rd., Portland	3	10/20/80	10/25/80	10/25/80	486.00	05-01-79	12-13-79	
21. 5949 N.E. Sandy Blvd., Portland	3	09/03/80	09/09/80	09/09/80	486.00	05-01-79	12-13-79	
22. 8715 Hall Blvd., Beaverton	4	07/21/80	07/24/80	07/24/80	1,595.16	05-01-79	02-08-80	
23. 16000 S.W. Lower Boones Ferry Rd., Lake Grove	3	06/19/80	06/24/80	06/24/80	486.00	05-01-79	02-08-80	
24. 11360 S.W. Canyon Rd., Beaverton	4	11/20/80	12/09/80	12/09/80	3,346.04	05-01-79	01-31-80	
25. 11415 S.W. Pacific Highway, Tigard	3	09/26/80	09/29/80	09/29/80	811.79	05-01-79	01-31-80	
26. 6361 S.W. Capital Highway, Hillsdale	4	12/29/80	01/03/81	01/03/81	6,195.15	05-01-79	01-31-80	
27. 10060 S.W. Barbur Blvd., Portland	3	06/17/80	06/18/80	06/18/81	486.00	05-01-79	01-31-80	
28. 905 N.W. Murray Rd., Cedar Mill	4	07/28/80	09/12/80	09/12/80	2,893.68	05-01-79	02-08-80	
29. 12235 N. Jantzen Dr., Portland	3	09/30/80	09/30/80	09/30/80	523.91	05-01-79	02-08-80	
30. 8604 S.W. Barbur Blvd., Portland	4	10/15/80	11/04/80	11/04/80	2,142.58	05-01-79	02-08-80	
31. 18135 S.W. Tualatin Valley Highway, Aloha	4	10/13/80	10/14/80	10/14/80	1,956.56	05-01-79	02-08-80	

STATION LOCATION	NO. TANKS	CONSTRUCTION			COST	APPLICATION	
		INITIATED ON	COMPLETED ON	PLACED IN OPERATION		MADE ON	APPROVED ON
32. 5215 S.W. Beaverton/Hillsdale Highway, Portland	4	10/01/80	10/01/80	10/01/80	\$ 733.55	05-01-79	02-08-80
33. 9085 S.W. Beaverton/Hillsdale Highway, Beaverton	5	07/23/80	07/25/80	07/25/80	1,700.62	05-01-79	02-08-80
34. 11960 S.W. Allen Ave., Beaverton	3	10/06/80	10/07/80	10/07/80	1,252.68	05-01-79	02-08-80
35. 14495 S.W. Tualatin Valley Highway, Beaverton	4	07/23/80	07/30/80	07/30/80	1,025.61	05-01-79	02-08-80
36. 6820 S.W. Canyon Rd., Portland	3	09/26/80	09/26/80	09/26/80	499.28	05-01-79	02-08-80
37. 3570 S.W. Cedar Hills Blvd., Beaverton	3	09/15/80	09/19/80	09/19/80	1,605.87	05-01-79	02-08-80
38. 10155 S.W. Canyon Road, Beaverton	3	10/06/80	10/08/80	10/08/80	3,885.00	05-01-79	02-08-80
39. 1909 W. Burnside, Portland	3	10/29/80	10/29/80	10/29/80	516.50	05-01-79	02-08-80
40. 9785 S.W. Shady Ln., Tigard	3	09/05/80	09/05/80	09/05/80	614.23	05-01-79	02-08-80
41. 6660 S.W. Scholls Ferry Rd., Beaverton	3	09/04/80	09/04/80	09/04/80	641.59	05-01-79	02-08-80
42. 8118 S.E. McLoughlin Blvd., Portland	4	10/08/80	10/21/80	10/21/80	1,471.37	05-01-79	02-08-80
43. Rt. 2 Box 66, Wilsonville	4	10/08/80	10/08/80	10/08/80	674.27	05-01-79	02-08-80
44. 1500 Hawthorne, Salem	5	07/30/80	09/10/80	09/10/80	1,793.92	05-01-79	02-08-80
45. 3710 Market St., Salem	4	08/07/80	08/07/80	08/07/80	682.90	05-01-79	02-08-80
46. 16010 S.E. 82nd Dr., Clackamas	4	09/26/80	10/17/80	10/17/80	753.82	05-01-79	02-08-80
47. 12522 S.E. 82nd, Clackamas	5	11/10/80	11/11/80	11/11/80	2,730.84	05-01-79	02-08-80
48. 18675 S. Pacific Highway, West Linn	4	10/08/80	10/24/80	10/24/80	1,174.70	05-01-79	02-08-80
49. 3850 River Rd. N., Salem	5	09/02/80	09/10/80	09/10/80	2,327.64	05-01-79	02-08-80
50. 1729 N.E. Cornell Rd., Hillsboro	3	06/12/80	06/17/80	06/17/80	486.00	05-01-79	02-08-80
51. 13880 S.E. Webster Rd., Milwaukie	3	09/30/80	09/30/80	09/30/80	471.45	05-01-79	01-31-80
52. 10700 S.E. McLoughlin Blvd., Milwaukie	5	10/08/80	10/17/80	10/17/80	1,128.66	05-01-79	01-31-80
53. 14811 S.E. McLoughlin Blvd., Oak Grove	3	09/30/80	09/30/80	09/30/80	462.08	05-01-79	01-31-80
54. 655 E. Arlington, Gladstone	3	09/26/80	09/26/80	09/26/80	473.25	05-01-79	02-08-80
55. 5475 Portland Ave., West Linn	3	09/30/80	10/01/80	10/01/80	573.33	05-01-79	02-08-80
				TOTAL	<u>\$74,510.07</u>		

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Stayton Canning Company Cooperative
Stayton Plant No. 1
930 W. Washington St.
Stayton, OR 97383

The applicant owns and operates a vegetable processing facility at Stayton.

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 continuous pH monitoring system consisting of four Lakewood pH probes, transmitters, meters, strip charts, and alarms.

Request for Preliminary Certification for Tax Credit was made September 10, 1982, and approved September 17, 1982. Construction was initiated on the claimed facility September 15, 1982, completed October 1, 1982, and the facility was placed into operation October 1, 1982.

Facility Cost: \$7,692.76

3. Evaluation of Application

The applicant uses water to condense ammonia refrigerant in shell and tube heat exchangers. The cooling water is discharged to the Salem Canal. In June of 1982, a leak in the heat exchanger allowed ammonia to contaminate the noncontact cooling water which resulted in a fish kill in the canal. Prior to installation of the claimed facility, the pH of the cooling water was checked once per day as required by the waste discharge permit. By letter dated August 11, 1982, the Department required Stayton Canning to install necessary pH alarms which could immediately detect any ammonia leaks. (Ammonia tends to raise the pH of water.) The cooling water is now continuously monitored for pH and the alarm system can provide early warning of any leaks or spills. There is no significant return on investment from this facility.

4. Summation

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

5. Director's Recommendation

Based upon the findings in the Summation, it is recommended that a Pollution Control Facility Certificate bearing the cost of \$7,692.76 with 80 percent or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1632.

Charles K. Ashbaker:1
(503) 229-5325
July 21, 1983

WL2651

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Paul E. Carroll
8216 Pleasant Grove Road
Turner, OR 97392

The applicant owns and operates a dairy farm near Turner.

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 manure control system consisting of a concrete storage tank (25 feet wide x 60 feet long x 4 feet high), a 10 Hp agitator pump, and a 30 Hp disposal pump.

Request for Preliminary Certification for Tax Credit was made March 16, 1981, and approved March 31, 1981. Construction was initiated on the claimed facility April 1981, completed March 1983, and the facility was placed into operation April 1983.

Facility Cost: \$8,749.20

The actual cost of the claimed facility was \$11,786.20. However, \$3,037 of this cost was paid by the U. S. Agricultural Stabilization and Conservation Service. The revised facility cost is \$8,749.20 [$\$11,786.20 - \$3,037 = \$8,749.20$].

3. Evaluation of Application

Prior to installation of the claimed facility, manure was irrigated directly onto the 55 acres of available land. Due to the lack of storage, manure was often applied to the land during winter rains when the ground was saturated. Runoff during these periods caused the manure to enter adjacent ditches. The claimed system provides about 30 days of storage so that irrigation can be conducted during dry weather. The claimed system has greatly reduced water pollution from this dairy. There is no significant return on investment from this installation.

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 \$8,749.20 with 80 percent or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1633.

Charles K. Ashbaker:g
WG2582
(503) 229-5325
July 19, 1983

State of Oregon
Department of Environmental Quality

REVOCATION OF POLLUTION CONTROL FACILITY CERTIFICATE

1. Certificate issued to:

West Harvard Furniture Company
2558 West Harvard Boulevard
Roseburg, Oregon 97470

Certificate was issued for a solid waste pollution control facility.

2. Summation:

By letter of July 12, 1983 (copy attached), the Department was informed that the facility certified in Pollution Control Certificate 1049 had been sold on March 31, 1983.

Pursuant to ORS 317.072(10), it is necessary that the Commission revoke this Pollution Control Facility Certificate.

3. Director's Recommendation:

It is recommended the Commission revoke Pollution Control Facility Certificate 1049 effective March 31, 1983, as the certified facility has been sold.

CASplettstaszer
229-6484
7/27/83
Attachments



Management Services Division
Dept Environmental Quality
PO Box 1760 Port. Ore,
attn Carol Speltstargen

7/12/83
Management Services
Dept. of Environmental

RECEIVED
JUL 15 1983

We purchased a Nikon 60" cardboard
in 1979 and applied and received a tax
credit from your dept. I wish to
you that on March 31st 1983 we
traded the Baler to M^c Mahan's Inc
of Glendale Calif. They took delivery
the Baler in June of 1983. please
change my tax exemption
is necessary to be done.

we do not plan to replace the
please note that at the time of purchase
our name was W. Miller's Interiors Co
we have since changed our Co
to W Miller Oak 'N' Stain if you
more information my address is 245
Harvard Rd Roseburg OR 97470 Ph 50

W.M.
Per



Management Services Division
Dept Environmental Quality
PO Box 1760 Port Ore,
attn Carol Speltstarger

7/12/83
Management Services Div
Dept. of Environmental Quality

RECEIVED
JUL 15 1983

We purchased a Milkom 60" cardboard Baler
in 1979 and applied and received a Tax
credit from your dept. I wish to notify
you that on March 31st 1983 we
traded the Baler to Mc Mahan's Furniture
of Glendale Calif. They took delivery of
the Baler in June of 1983. please
change my Tax exemption ~~to what ever~~
is necessary to be done.
we do not plan to replace the Baler
please note that at the time of purchase
our name was W. Miller's Interiors Co Inc
we have since changed our Co name
to W Miller Oak 'N' Stain if you need
more information my address is 2459 W-
Harvard Rd Roseburg OR 97470 Ph 503 672 6700

W. Miller
Pres

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

Certificate No. 1049
Date of Issue 2/22/80
Application No. T-1144

POLLUTION CONTROL FACILITY CERTIFICATE

Issued To: West Harvard Furniture Company 2558 West Harvard Boulevard Roseburg, Oregon 97470	Location of Pollution Control Facility: 2558 West Harvard Boulevard Roseburg, Oregon
As: <input type="checkbox"/> Lessee <input checked="" type="checkbox"/> Owner	
Description of Pollution Control Facility: Kilkom model KV-60 waste paper bailer.	
Type of Pollution Control Facility: <input type="checkbox"/> Air <input type="checkbox"/> Noise <input type="checkbox"/> Water <input checked="" type="checkbox"/> Solid Waste <input type="checkbox"/> Hazardous Waste <input type="checkbox"/> Used Oil	
Date Pollution Control Facility was completed: <u>10/16/79</u>	Placed into operation: <u>10/16/79</u>
Actual Cost of Pollution Control Facility: \$ <u>7,000.00</u>	
Percent of actual cost properly allocable to pollution control: <u>100%</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 22nd day of February, 19 80

State of Oregon
Department of Environmental Quality

REISSUANCE OF POLLUTION CONTROL FACILITY CERTIFICATE

1. Certificate issued to:

Woodfold-Marco Manufacturing Company
P. O. Box 346
Forest Grove, Oregon 97116

The Certificate was issued for an air pollution control facility.

2. Summation

On April 25, 1975, the Environmental Quality Commission issued Pollution Control Facility Certificate 562 to Woodfold-Marco Manufacturing Company for a small hogged fuel boiler.

By letter of July 20, 1983 (attached) the Department was informed that the company had incorporated on October 31, 1975 under the name of Woodfold-Marco Mfg., Inc. This action did not constitute a sale, exchange or other disposition of the facility.

3. Director's Recommendation

It is recommended that Pollution Control Facility 562 issued to Woodfold-Marco Manufacturing Company be revoked and reissued in the name of Woodfold-Marco Mfg., Inc. as of October 31, 1975.

CASplettstaszer
229-6484
7/27/83
Attachments

LAW OFFICES OF
DUFFY, GEORGESON, KEKEL & JENSEN

1404 STANDARD PLAZA
PORTLAND, OREGON 97204
TELEPHONE (503) 226-1371

CHARLES P. DUFFY
DONALD J. GEORGESON
DAVID A. KEKEL
PATRICK H. JENSEN
PHILIP N. JONES
RICHARD W. MILLER
CAROLYN E. WILSON
STEVEN A. NICHOLAS
WALDEN STOUT
OF COUNSEL

July 20, 1983

Carol Spletstaszer
Department of Environmental Quality
P.O. Box 1760
Portland, OR 97207

Re: Woodfold-Marco Mfg., Inc.

Dear Carol:

We represent Woodfold-Marco Mfg., Inc., an Oregon corporation. On April 25, 1975, Woodfold-Marco Manufacturing Company, an Oregon partnership, was issued a pollution control facility certificate by the Environmental Quality Commission, covering a small hogged fuel boiler located at the company's plant in Forest Grove. A copy of the certificate is enclosed for your reference. On October 31, 1975, the partnership was incorporated under the name of Woodfold-Marco Mfg., Inc., the partners exchanging their partnership interests for 83 percent of the stock ownership in the corporation.

At that time, the corporation failed to apply for, under its new name and business form, a new pollution control certificate covering the same facility.

It is respectfully requested that the Environmental Quality Commission, at its next meeting, issue a certificate identical in all material respects to the one that is enclosed, except that it be issued in the name of Woodfold-Marco Mfg., Inc., and as of October 31, 1975. All the conditions set forth on the enclosed certificate have been complied with by both the partnership and the corporation since the date the certificate was issued.

If you have any questions, please call.

Very truly yours,



Richard W. Miller

RWM:ah
Enclosure
cc: Mr. John Marontate

Certificate No. 562Date of Issue 04-25-75State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITYApplication No. T-618**POLLUTION CONTROL FACILITY CERTIFICATE**

Issued To: Woodfold-Marco Manufacturing Company Post Office Box 346 Forest Grove, Oregon 97116	Ass. Owner Location of Pollution Control Facility: Nineteenth and "A" Streets Forest Grove, Oregon Washington County
Description of Pollution Control Facility: Small hogged fuel boiler which makes steam for comfort heating.	
Date Pollution Control Facility was completed and placed in operation: <u>December, 1974; December, 1974</u>	
Actual Cost of Pollution Control Facility: \$ <u>38,139.57</u>	
Percent of actual cost properly allocable to pollution controls: <u>Eighty percent (80%) or more</u>	

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

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

1. The facility shall be continuously operated at maximum efficiency for the designed purpose of preventing, controlling, and reducing air pollution.
2. The Department of Environmental Quality shall be immediately notified of any proposed change in use or method of operation of the facility and if, for any reason, the facility ceases to operate for its intended pollution control purpose.
3. Any reports or monitoring data requested by the Department of Environmental Quality shall be promptly provided.

Signed Title B.A. McPhillips, Chairman

Approved by the Environmental Quality Commission

on the 25th day of April 19 75

State of Oregon
Department of Environmental Quality

REISSUANCE OF POLLUTION CONTROL FACILITY CERTIFICATES

1. Certificates issued to

Weyerhaeuser West Coast, Inc.
Containerboard Division
P. O. Box 329
North Bend, Oregon 97459

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

2. Summation

Between March, 1973 and September, 1980, the Commission issued 27 Pollution Control Facility Certificates to Menasha Corporation for air and water pollution control facilities at their plant in North Bend, Oregon. On June 11, 1982 these 27 certificates were reissued to Weyerhaeuser West Coast, Inc. as the North Bend facility had changed names.

By letter of July 5, 1983, the Department was informed that Weyerhaeuser West Coast, Inc. (a wholly owned subsidiary of Weyerhaeuser Company) had been dissolved and that its assets were now owned directly by Weyerhaeuser Company (see attached letter and copy of the dissolution papers).

3. Director's Recommendation

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

Certificates: 354, 383, 384, 400, 429, 495, 559, 608, 611,
644, 652, 653, 654, 778, 781, 886, 887, 889,
924, 985, 986, 1081, 1134, 1135, 1136, 1172

CASplettstaszer
229-6484
7/27/83
Attachments



Weyerhaeuser Company

Tacoma, Washington 98477
(206) 924-2345

July 5, 1983

Ms. Carol A. Splettstaszer
Tax Credit Program Coordinator
Dept. of Environmental Quality
522 SW 5th Avenue
P. O. Box 1760
Portland OR 97207

Management Services Div.
Dept. of Environmental Quality
RECEIVED
JUL 8 1983

Dear Ms. Splettstaszer:

Weyerhaeuser West Coast, Inc., which was a wholly owned subsidiary of Weyerhaeuser Company, has been dissolved and its assets are now owned directly by Weyerhaeuser Company.

Weyerhaeuser West Coast, Inc. held the following pollution control facility certificates which should now be put in the name of Weyerhaeuser Company:

383	778
354	781
384	886
400	887
429	889
495	924
559	985
608	986
611	1081
644	1134
652	1135
653	1136
654	1172

I have enclosed a copy of the dissolution papers filed with the state of Wisconsin for your files. If you need additional information or have any questions, please contact me.

Sincerely,

Marland L. Larson
Plant Property Tax Manager

MLL:sun
enc.

United States of America

State of Wisconsin

1769327

OFFICE OF THE SECRETARY OF STATE

VOL 4248 PAGE 11

To All to Whom These Presents Shall Come:

The undersigned, as Secretary of State of the State of Wisconsin, certifies that the attached is a duplicate of a document accepted and filed in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at Madison, on the date of filing of said document.

Douglas La Follette

DOUGLAS La FOLLETTE
Secretary of State

*600
LP*

The undersigned officers of Weyerhaeuser West Coast, Inc.

(Use correct and complete corporate name) _____, a Wisconsin corporation,

certify

1. A statement of intent to dissolve was filed in the office of the secretary of state of Wisconsin on January 18, 19 83, and a duplicate thereof, certified by the secretary of state, was recorded in the office of the register of deeds of Dane county, Wisconsin, on January 21, 19 83.

2. ~~(a) All debts, obligations and liabilities of said corporation have been paid and discharged. Or~~
 (b) Adequate provision has been made for all debts, obligations and liabilities of said corporation.
 Note: Strike out (a) or (b).

3. Adequate provision has been made for all debts, obligations and liabilities, contingent in nature, of which the corporation has actual knowledge.

4. All the remaining property and assets of the corporation have been distributed among its shareholders in accordance with their respective rights and interests.

5. ~~(a) There are no suits pending against the corporation in any court. Or~~
 (b) Adequate provision has been made for the satisfaction of any judgment, order or decree which may be entered against the corporation in any pending suit.
 Note: Strike out (a) or (b).

6. The names and respective addresses, including street and number, of the directors as of the date hereof, or if there be no directors at such time, then of the last acting directors, are

NAME	ADDRESS (Give number, street and city)
<u>Robert C. Lane</u>	<u>25 Summit Road, Tacoma WA 98406</u>
<u>Robert L. Schuyler</u>	<u>12101 Gravelly Lake Dr. S.W., Tacoma WA 98499</u>
<u>Peter Lewis Sill</u>	<u>14845 S.E. 50th St. Bellevue WA 98006</u>

**STATE OF WISCONSIN
 FILED
 FEB 23 1983
 DOUGLAS LA FOLLETTE
 SECRETARY OF STATE**

Executed in duplicate and seal (if any) affixed this 15th day of February, 1983

(Affix seal or state that there is none)

Peter Lewis Sill
 President
John P. Mansford
 Secretary

This document was drafted by

Peter Lewis Sill
 (Name)
 Please print or type

ARTICLES OF DISSOLUTION

VOL 4248 PAGE 13

REGISTERED OFFICE
DANE COUNTY, WIS. SS
REGISTERED ON

FEB 25 8 54 AM '93

VOL 4248 11
CAROL L. HINKE
REGISTER OF DEEDS

1769327

Mail Returned Copy to:
(FILL IN THE NAME AND ADDRESS HERE)

Peter Lewis Sill
Law Department
Weyerhaeuser Company
Tacoma WA 98477

INSTRUCTIONS

1. These articles of dissolution must not be submitted for filing until after the filing and recording of the intent to dissolve, as these articles must not be executed at a date prior to the recording of the intent to dissolve.
2. Execute and submit in duplicate original. Furnish Secretary of State with two identical copies of the document. One copy will be retained (filed) by Secretary of State and the other copy returned as you indicate in the space above. The copy that is returned must be recorded with the Register of Deeds of the county in which the registered office of the corporation is located.
3. Affix corporate seal. Make sure that each of the copies of the document has an impression of the corporate seal. If the corporation does not have a seal, write or type "NO SEAL" on each of the copies.
4. Have the President and Secretary of the corporation sign. A Vice-President may sign in lieu of the President, and an Assistant Secretary may sign in lieu of the Secretary. One person may not sign as both officers. Make sure that each of the copies has original signatures - carbon copy, xerox, or rubber stamp signatures are not acceptable.
5. Send the filing fee of \$10 with the document. Make check or money order payable to SECRETARY OF STATE. Your cancelled check is your receipt.
6. If this document is executed or acknowledged in Wisconsin, Section 14.33 (14) of the Wisconsin Statutes provides that it shall not be filed unless the name of the person (individual) who, or the governmental agency which, drafted it is printed, typewritten, stamped or written thereon in a legible manner. The statement appearing on this form, if completed, complies with this provision. Be sure it is completed on each of the copies.

SPECIAL NOTE

Action on filing articles of dissolution is sometimes delayed pending receipt of evidence that the intent to dissolve was recorded with the county Register of Deeds. You may EXPEDITE transmittal of that evidence by requesting that the Register of Deeds utilize the following form as the recording certificate.

OFFICE OF THE REGISTER OF DEEDS	The undersigned, as Register of Deeds of (COUNTY) _____ County, Wisconsin, certifies that on (DATE) _____
there was received and accepted for record in my office, an instrument bearing the certificate of the Secretary of State of the State of Wisconsin, and described as STATEMENT OF INTENT TO DISSOLVE of	
LIST CORPORATE NAME HERE →	
(S E A L)	Witness my hand and official seal on _____ (DATE)
TO: Office of the Secretary of State	REGISTER OF DEEDS

DO NOT DETACH

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

Cert. No. 354
Date First Issued 3-2-73
Date Reissued 6/11/82
Appl. No. T-404

POLLUTION CONTROL FACILITY CERTIFICATE

Issued To: Weyerhaeuser West Coast, Inc. Containerboard Division P. O. Box 329 North Bend, Oregon 97459	Location of Pollution Control Facility: Two and one-half miles north of North Bend on Jordan Point Road Coos County, North Bend, Oregon
As: <input type="checkbox"/> Lessee <input checked="" type="checkbox"/> Owner	
Description of Pollution Control Facility: Deep ocean outfall system leased from the Port of Coos Bay to both Menasha Corporation and Roseburg Lumber Company	
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: January, 1973 Placed into operation: January, 1973	
Actual Cost of Pollution Control Facility: \$ 1,330,421.83	
Percent of actual cost properly allocable to pollution control: 80 percent or more	

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.

NOTE: THIS IS A REISSUED CERTIFICATE VALID ONLY FOR THE TIME REMAINING FROM THE DATE OF FIRST ISSUANCE

Signed _____

Title Joe B. Richards, Chairman

Approved by the Environmental Quality Commission on
the 11th day of June, 1982.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

Cart. No. 383
Date First Issued 5-29-73
Date Reissued 6/11/82
Appl. No. T-440

POLLUTION CONTROL FACILITY CERTIFICATE

Issued To: Weyerhaeuser West Coast, Inc. Containerboard Division P. O. Box 329 North Bend, Oregon 97459	Location of Pollution Control Facility: Two and one-half miles north of North Bend on Jordan Point Road Coos County, North Bend, Oregon
As: <input type="checkbox"/> Lessee <input checked="" type="checkbox"/> Owner	
Description of Pollution Control Facility: Theta Sensor Model LS- 800-AS Monitor with Sam Pak Conditioning Unit, Model SP-1000 and a Varian G-11A Recorder, for monitoring so ₂ from the acid plant absorption tower stack.	
Type of Pollution Control Facility: <input checked="" type="checkbox"/> Air <input type="checkbox"/> Noise <input type="checkbox"/> Water <input type="checkbox"/> Solid Waste <input type="checkbox"/> Hazardous Waste <input type="checkbox"/> Used Oil	
Date Pollution Control Facility was completed: June 1972	Placed into operation: June, 1972
Actual Cost of Pollution Control Facility: \$ 3,569.22	
Percent of actual cost properly allocable to pollution control: 80 percent or more	

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.

NOTE: THIS IS A REISSUED CERTIFICATE VALID ONLY FOR THE TIME REMAINING FROM THE DATE OF FIRST ISSUANCE

Signed _____

Title Joe B. Richards, Chairman

Approved by the Environmental Quality Commission on
the 11th day of June, 1982

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

Cert. No. 384
Date First Issued 5-29-73
Date Reissued 6/11/82
Appl. No. T-447

POLLUTION CONTROL FACILITY CERTIFICATE

Issued To: Weyerhaeuser West Coast, Inc. Containerboard Division P. O. Box 329 North Bend, Oregon 97459	Location of Pollution Control Facility: Two and one-half miles north of North Bend on Jordan Point Road Coos County, North Bend, Oregon
As: <input type="checkbox"/> Lessee <input checked="" type="checkbox"/> Owner	
Description of Pollution Control Facility: Sampling platforms on two hog-fuel boiler stacks and an E.P.A. sampling train.	
Type of Pollution Control Facility: <input checked="" type="checkbox"/> Air <input type="checkbox"/> Noise <input type="checkbox"/> Water <input type="checkbox"/> Solid Waste <input type="checkbox"/> Hazardous Waste <input type="checkbox"/> Used Oil	
Date Pollution Control Facility was completed: December 1972	Placed into operation: December 1972
Actual Cost of Pollution Control Facility: \$ 6,822.75	
Percent of actual cost properly allocable to pollution control: 80 percent or more	

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.

NOTE: THIS IS A REISSUED CERTIFICATE VALID ONLY FOR THE TIME REMAINING FROM THE DATE OF FIRST ISSUANCE

Signed Joe B. Richards

Title Joe B. Richards, Chairman

Approved by the Environmental Quality Commission on
the 11th day of June, 1982.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

Cart. No. 400
Date First Issued 7-26-73
Date Reissued 6/11/82
Appl. No. T-441

POLLUTION CONTROL FACILITY CERTIFICATE

Issued To: Weyerhaeuser West Coast, Inc. Containerboard Division P. O. Box 329 North Bend, Oregon 97459	Location of Pollution Control Facility: Two and one-half miles north of North Bend on Jordan Point Road Coos County, North Bend, Oregon
As: <input type="checkbox"/> Lessee <input checked="" type="checkbox"/> Owner	
Description of Pollution Control Facility: Bioler stack emission sensing and recording system consisting of: two Bailey Bolometer sensing and recording units and one Bailey Oxygen and Combustionables Analyzer and recorder.	
Type of Pollution Control Facility: <input checked="" type="checkbox"/> Air <input type="checkbox"/> Noise <input type="checkbox"/> Water <input type="checkbox"/> Solid Waste <input type="checkbox"/> Hazardous Waste <input type="checkbox"/> Used Oil	
Date Pollution Control Facility was completed: February 1972 Placed into operation: February 1972	
Actual Cost of Pollution Control Facility: \$ 5,704.	
Percent of actual cost properly allocable to pollution control: 80 percent or more	

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.

NOTE: THIS IS A REISSUED CERTIFICATE VALID ONLY FOR THE TIME REMAINING FROM THE DATE OF FIRST ISSUANCE

Signed Joe B. Richards

Title Joe B. Richards, Chairman

Approved by the Environmental Quality Commission on
the 11th day of June, 1982.

State of Oregon
 DEPARTMENT OF ENVIRONMENTAL QUALITY

POLLUTION CONTROL FACILITY CERTIFICATE

Issued To: Weyerhaeuser West Coast, Inc. Containerboard Division P. O. Box 329 North Bend, Oregon 97459	Location of Pollution Control Facility: Two and one-half miles north of North Bend on Jordan Point Road Coos County, North Bend, Oregon
As: <input type="checkbox"/> Lessee <input checked="" type="checkbox"/> Owner	
Description of Pollution Control Facility: DeZurik automatic sampler and flowmeter	
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: February, 1973 Placed into operation: February, 1973	
Actual Cost of Pollution Control Facility: \$ 3,925.00	
Percent of actual cost properly allocable to pollution control: 80 percent or more	

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.

NOTE: THIS IS A REISSUED CERTIFICATE VALID ONLY FOR THE TIME REMAINING FROM THE DATE OF FIRST ISSUANCE

Signed Joe B. Richards

Title Joe B. Richards, Chairman

Approved by the Environmental Quality Commission on
 the 11th day of June, 1982.

State of Oregon
 DEPARTMENT OF ENVIRONMENTAL QUALITY

POLLUTION CONTROL FACILITY CERTIFICATE

Issued To: Weyerhaeuser West Coast, Inc. Containerboard Division P. O. Box 329 North Bend, Oregon 97459	Location of Pollution Control Facility: Two and one-half miles north of North Bend on Jordan Point Road Coos County, North Bend, Oregon
As: <input type="checkbox"/> Lessee <input checked="" type="checkbox"/> Owner	
Description of Pollution Control Facility: Additional costs incutted on the deep ocean outfall system which was certified under certificate number 354 on March 2, 1973. Additoinal costs are those incurred between filing of application T-404 and February, 1974.	
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: January, 1973 Placed into operation: Feburary, 1973	
Actual Cost of Pollution Control Facility: \$ 249,284.17	
Percent of actual cost properly allocable to pollution control: Eighty percent (80%) or more	

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.

NOTE: THIS IS A REISSUED CERTIFICATE VALID ONLY FOR THE TIME REMAINING FROM THE DATE OF FIRST ISSUANCE

Signed Joe B. Richards

Title Joe B. Richards, Chairman

Approved by the Environmental Quality Commission on
 the 11th day of June, 1982

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

Cert. No. 559
 Date First Issued 3-28-75
 Date Reissued 6/11/82
 Appl. No. T-624

POLLUTION CONTROL FACILITY CERTIFICATE

Issued To: Weyerhaeuser West Coast, Inc. Containerboard Division P. O. Box 329 North Bend, Oregon 97459	Location of Pollution Control Facility: Two and one-half miles north of North Bend on Jordan Point Road Coos County, North Bend, Oregon
As: <input type="checkbox"/> Lessee <input checked="" type="checkbox"/> Owner	
Description of Pollution Control Facility: <p style="text-align: center;">Spent liquaor incinerator system</p>	
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: 11-28-74 Placed into operation: 11-28-74	
Actual Cost of Pollution Control Facility: \$ 3,058,849.00	
Percent of actual cost properly allocable to pollution control: <p style="text-align: center;">Eighty percent (80%) or more.</p>	

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

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

1. The facility shall be continuously operated at maximum efficiency for the designed purpose of preventing, controlling, and reducing the type of pollution as indicated above.
2. The Department of Environmental Quality shall be immediately notified of any proposed change in use or method of operation of the facility and if, for any reason, the facility ceases to operate for its intended pollution control purpose.
3. Any reports or monitoring data requested by the Department of Environmental Quality shall be promptly provided.

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

NOTE: THIS IS A REISSUED CERTIFICATE VALID ONLY FOR THE TIME REMAINING FROM THE DATE OF FIRST ISSUANCE

Signed _____
 Title Joe B. Richards, Chairman

Approved by the Environmental Quality Commission on
 the 11th day of June, 19 82

State of Oregon
 DEPARTMENT OF ENVIRONMENTAL QUALITY

POLLUTION CONTROL FACILITY CERTIFICATE

Issued To: Weyerhaeuser West Coast, Inc. Containerboard Division P. O. Box 329 North Bend, Oregon 97459	Location of Pollution Control Facility: Two and one-half miles north of North Bend on Jordan Point Road Coos County, North Bend, Oregon
As: <input type="checkbox"/> Lessee <input checked="" type="checkbox"/> Owner	
Description of Pollution Control Facility: Variable speed drive for the induced draft fan on the plant's No. 1 hogged fuel boiler.	
Type of Pollution Control Facility: <input checked="" type="checkbox"/> Air <input type="checkbox"/> Noise <input type="checkbox"/> Water <input type="checkbox"/> Solid Waste <input type="checkbox"/> Hazardous Waste <input type="checkbox"/> Used Oil	
Date Pollution Control Facility was completed: 4-75	Placed into operation: 4-75
Actual Cost of Pollution Control Facility: \$ 41,029.00	
Percent of actual cost properly allocable to pollution control: Eighty percent (80%) or more	

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.

NOTE: THIS IS A REISSUED CERTIFICATE VALID ONLY FOR THE TIME REMAINING FROM THE DATE OF FIRST ISSUANCE

Signed Joe B. Richards

Title Joe B. Richards, Chairman

Approved by the Environmental Quality Commission on
 the 11th day of June, 1982

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

Cert. No. 644
Date First Issued 2-20-76
Date Reissued 6/11/82
Appl. No. T-719

POLLUTION CONTROL FACILITY CERTIFICATE

Issued To: Weyerhaeuser West Coast, Inc. Containerboard Division P. O. Box 329 North Bend, Oregon 97459	Location of Pollution Control Facility: Two and one-half miles north of North Bend on Jordan Point Road Coos County, North Bend, Oregon
As: <input type="checkbox"/> Lessee <input checked="" type="checkbox"/> Owner	
Description of Pollution Control Facility: Screening system for secondary fiber area	
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: Sept. 1975	Placed into operation: October 1975
Actual Cost of Pollution Control Facility: \$ 6,664.	
Percent of actual cost properly allocable to pollution control: Eighty percent or more	

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.

NOTE: THIS IS A REISSUED CERTIFICATE VALID ONLY FOR THE TIME REMAINING FROM THE DATE OF FIRST ISSUANCE

Signed Joe B. Richards

Title Joe B. Richards, Chairman

Approved by the Environmental Quality Commission on
the 11th day of June, 1982.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

Cert. No. 652
Date First Issued 3-12-76
Date Reissued 6/11/82
Appl. No. T-740

POLLUTION CONTROL FACILITY CERTIFICATE

Issued To: Weyerhaeuser West Coast, Inc. Containerboard Division P. O. Box 329 North Bend, Oregon 97459	Location of Pollution Control Facility: Two and one-half miles north of North Bend on Jordan Point Road Coos County, North Bend, Oregon
As: <input type="checkbox"/> Lessee <input checked="" type="checkbox"/> Owner	
Description of Pollution Control Facility: <p style="text-align: center;">Two American Defibrator DKP presses and related equipment</p>	
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: November, 1975 Placed into operation: November, 1975	
Actual Cost of Pollution Control Facility: \$ 774,971	
Percent of actual cost properly allocable to pollution control: <p style="text-align: center;">80% or more</p>	

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

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

1. The facility shall be continuously operated at maximum efficiency for the designed purpose of preventing, controlling, and reducing the type of pollution as indicated above.
2. The Department of Environmental Quality shall be immediately notified of any proposed change in use or method of operation of the facility and if, for any reason, the facility ceases to operate for its intended pollution control purpose.
3. Any reports or monitoring data requested by the Department of Environmental Quality shall be promptly provided.

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

NOTE: THIS IS A REISSUED CERTIFICATE VALID ONLY FOR THE TIME REMAINING FROM THE DATE OF FIRST ISSUANCE

Signed _____

Title Joe B. Richards, Chairman

Approved by the Environmental Quality Commission on

the 11th day of June, 1982.

State of Oregon
 DEPARTMENT OF ENVIRONMENTAL QUALITY

POLLUTION CONTROL FACILITY CERTIFICATE

Issued To: Weyerhaeuser West Coast, Inc. Containerboard Division P. O. Box 329 North Bend, Oregon 97459	Location of Pollution Control Facility: Two and one-half miles north of North Bend on Jordan Point Road Coos County, North Bend, Oregon
As: <input type="checkbox"/> Lessee <input checked="" type="checkbox"/> Owner	
Description of Pollution Control Facility: <p style="text-align: center;">Dorrco Fluisolids System for spent liquor incineration</p>	
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: 11/28/74 Placed into operation: 11/28/74	
Actual Cost of Pollution Control Facility: \$ 3,121,236.00	
Percent of actual cost properly allocable to pollution control: <p style="text-align: center;">80% or more</p>	

Based upon the information contained in the application referenced above, the Environmental Quality Commission certifies that the facility described herein was erected, constructed or installed in accordance with the requirements of ORS 488.175 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.

NOTE: THIS IS A REISSUED CERTIFICATE VALID ONLY FOR THE TIME REMAINING FROM THE DATE OF FIRST ISSUANCE

Signed _____
Joe B. Richards

Title Joe B. Richards, Chairman

Approved by the Environmental Quality Commission on
 the 11th day of June, 1982

State of Oregon
 DEPARTMENT OF ENVIRONMENTAL QUALITY

POLLUTION CONTROL FACILITY CERTIFICATE

Issued To: Weyerhaeuser West Coast, Inc. Containerboard Division P. O. Box 329 North Bend, Oregon 97459	Location of Pollution Control Facility: Two and one-half miles north of North Bend on Jordan Point Road Coos County, North Bend, Oregon
As: <input type="checkbox"/> Lessee <input checked="" type="checkbox"/> Owner	
Description of Pollution Control Facility: Settling pit, concrete trench sluices, drag chain, pump and related equipment	
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: 8/75 Placed into operation: 8/75	
Actual Cost of Pollution Control Facility: \$ 64,197.	
Percent of actual cost properly allocable to pollution control: 80% or more	

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.

NOTE: THIS IS A REISSUED CERTIFICATE VALID ONLY FOR THE TIME REMAINING FROM THE DATE OF FIRST ISSUANCE

Signed Joe B. Richards

Title Joe B. Richards, Chairman

Approved by the Environmental Quality Commission on
 the 11th day of June, 1982.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

Cert. No. 778
Date First Issued 2/25/77
Date Reissued 6/11/82
Appl. No. T-861

POLLUTION CONTROL FACILITY CERTIFICATE

Issued To: Weyerhaeuser West Coast, Inc. Containerboard Division P. O. Box 329 North Bend, Oregon 97459	Location of Pollution Control Facility: Two and one-half miles north of North Bend on Jordan Point Road Coos County, North Bend, Oregon
As: <input type="checkbox"/> Lessee <input checked="" type="checkbox"/> Owner	
Description of Pollution Control Facility: <p style="text-align: center;">Supplemental Kadon screens for mill effluent</p>	
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: March, 1976 Placed into operation: March, 1976	
Actual Cost of Pollution Control Facility: \$ 27,294.	
Percent of actual cost properly allocable to pollution control: <p style="text-align: center;">80% or more</p>	

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

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

1. The facility shall be continuously operated at maximum efficiency for the designed purpose of preventing, controlling, and reducing the type of pollution as indicated above.
2. The Department of Environmental Quality shall be immediately notified of any proposed change in use or method of operation of the facility and if, for any reason, the facility ceases to operate for its intended pollution control purpose.
3. Any reports or monitoring data requested by the Department of Environmental Quality shall be promptly provided.

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

NOTE: THIS IS A REISSUED CERTIFICATE VALID ONLY FOR THE TIME REMAINING FROM THE DATE OF FIRST ISSUANCE

Signed Joe B. Richards

Title Joe B. Richards, Chairman

Approved by the Environmental Quality Commission on
the 11th day of June, 19 82.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

Cert. No. 781
Date First Issued 4/1/77
Date Reissued 6/11/82
Appl. No. T-866

POLLUTION CONTROL FACILITY CERTIFICATE

Issued To: Weyerhaeuser West Coast, Inc. Containerboard Division P. O. Box 329 North Bend, Oregon 97459	Location of Pollution Control Facility: Two and one-half miles north of North Bend on Jordan Point Road Coos County, North Bend, Oregon
As: <input type="checkbox"/> Lessee <input checked="" type="checkbox"/> Owner	
Description of Pollution Control Facility: <p style="text-align: center;">Press washing, 1976 additions</p>	
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: November, 1975 Placed into operation: November, 1975	
Actual Cost of Pollution Control Facility: \$ 10,824.	
Percent of actual cost properly allocable to pollution control: <p style="text-align: center;">80% or more</p>	

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

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

1. The facility shall be continuously operated at maximum efficiency for the designed purpose of preventing, controlling, and reducing the type of pollution as indicated above.
2. The Department of Environmental Quality shall be immediately notified of any proposed change in use or method of operation of the facility and if, for any reason, the facility ceases to operate for its intended pollution control purpose.
3. Any reports or monitoring data requested by the Department of Environmental Quality shall be promptly provided.

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

NOTE: THIS IS A REISSUED CERTIFICATE VALID ONLY FOR THE TIME REMAINING FROM THE DATE OF FIRST ISSUANCE

Signed _____

Title Joe B. Richards, Chairman

Approved by the Environmental Quality Commission on
the 11th day of June, 1982.

State of Oregon
 DEPARTMENT OF ENVIRONMENTAL QUALITY

POLLUTION CONTROL FACILITY CERTIFICATE

Issued To: Weyerhaeuser West Coast, Inc. Containerboard Division P. O. Box 329 North Bend, Oregon 97459	Location of Pollution Control Facility: Two and one-half miles north of North Bend on Jordan Point Road Coos County, North Bend, Oregon
As: <input type="checkbox"/> Lessee <input checked="" type="checkbox"/> Owner	
Description of Pollution Control Facility: Molten sulfur pump and insulated piping used to move molten sulfur to the spent liquor incinerator	
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: February 1977 Placed into operation: February 1977	
Actual Cost of Pollution Control Facility: \$ 21,365.00	
Percent of actual cost properly allocable to pollution control: 80% or more	

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.

NOTE: THIS IS A REISSUED CERTIFICATE VALID ONLY FOR THE TIME REMAINING FROM THE DATE OF FIRST ISSUANCE

Signed _____
 Title Joe B. Richards, Chairman

Approved by the Environmental Quality Commission on
 the 11th day of June, 1982.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

Cert. No. 887
Date First Issued 3/31/78
Date Reissued 6/11/82
Appl. No. T-976

POLLUTION CONTROL FACILITY CERTIFICATE

Issued To: Weyerhaeuser West Coast, Inc. Containerboard Division P. O. Box 329 North Bend, Oregon 97459	Location of Pollution Control Facility: Two and one-half miles north of North Bend on Jordan Point Road Coos County, North Bend, Oregon
As: <input type="checkbox"/> Lessee <input checked="" type="checkbox"/> Owner	
Description of Pollution Control Facility: Pump and piping for transferring Venturi Scrubber backwash to weak liquor tank.	
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: December 1977 Placed into operation: January 1978	
Actual Cost of Pollution Control Facility: \$ 1,764.00	
Percent of actual cost properly allocable to pollution control: 80% or more	

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.

NOTE: THIS IS A REISSUED CERTIFICATE VALID ONLY FOR THE TIME REMAINING FROM THE DATE OF FIRST ISSUANCE

Signed _____

Title Joe B. Richards, Chairman

Approved by the Environmental Quality Commission on

the 11th day of June, 1982.

State of Oregon
 DEPARTMENT OF ENVIRONMENTAL QUALITY

POLLUTION CONTROL FACILITY CERTIFICATE

Issued To: Weyerhaeuser West Coast, Inc. Containerboard Division P. O. Box 329 North Bend, Oregon 97459	Location of Pollution Control Facility: Two and one-half miles north of North Bend on Jordan Point Road Coos County, North Bend, Oregon
As: <input type="checkbox"/> Lessee <input checked="" type="checkbox"/> Owner	
Description of Pollution Control Facility: <p style="text-align: center;">A 0.5 million gallon concrete tank with a plastic T-lock liner used to store spent liquor</p>	
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: 3/14/66 Placed into operation: 3/14/77	
Actual Cost of Pollution Control Facility: \$ 181,606.00	
Percent of actual cost properly allocable to pollution control: <p style="text-align: center;">80% or more</p>	

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

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

1. The facility shall be continuously operated at maximum efficiency for the designed purpose of preventing, controlling, and reducing the type of pollution as indicated above.
2. The Department of Environmental Quality shall be immediately notified of any proposed change in use or method of operation of the facility and if, for any reason, the facility ceases to operate for its intended pollution control purpose.
3. Any reports or monitoring data requested by the Department of Environmental Quality shall be promptly provided.

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

NOTE: THIS IS A REISSUED CERTIFICATE VALID ONLY FOR THE TIME REMAINING FROM THE DATE OF FIRST ISSUANCE

Signed _____

Title Joe B. Richards, Chairman

Approved by the Environmental Quality Commission on
 the 11th day of June, 1982.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

Cart. No. 924
Date First Issued 7/28/78
Date Reissued 6/11/82
Appl. No. T-975

POLLUTION CONTROL FACILITY CERTIFICATE

Issued To: Weyerhaeuser West Coast, Inc. Containerboard Division P. O. Box 329 North Bend, Oregon 97459	Location of Pollution Control Facility: Two and one-half miles north of North Bend on Jordan Point Road Coos County, North Bend, Oregon
As: <input type="checkbox"/> Lessee <input checked="" type="checkbox"/> Owner	
Description of Pollution Control Facility: Settling tank to separate sand from paper machine tertiary rejects. The system washes the rejects and reclaims about 3000 lbs/day of fiber which used to be sewerred	
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: December 1977 Placed into operation: December 1977	
Actual Cost of Pollution Control Facility: \$ 8,854.00	
Percent of actual cost properly allocable to pollution control: less than 20%	

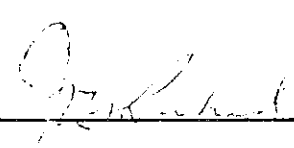
Based upon the information contained in the application referenced above, the Environmental Quality Commission certifies that the facility described herein was erected, constructed or installed in accordance with the requirements of ORS 468.175 and subsection (1) of ORS 468.165, and is designed for, 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 312, Oregon Law 1979, if the person issued the Certificate elects to take the tax credit relief under ORS 316.097 or 317.072.

NOTE: THIS IS A REISSUED CERTIFICATE VALID ONLY FOR THE TIME REMAINING FROM THE DATE OF FIRST ISSUANCE

Signed 

Title Joe B. Richards, Chairman

Approved by the Environmental Quality Commission on

the 11th day of June, 1982.

State of Oregon
 DEPARTMENT OF ENVIRONMENTAL QUALITY

POLLUTION CONTROL FACILITY CERTIFICATE

Issued To: Weyerhaeuser West Coast, Inc. Containerboard Division P. O. Box 329 North Bend, Oregon 97459	Location of Pollution Control Facility: Two and one-half miles north of North Bend on Jordan Point Road Coos County, North Bend, Oregon
As: <input type="checkbox"/> Lessee <input checked="" type="checkbox"/> Owner	
Description of Pollution Control Facility: A caustic addition system for the spent liquor incinerator	
Type of Pollution Control Facility: <input checked="" type="checkbox"/> Air <input type="checkbox"/> Noise <input type="checkbox"/> Water <input type="checkbox"/> Solid Waste <input type="checkbox"/> Hazardous Waste <input type="checkbox"/> Used Oil	
Date Pollution Control Facility was completed: 4/28/79 Placed into operation: 3/9/78	
Actual Cost of Pollution Control Facility: \$ 27,488.	
Percent of actual cost properly allocable to pollution control: 80% or more	

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.

NOTE: THIS IS A REISSUED CERTIFICATE VALID ONLY FOR THE TIME REMAINING FROM THE DATE OF FIRST ISSUANCE

Signed Joe B. Richards
 Title Joe B. Richards, Chairman

Approved by the Environmental Quality Commission on
 the 11th day of June, 1982

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

Cart. No. 986
Date First Issued 6/29/79
Date Reissued 6/11/82
Appl. No. T-1074

POLLUTION CONTROL FACILITY CERTIFICATE

Issued To: Weyerhaeuser West Coast, Inc. Containerboard Division P. O. Box 329 North Bend, Oregon 97459	Location of Pollution Control Facility: Two and one-half miles north of North Bend on Jordan Point Road Coos County, North Bend, Oregon
As: <input type="checkbox"/> Lessee <input checked="" type="checkbox"/> Owner	
Description of Pollution Control Facility: <p style="text-align: center;">A scrubber system consisting of four Burley scrubbers which are installed on the No. 2 hog fuel boiler.</p>	
Type of Pollution Control Facility: <input checked="" type="checkbox"/> Air <input type="checkbox"/> Noise <input type="checkbox"/> Water <input type="checkbox"/> Solid Waste <input type="checkbox"/> Hazardous Waste <input type="checkbox"/> Used Oil	
Date Pollution Control Facility was completed: August 14, 1978 Placed into operation: August 15, 1978	
Actual Cost of Pollution Control Facility: \$ 182,106.00	
Percent of actual cost properly allocable to pollution control: <p style="text-align: center;">80% or more</p>	

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

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

1. The facility shall be continuously operated at maximum efficiency for the designed purpose of preventing, controlling, and reducing the type of pollution as indicated above.
2. The Department of Environmental Quality shall be immediately notified of any proposed change in use or method of operation of the facility and if, for any reason, the facility ceases to operate for its intended pollution control purpose.
3. Any reports or monitoring data requested by the Department of Environmental Quality shall be promptly provided.

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

NOTE: THIS IS A REISSUED CERTIFICATE VALID ONLY FOR THE TIME REMAINING FROM THE DATE OF FIRST ISSUANCE

Signed _____

Title Joe B. Richards, Chairman

Approved by the Environmental Quality Commission on

the 11th day of June, 1982.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

Cert. No. 1081
Date First Issued 6/20/80
Date Reissued 6/11/82
Appl. No. T-1197

POLLUTION CONTROL FACILITY CERTIFICATE

Issued To: Weyerhaeuser West Coast, Inc. Containerboard Division P. O. Box 329 North Bend, Oregon 97459	Location of Pollution Control Facility: Two and one-half miles north of North Bend on Jordan Point Road Coos County, North Bend, Oregon
As: <input type="checkbox"/> Lessee <input checked="" type="checkbox"/> Owner	
Description of Pollution Control Facility: Four (4) Kistler-Morse weighing microcells and model 925 electronics readout on the spent liquor incinerator product (salt cake) tank	
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: 10/30/79 Placed into operation: 10/31/79	
Actual Cost of Pollution Control Facility: \$ 3,195.00	
Percent of actual cost properly allocable to pollution control: 80% or more	

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.

NOTE: THIS IS A REISSUED CERTIFICATE VALID ONLY FOR THE TIME REMAINING FROM THE DATE OF FIRST ISSUANCE

Signed Joe B. Richards

Title Joe B. Richards, Chairman

Approved by the Environmental Quality Commission on

the 11th day of June, 1982.

State of Oregon
 DEPARTMENT OF ENVIRONMENTAL QUALITY

POLLUTION CONTROL FACILITY CERTIFICATE

Issued To: Weyerhaeuser West Coast, Inc. Containerboard Division P. O. Box 329 North Bend, Oregon 97459	Location of Pollution Control Facility: Two and one-half miles north of North Bend on Jordan Point Road Coos County, North Bend, Oregon
As: <input type="checkbox"/> Lessee <input checked="" type="checkbox"/> Owner	
Description of Pollution Control Facility: The facility consists of a magnetic flow meter, piping and coupling devices.	
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: 3/28/80 Placed into operation: 3/28/80	
Actual Cost of Pollution Control Facility: \$ 11,377.09	
Percent of actual cost properly allocable to pollution control: 80% or more	

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.

NOTE: THIS IS A REISSUED CERTIFICATE VALID ONLY FOR THE TIME REMAINING FROM THE DATE OF FIRST ISSUANCE

Signed _____

Title Joe B. Richards, Chairman

Approved by the Environmental Quality Commission on

the 11th day of June, 1982

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

Cart. No. 1172
Date First Issued 12/19/80
Date Reissued 6/11/82
Appl. No. T-1264

POLLUTION CONTROL FACILITY CERTIFICATE

Issued To: Weyerhaeuser West Coast, Inc. Containerboard Division P. O. Box 329 North Bend, Oregon 97459	Location of Pollution Control Facility: Two and one-half miles north of North Bend on Jordan Point Road Coos County, North Bend, Oregon
As: <input type="checkbox"/> Lessee <input checked="" type="checkbox"/> Owner	
Description of Pollution Control Facility: Bailey type OJ oxygen analyzer installed on the No. 1 hogged fuel boiler	
Type of Pollution Control Facility: <input checked="" type="checkbox"/> Air <input type="checkbox"/> Noise <input type="checkbox"/> Water <input type="checkbox"/> Solid Waste <input type="checkbox"/> Hazardous Waste <input type="checkbox"/> Used Oil	
Date Pollution Control Facility was completed: June 1980 Placed into operation: June 1980	
Actual Cost of Pollution Control Facility: \$ 2,758.64	
Percent of actual cost properly allocable to pollution control: 80% or more	

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.

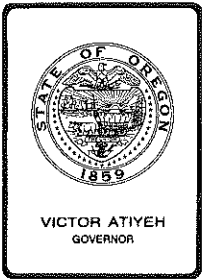
NOTE: THIS IS A REISSUED CERTIFICATE VALID ONLY FOR THE TIME REMAINING FROM THE DATE OF FIRST ISSUANCE

Signed Joe B. Richards

Title Joe B. Richards, Chairman

Approved by the Environmental Quality Commission on

the 11th day of June, 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. D, August 19, 1983, EQC Meeting

Request for Authorization to hold a Public Hearing on Proposed Amendments to the Motor Vehicle Emission Control Inspection Test Criteria, Methods, and Standards (OAR 340-24-300 through 24-350) Specifically Affecting the Pollution Equipment Visual Inspection, the Engine Exchange Policy, Test Method, and Licensed Fleet Policy.

Background

At the Environmental Quality Commission meeting of July 16, 1982, amendments to OAR 340-24-300 through 24-350 were approved. These amendments affected the vehicle emission control test procedure and made changes in the engine exchange policy. At that time, the report indicated that a scheduled yearly review of the operating rules was not necessary since the testing standards had been simplified and it appeared that pollution control technology on new motor vehicles had stabilized.

Some items in the rules, however, need to be revised to reflect legislative change and to improve specific program areas. The staff has completed the rules review and proposes changes in the following areas:

OAR 340-24-306 Include permanent fleet vehicles with non-expiring licenses in this section and provide alternative testing schedule for fleet operations.

OAR 340-24-310 Correct a reference error in the test method section.

OAR 340-24-315 Clarify a step in the inspection procedure.

OAR 340-24-320 and 325 Modify and simplify the requirements for underhood inspection on those cars and trucks manufactured prior to 1975, and modify the engine change criteria to specify policy for owners of diesel-powered vehicles who wish to install a gasoline engine in their vehicle.

OAR 340-24-340 Add requirements for periodic examination of all licensed inspectors, including those employed by licensed fleets. Also specifically indicate that violation of the State's anti-tampering statute is grounds for revocation of a license.

OAR 340-24-350 Remove from the approved lists any exhaust gas analyzers which are battery-powered.

A tentative date for public hearing, if the Commission grants authority, would be October 3, 1983. A proposed Statement of Need for rule making and Fiscal Impact are attached as Appendix A. A draft Notice of Public Hearing is attached as Appendix B. The proposed rule modifications are attached as Appendix C.

Alternatives and Evaluation

The following rule modifications are proposed:

OAR 340-24-306. Recently passed House Bill 2033 made a change in Oregon motor vehicle licensing law by changing the procedure for certification of vehicles registered as permanent fleet vehicles under ORS 481.186. Vehicles owned by large fleets can have non-expiring license plates. Prior to the legislative change, these vehicles were certified by the month and year of the original registration. HB 2033 provides that these vehicles may be certified within the year rather than within the 90-days schedule that ORS 481.190 provides for most other vehicles. This makes the permanent fleet category of vehicles very similar to vehicles that are classified as publicly-owned. Changes are proposed to OAR 340-24-306 to include this permanent fleet vehicle within that section of the rule.

When this rule was adopted, a staggered sequence for vehicle testing was established. The staggered sequence, based upon the last digit of the license plate, was chosen since there was no expiration date for the publicly owned license plates. Some licensed self-inspecting fleets, among them the post office and the United States General Services Administration, have indicated that this testing sequence creates scheduling conflicts in their normal fleet maintenance practices.

They have requested that they be allowed to establish a separate testing schedule. The statute simply requires annual certification for publicly-owned vehicles and yearly certification for permanent fleet vehicles. As such, any legitimate method of establishing a testing schedule would fulfill the statutory requirement. The proposed modification provides this alternative. It would only affect those fleets licensed by the Department for self-inspection.

OAR 340-24-310. This section contains the emission test procedure. This procedure was modified last year and contains a special testing provision for 1981 and newer Ford Motor Company-manufactured vehicles. There is a reference to the standards to be applied. This reference is in error. It should refer to Section 24-330, the light-duty standards, rather than Section 24-335, the heavy-duty truck standards. Minor housekeeping wording changes are also proposed.

OAR 340-24-315. The staff is proposing a clarification in the test procedure for heavy-duty vehicles. The current regulation does not spell out the requirement that the initial readings from the emission test be recorded, though in practice this is done. The proposed change clarifies this step in the inspection procedure.

OAR 340-24-320(3, 4, 5) and 24-325(5). Staff is proposing reducing the stringency of the tampering inspection requirement on 1970-1974 and older vehicles. The result would be to ignore some changes made in emission equipment for vehicles older than 1975, rather than the current 1970 designation. This is a significant policy action. It could, however, be considered compatible with the Oregon Legislature's passage of SB 509, which exempts vehicles 20 years and older from all program requirements.

The rules currently require that all 1970 and newer vehicles be inspected for their original factory-installed pollution control equipment. The proposed rule would modify our enforcement stringency in the underhood inspection portion of the test to check only for the positive crankcase ventilation (PCV), air injection reactors (AIR), and evaporative emission control systems on 1970-1974 model year vehicles. No change in inspection procedures for newer vehicles is proposed. The effect of such a change would be:

- 1) There would be an increased pass rate for the 1970-1974 model year groupings of vehicles of about 12%. This could effectively raise our overall pass rate about 5%, boosting the current rate to about 70%. This group accounts for approximately 20% of our vehicle population and contains about 110,000 cars and light trucks.
- 2) Easing the underhood inspection requirement on the 1970-1974 grouping of vehicles should increase uniformity of the underhood inspections among the testing centers.

- 3) Customer conflict for owners of these older vehicles which have malfunctioning or missing pollution control equipment would be eased, since this point of confrontation would not be raised.
- 4) It would eliminate an incentive for avoiding the inspection program requirements.
- 5) Program staff has taken several surveys over the past few years that have indicated that these major parts are available (sometimes requiring special order). Some minor system components, however, are no longer available. This action should reduce the problem of parts availability.
- 6) Air quality compliance date schedules would not be affected since there are no tampering credits included in current air quality models and projections.

Recently, the U. S. Environmental Protection agency has released its draft report outlining credits available for tampering inspection. Maximum potential credit for tampering inspection would still be retained if the modifications proposed were implemented. The inspection program is currently failing about 15% of the 1970-1974 year vehicles for all equipment requirements. Failing vehicles for only PCV, AIR, and evaporation emission controls would drop the 15% rate to approximately 5%.

OAR 340-24-320(6) and 24-325(6). This is the engine change policy portion of the rules. A clarification of the rule is made for vehicle owners wishing to convert 1975-1979 model year diesel vehicles to operate on gasoline. This clarification includes provisions that if a gasoline engine is installed, all of the associated pollution control equipment including catalytic convertors and unleaded fuel requirements of the gasoline engine system must be met.

The second modification on the engine exchange policy applies to 1980 and newer vehicles. Two concerns have been raised by some individuals relating to diesel-powered vehicles and light-duty trucks. The wording in this paragraph of the rule would contain provisions that provide for diesel-to-gasoline conversions. The rule would clearly provide that a vehicle owner has flexibility in engine exchanges to use any equivalent or better 1980 or newer light-duty engine system. This change would not help some light-duty truck owners who had purchased vehicles which were under-designed to their transportation needs. The wording in this section is specifically intended not to allow a light-duty truck to be modified to a heavy-duty configuration and avoid the light-duty truck emission requirement.

OAR 340-24-340. The staff is proposing a change in this section which institutes a re-examination requirement for persons licensed to issue Certificates of Compliance. The proposed change incorporates existing program requirements for periodic examination of Department-employed inspectors and further extends this requirement to all persons licensed to issue Certificates of Compliance. It is proposed that after the initial class and examination, all inspectors be required to pass a re-examination every two years. The rationale for this requirement is to insure that these personnel maintain a current understanding of the requirements and policies for issuing Certificates of Compliance.

The staff is proposing that a violation of ORS 483.825, the State's anti-tampering statute, be specifically included as a reason for revocation of a fleet or inspector license. It should be noted that a violation of this statute would still be grounds for revocation of a license but that this language change will emphasize that fact. Additionally, a reference to the program's status would be changed from "Division" to "Program" to be consistent with current nomenclature.

OAR 340-24-350. The staff proposes deleting from the approved list specific exhaust gas analyzers currently approved for licensed fleet use. All analyzers purchased before January 1, 1982 must have been "BAR-74" approved. The BAR designation references California Bureau of Automotive Repair specifications for exhaust gas analyzers used in licensed garages doing emission inspections in California. Those purchased after January 1, 1982 must be BAR-80 approved. BAR-80 is the current state-of-the-art specification. On the original BAR-74 listing, there are four brand-named analyzers which were approved but which have had a poor "in-service" history. These exhaust gas analyzers are battery-powered, and this is probably one of the major contributing factors in their poor service history. The "in-service" history of these units in terms of reliability, accuracy, repeatability, and serviceability are such that it is the staff's recommendation that they not be recognized as approved equipment for the purposes of the licensed fleet program.

The four units, KAL-EQUIP, NAPA, STEWART-WARNER, and DELCO, are in essence the same unit with different brand names. These brands have been out of production for several years. Three of 45 licensed fleets currently use these exhaust gas analyzers. To provide adequate lead time for these fleets to arrange replacement, the effective date of this change is proposed as January 1, 1985. This time frame would coincide with the annual fleet renewal period. This action will

require that the three fleets purchase new analyzers if they wish to maintain their licensed fleet status after 1984.

Summation

The staff has proposed modification to the Vehicle Inspection Program operating rules in several areas. These areas include the testing method, inspection procedures, and equipment requirements for licensed fleets. Some of the changes are relatively minor, changing a reference error and detailing a step in the inspection procedure. The change in underhood inspection procedures and engine change is the most significant policy action proposed. This action does not affect the projected ambient air compliance dates but will result in an overall increase in vehicle pass rate of about 5%. It would ease administrative burden on vehicles which are older than the 1975 model year. These changes would also clarify the engine change policy for the newest category of vehicles.

The other changes proposed would affect licensed fleets. One change would allow a separate inspection schedule for licensed fleets. Another change would require that the licensed fleet inspectors be re-examined every three years in order to maintain their inspector status. And the third change would require that three of our 45 licensed fleets update their exhaust gas analyzers. The analyzers that staff is proposing be removed are obsolete and have an unsatisfactory record for reliability and serviceability within the exhaust gas analyzer industry. Adequate lead time is proposed for those fleets to acquire new instrumentation.

Director's Recommendation

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

Bill

William H. Young

Attachments

- A. Appendix A, Statement of Need and Fiscal Impact
- B. Appendix B, Notice of Public Hearing
- C. Appendix C, Proposed Rule Modifications

VZ291
WPJasper:ahe
229-5081
July 26, 1983

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 the Rule

The proposed amendments are needed to update the inspection program criteria to reflect changes in operational criteria, inspection program protocol, and licensed fleet requirements.

Principal Documents Relied Upon

House Bill 2033, Senate Bill 509, the existing rules, automobile and motor vehicle manufacturer shop manuals and service manuals have been relied on.

Fiscal Impact Statement

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 operation of the inspection program. Three licensed fleets may be affected economically in that equipment currently used by those fleets will no longer be allowed to be used as part of DEQ's licensed fleet program.

Land Use Consistency Statement

These proposals do not affect land use.

VZ296

Oregon Department of Environmental Quality

A CHANCE TO COMMENT ON...

VIP Operating Rules

Date Prepared: July 15, 1983
Hearing Date: October 3, 1983
Comments Due: October 3, 1983

**WHO IS
AFFECTED:**

Motor vehicle owners, people engaged in the business of repairing motor vehicles, and licensed fleets operating in the Portland metropolitan area will be affected by this proposal.

**WHAT IS
PROPOSED:**

The Department of Environmental Quality is proposing to amend OAR 340-24-300 through 340-24-350, Operating Rules for the Motor Vehicle Inspection Program.

**WHAT ARE THE
HIGHLIGHTS:**

The Department of Environmental Quality is proposing modifications to the current inspection program rules. Interested parties should request a copy of the complete proposed rule package. Some highlights are:

- ** Rule modifications allowing the establishment of specific test schedules for licensed fleets.
- ** Rule modifications in the test criteria section detailing specific changes in the inspection program test procedure.
- ** Inspection program criteria changes which simplify the tampering inspection for 1970 through 1974 vehicles.
- ** Changes in the test criteria section which amend engine change policy.
- ** Changes in the licensed fleet and licensed exhaust gas analyzer procedures which: 1) remove from certification list battery powered exhaust gas analyzers for licensed fleet operations, and 2) which require periodic re-examination and re-certification of licensed emission inspectors.

**HOW TO
COMMENT:**

Copies of the complete proposed rule package may be obtained from the DEQ/Vehicle Inspection Program in Portland (522 S.W. Fifth Avenue) or the regional office nearest you. For further information contact William Jasper at (503) 229-6235.



P.O. Box 1760
Portland, OR 97207

8/10/82

FOR FURTHER INFORMATION:

Contact the person or division identified in the public notice by calling 229-5696 in the Portland area. To avoid long distance charges from other parts of the state, call 1-800-452-7813 and ask for the Department of Environmental Quality.

1-800-452-4011



A public hearing will be held before a hearings officer at:

7:30 p.m.
October 3, 1983
State Office Building, Room 707
1400 S. W. Fifth Avenue
Portland, Oregon

Oral and written comments will be accepted at the public hearing. Written comments may be sent to the DEQ Vehicle Inspection Program, P.O. Box 1760, Portland, OR 97207, but must be received by no later than 5:00 p.m., October 3, 1983.

**WHAT IS THE
NEXT STEP:**

After public hearing the Environmental Quality 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 rules will be submitted to the U. S. Environmental Protection Agency as part of the State Clean Air Act Implementation Plan. The Commission's deliberation should come in November, 1983 as part of the agenda of a regularly scheduled Commission meeting.

A Statement of Need, Fiscal and Economic Impact Statement, and Land Use Consistency Statement are attached to this notice.

VZ295

Appendix C

**Motor Vehicle Emission Control Inspection
Test Criteria, Methods, and Standards**

Scope

340-24-300 Pursuant to ORS 468.360 to 468.405, 481.190 to 481.200, and 483.800 to 483.825, the following rules establish the criteria, methods, and standards for inspecting motor vehicles, excluding motorcycles, to determine eligibility for obtaining a Certificate of Compliance or inspection.

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

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) "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) "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) "PPM" means parts per million by volume.

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

(31) "RPM" means engine crankshaft revolutions per minute.

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

(33) "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.

Publicly Owned and Permanent Fleet Vehicle[s] Testing Requirements

340-24-306 (1) All motor vehicles registered as government-owned vehicles under ORS 481.125 which are required to be certified annually pursuant to ORS 481.190 shall, as means of that certification, obtain a Certificate of Compliance.

(2) All motor vehicles registered as permanent fleet vehicles under ORS 481.186 which are required to be certified yearly pursuant to ORS 481.190 shall, as means of that certification, obtain a Certificate of Compliance.

(3) [(2)]Any motor vehicle which is to be registered under ORS 481.125 or 481.186 , but is not a new motor vehicle, shall obtain a Certificate of Compliance prior to that registration as so required by ORS 481.190.

(4) [(3)]For the purposes of providing a staggered certification schedule for vehicles registered as government-owned vehicles ORS 481.125 or permanent fleet vehicles under ORS 481.186, shall except as provided by section (5), be on the basis of the final numerical digit contained on the vehicle license plate. Such certification shall be completed by the last day of the month as provided below (Last Digit and Month, respectively):

- (a) 1-----January;
- (b) 2-----February;
- (c) 3-----March;
- (d) 4-----April;
- (e) 5-----May;
- (f) 6-----June;
- (g) 7-----July;
- (h) 8-----August;
- (i) 9-----September;
- (j) 0-----October.

(5) In order to accomodate a fleet's scheduled maintenance practices, the Department may establish a specific separate schedule for vehicles registered as government-owned vehicles under ORS 481.125 or permanent fleet vehicles under ORS 481.186, if these vehicles are owned by fleets, licensed under the self-inspection program, OAR 340-24-340.

Motor Vehicle Inspection Program Fee Schedule

340-24-307 The following is the fee schedule for Certificates of Compliance, and licenses issued by the Department of Environmental Quality, Vehicle Inspection Program.

Certificate of Compliance		\$7.00
ISSUED BY DEPARTMENT		
Certificate of Compliance.....		\$3.00
ISSUED BY LICENSED MOTOR VEHICLE FLEET OPERATION		
MOTOR VEHICLE FLEET OPERATION	initial	\$5.00
	annual renewal	\$1.00
FLEET OPERATION VEHICLE EMISSION INSPECTOR -	initial	\$5.00
	annual renewal	\$1.00
EXHAUST GAS ANALYZER SYSTEM	initial	\$5.00
	annual renewal	\$1.00

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 transmission is to be placed in neutral gear or park position 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 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 outlet[s] are to be averaged into one reading from each gas measured for comparison] ,or the average reading from the exhaust outlets are to be compared to the standards of rule 340-24-330.

(12) If the vehicle does not comply with the standards specified in rule 340-24-[335] 330, and it is a 1981 or newer Ford Motor Company [product] vehicle, the vehicle shall have the ignition turned off, restricted, and steps (8) through (11) repeated.

(13) 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) 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) 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) 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) 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 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 steady state levels of the gases measured at idle speed by the gas analytical system shall be recorded. The idle speed at which the gas measurements were made shall also be recorded.

(8) [(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.

(9) [(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.

(10) [(9)]If the vehicle is equipped with a multiple exhaust system, then steps (6) through [(8)] (9) 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).] (8) and (9).

(11) [(10)]The reading from the exhaust outlet, or the average reading from the exhaust outlets obtained in each step[(7) and (8)] (8) and (9), are to be compared to the standards of rule 340-24-335.

(12) [(11)]If the vehicle is capable of being operated with both gasoline and gaseous fuels, then steps (6) through[(8)] (9) are to be repeated so that emission test results are obtained for both fuels.

(13) [(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.

(14) [(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.

(15) [(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.

(16) [(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.

(17) [(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) (a) No vehicle emission control test for a 1970 through 1974 model year vehicle shall be considered valid if any of the following elements of the original factory installed 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 by 40 CFR 85.1701-1709.

(A) Positive crankcase ventilation (PCV) system.

(B) Air injector reactor (AIR) system.

(C) Evaporative control system.

(b) No vehicle emission control test for a [1970] 1975 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) [(a)] Positive crankcase ventilation (PCV) system.

(B) [(b)] Exhaust modifier system:

(i) [(A)] Air injection reactor system;

(ii) [(B)] Thermal reactor system;

(iii) [(C)] Catalytic converter system[- (1975 and newer model vehicles only)].

(C) [(c)] Exhaust gas recirculation (EGR) systems [- (1973 and newer model vehicles only)]

(D) [(d)] Evaporative control system

(E) [(e)] Spark timing system:

(i) [(A)] Vacuum advance system;

(ii) [(B)] Vacuum retard system.

(F) [(f)] Special emission control devices. Examples:

(i) [(A)] Orifice spark advance control (OSAC);

(ii) [(B)] Speed control switch (SCS).

(iii) [(C)] Thermostatic air cleaner (TAC).

(iv) [(D)] Transmission controlled spark (TCS).

(v) [(E)] Throttle solenoid control (TSC).

(vi) [(F)] Fuel filler inlet restrictors.

(vii) [(G)] Oxygen Sensor

(ix) Emission Control Computer

(4) No vehicle emission control test for a [1970] 1975 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 1970 through 1979 model year motor vehicles. When a motor vehicle is equipped with other than the original engine and [they] its 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 nonoriginal 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. Diesel (compression ignition) engine powered vehicles changed to gasoline (spark ignition) engine power shall be required to maintain that model years equivalent or better factory pollution control system, including, but not limited to, catalytic convertors, unleaded fuel requirements, and computer controls.

(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 , or equivalent. This in no way prohibits the vehicle owner from upgrading the engine and emission control system to a more recent model year category including a diesel (compression ignition) power plant providing that all of the newer factory installed pollution control system is maintained .

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) (a) No vehicle emission control test for a 1970 through 1974 heavy duty vehicle shall be considered valid if any of the following elements of the factory installed motor vehicle pollution control system has been disconnected, plugged, or otherwise made inoperative in violation of ORS 483.825(1), except as noted in section (5):

(A) Positive Crankcase

(B) Evaporative Emission System

(C) Air Injection System

(b) No vehicle emission control test for a [1970] 1975 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) [(a)] Positive crankcase ventilation;

(B) [(b)] Exhaust modifier system. Examples:

(i) [(A)] Air injection system

(ii) [(B)] Thermal reactor system

(iii) [(C)] Catalytic convertor system.

(C) [(c)] Exhaust gas recirculation (EGR) systems;

(D) [(d)] Evaporative control system;

(E) [(e)] Spark timing system. Examples:

(i) [(A)] Vacuum advance system;

(ii) [(B)]Vacuum retard system.

(F) [(f)]Special emission control devcies. Examples:

(i) [(A)]Orifice spark advance control (OSAC);

(ii) [(B)]Speed control switch (SCS);

(iii) [(C)]Thermostatic air cleaner (TAC);

(iv) [(D)]Transmission controlled spark (TCS);

(v) [(E)]Throttle solenoid control (TSC);

(vi) [(F)]Fuel filler inlet restrictor.

(4) No vehicle emission control test conducted for a [1970] 1975 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 maintenance 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] 1975 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.

OAR 340-24-330 LIGHT DUTY MOTOR VEHICLE EMISSION CONTROL
CUTPOINTS OR STANDARDS

- (1) Light Duty Diesel Motor Vehicle Emission Control Cutpoints
All: 1.0% CO No HC Check
- (2) Light Duty Gasoline Motor Vehicle Emission Control Cutpoints
Two Stroke Cycle
All: 6.5% CO No HC Check
- (3) Light Duty Gasoline Motor Vehicle Emission Control Cutpoints
Four Stroke Cycle - Passenger Cars

Pre 1968 Model Year

4 or less cylinders		
All:	6.5% CO	1550 ppm HC
More than 4 cylinders		
All:	6.0% CO	1250 ppm HC

1968 - 1969 Model Year

4 or less cylinders		
All:	5.5% CO	850 ppm HC
More than 4 cylinders		
All:	5.0% CO	650 ppm HC

1970 - 1971 Model Year

All:	4.5% CO	550 ppm HC
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1972 - 1974 Model Year

Alfa Romeo	3.5% CO	450 ppm HC
American Motors	3.5% CO	350 ppm HC
Audi	3.0% CO	450 ppm HC
BMW	3.5% CO	450 ppm HC
BL-Jaguar	3.5% CO	350 ppm HC
BL-MG	4.5% CO	450 ppm HC
BL-Triumph	4.0% CO	450 ppm HC
BL-Other	4.5% CO	450 ppm HC
Buick	2.5% CO	350 ppm HC
Cadillac	2.5% CO	350 ppm HC
Capri	3.0% CO	450 ppm HC
Checker	2.5% CO	350 ppm HC
Chevrolet	2.5% CO	350 ppm HC
Chrysler	2.5% CO	350 ppm HC
Colt, Dodge	5.5% CO	450 ppm HC

1972 - 1974 Model Year - Continued

Cricket, Plymouth-Single Carb. Only	7.5% CO	450 ppm HC
Cricket, Plymouth - All Others	4.0% CO	450 ppm HC
Datsun	3.0% CO	450 ppm HC
Dodge	2.5% CO	350 ppm HC
Ferrari	3.5% CO	350 ppm HC
Fiat	4.5% CO	450 ppm HC
Ford - All Others	2.5% CO	350 ppm HC
Ford - 4 cylinder	2.5% CO	450 ppm HC
Honda Automobile - 1972	5.5% CO	450 ppm HC
Honda Automobile - All Others	3.5% CO	450 ppm HC
Jensen-Healey	5.0% CO	450 ppm HC
Lincoln	2.5% CO	350 ppm HC
Mazda - Piston Engine	4.5% CO	450 ppm HC
Mazda - Rotary Engine	3.0% CO	450 ppm HC
Mercury	2.5% CO	350 ppm HC
Oldsmobile	2.5% CO	350 ppm HC
Opel	3.5% CO	450 ppm HC
Peugeot	3.5% CO	450 ppm HC
Plymouth	2.5% CO	350 ppm HC
Pontiac	2.5% CO	350 ppm HC
Porsche 914 - 1974	5.5% CO	450 ppm HC
Porsche - All Others	3.5% CO	450 ppm HC
Renault	3.5% CO	450 ppm HC
Rolls Royce and Bentley	3.5% CO	350 ppm HC
Saab	3.5% CO	450 ppm HC
Subaru	3.5% CO	450 ppm HC
Toyota	3.5% CO	450 ppm HC
Volkswagen - Type 4	4.5% CO	450 ppm HC
- Dasher	3.0% CO	450 ppm HC
- All Others	3.5% CO	450 ppm HC
Volvo	3.5% CO	450 ppm HC
All Vehicles Not Listed	3.5% CO	450 ppm HC

1975 - 1980 Model Year

Catalyst Equipped		
All:	0.5% CO	175 ppm HC
Non-Catalyst Equipped		
All:	2.0% CO	250 ppm HC

1981 and Newer Model Year

All: At idle	0.5% CO	175 ppm HC
At 2500 rpm	0.5% CO	175 ppm HC

(4) Light Duty Gasoline Motor Vehicle Emission Control Cut Points -
Light Duty Trucks

(a) 6000 GVWR or less

Pre 1968 Model Year

4 or less cylinders		
All:	6.5% CO	1550 ppm HC
More than 4 cylinders		
All:	6.5% CO	1250 ppm HC

1968 - 1969 Model Year

4 or less cylinders		
All:	5.5% CO	850 ppm HC
More than 4 cylinders		
All:	5.0% CO	650 ppm HC

1970 - 1971 Model Year

All:	4.5% CO	550 ppm HC
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1972 - 1974 Model Year

4 or less cylinders		
All:	3.5% CO	450 ppm HC
More than 4 cylinders		
All:	2.5% CO	350 ppm HC

1975 - 1980 Model Year

Catalyst Equipped		
All:	0.5% CO	175 ppm HC
Non-Catalyst Equipped		
All:	2.0% CO	250 ppm HC

1981 and Newer Model Year

All: At idle	0.5% CO	175 ppm HC
At 2500 rpm	0.5% CO	175 ppm HC

(b) 6001 to 8500 GVWR

Pre 1968 Model Year

All:	6.0% CO	1250 ppm HC
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1968 - 1969 Model Year

All:	5.0% CO	650 ppm HC
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1970 - 1971 Model Year

All:	4.5% CO	550 ppm HC
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1972 - 1974 Model Year

All:	2.5% CO	350 ppm HC
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1975 - 1978 Model Year

All:	2.0% CO	250 ppm HC
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1979 - 1980 Model Year

Catalyst Equipped

All: 0.5% CO 175 ppm HC

Non-Catalyst Equipped

All: 2.0% CO 250 ppm HC

1981 and Newer

All: At idle 0.5% CO 175 ppm HC

At 2500 rpm 0.5% CO 175 ppm HC

- (5) An enforcement tolerance of 0.5% carbon monoxide and 50 ppm hydrocarbon will be added to the above cutpoints.
- (6) There shall be no visible emission during the steady-state unloaded and raised rpm engine idle portion of the emission test from either the vehicle's exhaust system or the engine crankcase. In the case of diesel engines and two-stroke cycle engines, the allowable visible emission shall be no greater than 20% opacity.
- (7) The Director may establish specific separate standards, differing from those listed in subsections (1), (2), (3), (4), (5) and (6) for vehicle classes which are determined to present prohibitive inspection problems using the listed standards.

**340-24-335 HEAVY-DUTY GASOLINE MOTOR VEHICLE EMISSION CONTROL
EMISSION STANDARDS**

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

	Base Standard <u>g</u>	Enforcement Tolerance <u>g</u>
<u>ALL VEHICLES</u>		
Pre-1970	6.0	0.5
1970 through 1973	4.0	1.0
1974 through 1978	3.0	1.0
1979 and later	2.0	1.0

(2) Carbon monoxide nominal 2,500 RPM emission values not to be exceeded:

	Base Standard <u>g</u>	Enforcement Tolerance <u>g</u>
<u>ALL VEHICLES</u>		
Pre-1970	3.0	1.0
1970 and later	2.0	1.0
Fuel Injected	No Check	

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

	Base Standard <u>PPM</u>	Enforcement Tolerance <u>PPM</u>
<u>ALL VEHICLES</u>		
Pre-1970	700	200
1970 through 1973	500	200
1974 through 1978	300	200
1979 and later	250	100

(4) There shall be no visible emission during the steady-state unloaded engine idle and raised rpm portion of the emission test from either the vehicle's exhaust system or the engine crankcase.

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

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) (a) Each motor vehicle fleet operation license shall be valid through December 31 of each year unless revoked, suspended, or returned to the Department.

(b) Each vehicle emission inspector license shall be valid for two years from the last day of the month of issue, 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.] 483.825.

(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 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] initially receive or renew a license as a vehicle emission inspector, the applicant must:

(a) Be an employee of the Vehicle Inspection [Division] Program 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) At the completion of this training program s [S]atisfactorily 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 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.

GAS ANALYTICAL SYSTEM LICENSING CRITERIA

340-24-350 (1) To be licensed, an exhaust gas analyzer must:

(a) Conform substantially with either:

(A) All specifications contained in the document "Specifications for Exhaust Gas Analyzer System Including Engine Tachometers" dated July 9, 1974, prepared by the Department and on file in the office of the Vehicle Inspection Program of the Department,

(B) The technical specifications contained in the document "Performance Criteria, Design Guidelines, and Accreditation Procedures for Hydrocarbon (HC) and Carbon Monoxide (CO) Analyzers Required in California Official Motor Vehicle Pollution Control Stations," issued by the Bureau of California, and on file in the office of the Vehicle Inspection Program of the Department. Evidence that an instrument model is approved by the California Bureau of Automotive Repair will suffice to show conformance with this technical specification, or

(C) If a gas analytical system is purchased after January 1, 1982, the technical specifications contained in the document "The California Exhaust Gas Analyzer Specification - 1979" on file in the office of the Vehicle Inspection Program of the Department.

(D) Notwithstanding any of the above certifications, no license shall be issued or renewed for any battery powered exhaust gas analytical system after December 31, 1983.

(b) Be owned by the licensed motor vehicle fleet operation or the Department.

(c) Be span gas calibrated a minimum of once a month (at least every 30 calendar days) by licensed inspector. The calibration and the inspector's initials are to be recorded on the back of the exhaust gas analyzer's license for verification by the Department.

(2) Application for a license must be completed on a form provided by the Department.

(3) Each license issued for an exhaust gas analyzer shall be valid through December 31 of each year, unless returned to the Department or revoked.

(4) A license for an exhaust gas analyzer system shall be renewed upon submission of a statement by the motor vehicle fleet operation that all conditions pertaining to the original license issuance are still valid and that the unit has been gas calibrated and its proper operation

verified within the last 30 days by a vehicle emission inspector in their employment.

(5) Grounds for revocation of a license issued for an exhaust gas analyzer system include the following:

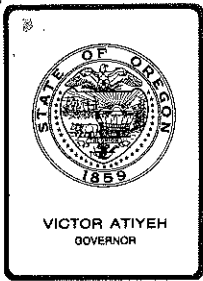
(a) The unit has been altered, damaged, or modified so as to no longer conform with the specifications of subsection (1)(a) of this rule.

(b) The unit is no longer owned by the motor vehicle fleet operation to which the license was issued.

(c) The Department verifies that a Certification of Compliance has been issued to a vehicle which has been emission tested by an analyzer that has not met the requirements of subsection (1)(c) of this section.

(6) No license shall be transferable.

(7) No license shall be issued until all requirements of section (1) of this section are fulfilled and required fees paid.



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, August 19, 1983, EQC Meeting

Proposed Adoption of Amendments to Rules Governing
Construction and Use of Waste Disposal Wells,
OAR 340-44-005 through 340-44-055.

Background and Problem Statement

In 1969, the Environmental Quality Commission adopted a set of rules controlling the construction of waste disposal wells. At that time, the primary purpose for the rules was to phase out the sewage drain holes in Central Oregon. Now that the municipal areas in Central Oregon have been sewerred and most of the sewage drain holes have been phased out, it is necessary to revise the rules so they relate to current conditions. Because of a lack of a feasible alternative method of sewage disposal in every case, a small number of existing, rural sewage drain holes will probably be in existence for some time.

In addition to updating the sewage drain hole requirements, the rules need to be expanded to include other types of waste disposal wells and underground injection practices.

At the May 20, 1983 EQC Commission meeting, a proposal for modifying the rules was presented to the Commission. At that time the Commission authorized a hearing on the proposed rules.

A public hearing was held in Redmond on June 24, 1983. There was no opposing testimony on the rules. A copy of the hearing officer's report is attached.

In response to written comments by one of the witnesses and further evaluation by Department staff, some clarifying language was added to OAR 340-44-015(7). It more clearly defines the limited conditions under which new sewage drain holes may be constructed; authorizes the Director to require additional treatment, where warranted; requires new sewage drain holes to terminate at least 100 feet above known groundwater aquifer; and requires abandonment whenever a feasible on-site system or off-site sewers become available.

Discussion and Evaluation

After due consideration to public comments and further staff evaluation, the final rule modifications being proposed are as follows:

340-44-005 The definition of "Waste Disposal Well" is changed and the exclusions are removed.

Definitions for "Acknowledged Comprehensive Land Use Plan" and "Noncontact Cooling Water" are deleted because the terms are no longer used in the body of rules.

Definition for "standard subsurface sewage disposal system" is corrected to correspond with current on-site sewage disposal rules.

Definitions for "Aquifer", "Exempted Aquifer", "Seepage Pit", "Sewage Drain Hole", "Underground Injection Activity", and "Underground Source of Drinking Water" are added. (These definitions are necessary in order to tie into the federal Underground Injection Control Program.)

340-44-015 This rule relating to construction and use of waste disposal wells has been extensively rewritten to define which injection activities need a permit and which activities are prohibited. These sections relating to sewage drain holes have been updated to correspond to current conditions for construction and maintenance. All of the sections which are no longer applicable have been deleted. Section (7) of this rule has been expanded to describe under which circumstances a new sewage drain hole might be constructed; the construction requirements; and the requirement to abandon the sewage drain hole as soon as an acceptable alternative is available. The rule does not authorize new development on sewage drain holes.

340-44-017 There have been minor revisions to this rule which pertain to repair of existing waste disposal wells, to clarify that it applies only to sewage drain holes.

340-44-019 This rule which required schedules for eliminating waste disposal wells in municipalities is being repealed because it is no longer needed now that sewers have been built in the municipal areas.

340-44-020 There is a minor modification to this rule to show that it applies to all waste disposal wells, not just sewage drain holes. The rule requires the Director's approval for all waste disposal wells.

340-44-035 There have been minor, clarifying changes to this rule. The rule addresses some of the things to be considered in permits.

340-44-050 This is a new rule which pertains to construction and use of disposal wells for surface runoff. Rather than regulating this activity by permit, these rules are proposed.

340-44-055 This rule has been added to require all types of underground injection activities which threaten groundwaters be approved by the Director. It also provides a mechanism for the Director to accept permits written by other agencies for specialized injection activities regulated by them.

There appears to be general support for these rule changes. The Department has not been confronted with any opposition.

Summation

1. In 1969, rules were adopted which required the orderly phaseout of waste disposal wells (drain holes) in Central Oregon.
2. Sewerage systems have been constructed in Bend, Redmond and Madras, and most sewage drain holes have been eliminated.
3. Many sections of the waste disposal well rules are no longer applicable and should be removed or modified.
4. There are other types of waste disposal wells or underground injection practices which aren't adequately addressed in the regulations which should be included.
5. Through the public participation process the Department has found general support for the rule modifications.

Director's Recommendation

Based on the summation, the Director recommends that the Commission adopt the rules as amended.



William H. Young

Attachments: 3

1. Revised Rules
2. Hearing Officer's Report
3. Statement of Need

Charles K. Ashbaker:1
229-5325
August 3, 1983

WL2642

DIVISION 44

CONSTRUCTION AND USE OF WASTE DISPOSAL WELLS OR OTHER UNDERGROUND INJECTION ACTIVITIES

DEFINITIONS

340-44-005 As used in these regulations unless the context requires otherwise:

- [(1)] (12) "Person" means the United States and agencies thereof, any state, any individual, public or private corporation, political subdivision, governmental agency, municipality, industry, copartnership, association, firm, trust, estate or any other legal entity whatsoever.
- [(2)] (17) "Sewage" means the water-carried human or animal waste from residences, buildings, industrial establishments, or other places, together with such groundwater infiltration and surface water as may be present. The admixture with sewage as above defined of industrial wastes or wastes shall also be considered "sewage" within the meaning of these rules.
- [(3)] (23) "Wastes" means sewage, industrial wastes, agricultural wastes, and all other liquid, gaseous, solid, radioactive or other substances which will or may cause pollution or tend to cause pollution of any waters of the state.
- [(4)] (22) "Waste Disposal Well" means any [natural or manmade] bored, drilled, driven or dug hole, [crevasse, fissure or opening in the ground] whose depth is greater than its largest surface dimension which is used or intended to be used for disposal of sewage, industrial, agricultural or other wastes [:] and includes drain holes, drywells, cesspools and seepage pits, along with other underground injection wells, but does not apply to single family residential cesspools or seepage pits nor to nonresidential cesspools or seepage pits which receive solely sanitary wastes and serve less than 20 persons per day.
- [(a) "Waste Disposal Well", as used in these regulations, does not include conventional seepage beds, tile fields, cesspools or landfills constructed and operated in accordance with Commission rules or waste treatment or disposal ponds or lagoons constructed or operated under a permit issued by the Director.]

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- [(b) "Waste Disposal Well" does not include geothermal reinjection wells.]
- [(c) "Waste Disposal Well" does not include disposal wells specifically approved by the Commission for disposal of adequately treated and disinfected effluents from large, efficiently operated, municipal or county sewage treatment plants, where continuous and effective surveillance and control of waste treatment and discharge can be assured so as to fully safeguard water quality and the public health and welfare. Such disposal wells shall only be considered for approval by the Commission if it determines that no other method of disposal other than disposal well is reasonably or practicably available.]
- [(5)] (2) "Authorized Representatives" means the staff of the Department or of the local unit of government performing duties for and under agreement with the Department as authorized by the Director to act for the Department.
- [(6)] (3) "Commission" means the Environmental Quality Commission.
- [(7)] (4) "Construction" includes installation or extension.
- [(8)] (5) "Department" means the Department of Environmental Quality.
- [(9)] (6) "Director" means the Director of the Department of Environmental Quality.
- [(10)] (14) "Public Health Hazard" means a condition whereby there are sufficient types and amounts of biological, chemical, or physical, including radiological, agents relating to water or sewage which are likely to cause human illness, disorders, or disability. These include, but are not limited to, pathogenic viruses and bacteria, parasites, toxic chemicals, and radioactive isotopes. A malfunctioning or surfacing subsurface sewage disposal system constitutes a public health hazard.
- [(11)] (15) "Public Waters" means lakes, bays, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Pacific Ocean within the territorial limits of the State of Oregon, and all other bodies of surface or underground waters, natural or artificial, inland or coastal, fresh or salt, public or private (except those private waters which do not combine or effect a junction with natural surface or underground waters), which are wholly or partially within or bordering the state or within its jurisdiction.

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- [(12)] (11) "Owner" means any person who alone, or jointly, or severally with others:
- (A) Has legal title to any lot, dwelling, or dwelling unit; or
 - (B) Has care, charge, or control of any real property as agent, executor, executrix, administrator, administratrix, trustee, lessee or guardian of the estate of the holder of legal title; or
 - (C) Is the contract purchaser of real property.
- Each such person as described in paragraphs (B) and (C) above, thus representing the holder of legal title, is bound to comply with the provisions of these minimum standards as if he were the owner.
- [(13)] (8) "Municipal sewerage system" means any part of a sewage collection, transmission, or treatment facility that is owned and operated by an incorporated city.
- [(14)] "Acknowledged Comprehensive Land Use Plan" means any land use plan that has been acknowledged by the Land Conservation and Development Commission.]
- [(15)] "Noncontact cooling water" means water that has been used solely for cooling purposes in a manner such that the water contains no more contaminants (except heat), after its use, than when it was withdrawn from its natural source.]
- [(16)] (13) "Property" means any structure, dwelling or parcel of land that contains or uses a waste disposal well for disposing of wastes.
- [(17)] (19) "Standard [subsurface] on-site sewage disposal system" means a drainfield or approved alternative disposal system that complies with the requirements of [rules 340-71-020 and 340-71-030.] OAR Chapter 340 Division 71.
- [(18)] (9) "Municipal sewer service area" means an area which has been designated by an incorporated city for sewer service and for which preliminary sewer planning has been completed.
- [(19)] (10) "Municipality" means an incorporated city only.
- [(20)] (24) "WPCF Permit" means a permit as defined in Division 45.

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- (1) "Aquifer" means an underground stratum holding water which is capable of yielding a significant amount of water to a well or spring.
- (7) "Exempted Aquifer" means an aquifer which contains water with fewer than 10,000 mg/l total dissolved solids, is not currently used as a source of drinking water, and has been excluded as a possible source of drinking water because of one or more of the following:
- (a) Its mineral content, hydrocarbon content or physical characteristics, such as temperature, makes its use for drinking water impractical;
 - (b) It is situated at a depth or location which makes recovery of water for drinking water purposes economically or technologically impractical; or
 - (c) The water or aquifer exhibit other characteristics which makes the aquifer unusable for drinking water.
- (16) "Seepage Pit" means a lined pit which receives partially treated sewage which seeps into the surrounding soil through perforations in the lining.
- (18) "Sewage Drain Hole" means a specialized type of waste disposal well consisting of a drilled or hammered well or natural lava crack or fissure used for sewage disposal in the lava terrain of Central Oregon; but does not include a conventional seepage pit regulated by OAR 340-71-335.
- (20) "Underground Injection Activity" means any activity involving underground injection of fluids including, but not limited to, waste disposal wells, petroleum enhanced recovery injection wells, liquid petroleum storage wells, in situ mining wells, groundwater recharge wells, saltwater intrusion barrier wells, sand backfill wells, and subsidence control wells.
- (21) "Underground Source of Drinking water" means an aquifer or its portion which supplies drinking water for human consumption, or is an aquifer in which the groundwater contains fewer than 10,000 mg/l total dissolved solids, and is not an exempted aquifer.

Stat. Auth.: ORS Ch. 468

Hist: SA 41, f. 5-15-69; DEQ 35-1979, f. & ef. 12-19-79

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POLICY

340-44-010

Whereas the discharge of untreated or inadequately treated sewage or wastes to waste disposal wells and particularly to waste disposal wells in the lava terrain of Central Oregon constitutes a threat of serious, detrimental and irreversible pollution of valuable groundwater resources and a threat to public health, it is hereby declared to be the policy of the Commission to restrict, regulate or prohibit the further construction and use of waste disposal wells in Oregon and to phase out completely the use of waste disposal wells as a means of disposing of untreated or inadequately treated sewage or wastes as rapidly as possible in an orderly and planned manner.

Stat. Auth.: ORS Ch. 468

Hist: SA 41, f. 5-15-69; DEQ 35-1979, f. & ef. 12-19-79

CONSTRUCTION OR USE OF WASTE DISPOSAL WELLS RESTRICTED

340-44-015

- (1) After the effective date of these rules, no person shall construct, [or] place in operation, or operate any waste disposal well [for the disposal of sewage] without first obtaining a WPCF permit [for said construction or operation of the waste disposal well from the Director or his authorized representative.] from the Department, unless the waste disposal well is exempted by (2), below.
- (2) The following types of waste disposal wells do not require a WPCF permit, although they are regulated as indicated:
 - (a) Cesspool and seepage pits of less than 5,000 gallons per day capacity (See OAR 340-71-335);
 - (b) Storm water drains from residential or commercial areas, which are not affected by toxic or industrial wastes (See Rule 050 of these rules);
 - (c) Sewage drain holes serving less than 20 persons per day. (See prohibitions and other limitations in Sections (5), (7), (9) and (10) of this rule.)
- (3) In addition to those waste disposal wells in (2) above which are exempt from a WPCF permit, the following types of waste disposal wells may be exempted from the permit requirement on a case-by-case basis:

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- (a) All cesspools and seepage pits which were constructed before January 1, 1982, and which dispose of only domestic waste;
- (b) All sewage drain holes which were constructed before January 1, 1980, and which dispose of only domestic waste;
- (c) Geothermal reinjection wells which return uncontaminated water to the same aquifer or to one of equivalent quality; and
- (d) Reinjection of air conditioning water or heat pump transfer water to the same aquifer or one of equivalent quality.

(4) The following types of underground injection activities are prohibited:

- (a) Wells used to dispose of hazardous waste, as defined in OAR 340 Division 63, or radioactive waste, as defined in ORS 469.300, into, above, or below a formation which contains an underground source of drinking water within one quarter (1/4) mile of the disposal well hole;
- (b) Wells used to dispose of other industrial or municipal wastewater into or below a formation which contains an underground source of drinking water within one quarter (1/4) mile of the disposal well hole, excluding wells used for injection of salt water brought to the surface as a result of oil or gas production.
- (c) Wells used for underground injection activities, other than disposal, which cause or tend to cause pollution of underground waters of the State. These activities include liquid hydrocarbon storage and injection of fluids for mineral extraction.

NOTE: Because of the widespread availability of usable underground waters in the State, the Department has determined that these underground injection activities are a potential threat to underground waters in all parts of the State and are, therefore, all subject to regulation by the Department. If, at some future date, there is a demonstrated need for any of these other underground injection activities, the Department will initiate procedures to remove the prohibition, provided a program and procedures for adequately protecting underground waters from the activity has been adopted.

- (d) Wells used for underground injection activities that allow the movement of fluids into an underground source of drinking water if such fluids may cause a violation of any primary drinking water regulation promulgated under the Federal Safe Drinking Water Act or may otherwise create a public health hazard or have the potential to cause significant degradation of public waters.

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- [(2)] (5) After January 1, 1983, use of [waste disposal wells for disposing of sewage] sewage drain holes is prohibited unless the disposal well is outside the boundaries of an incorporated city, sanitary district, or county service district and municipal sewer service is not available to the property; or unless [connection to the sewerage system violates any acknowledged comprehensive land use plan or any of Oregon's Statewide Land Use Goals as Determined by the Director.] the Director grants a waiver pursuant to section (6) below.
- [(3)] After January 1, 1981, use of a waste disposal well for disposing of wastes other than sewage is prohibited except for those disposal wells which dispose of only specifically approved non-sewage waste waters and which are operating under a valid WPCF Permit issued by the Director.]
- [(4)] (6) Within 90 days following written notification by the Department that sewer service is available to a property, the owner of that property shall make connection to the sewer and shall abandon and plug the sewage drain hole [disposal well] in accordance with rule 340-44-040. Sewer service shall be deemed available to a property when a sewer is extended to within seventy-five (75) feet from the property boundary. On a case-by-case basis, the Director may waive the requirement to connect the sewer if he determines that connection to the sewer is impracticable or unreasonably burdensome. Any waiver granted by the Director shall be temporary and may be revoked when or if the use of the waste disposal well is modified or expanded.
- [(5)] (7) Construction and use of new [waste disposal wells] sewage drain holes is prohibited except those new [waste disposal wells] sewage drain holes that meet the following conditions:
- (a) The [waste disposal well] sewage drain hole is constructed [and operated in compliance with a valid WPCF Permit issued by the Director and is used solely for disposal of non-contact cooling water; or] to augment a failing on-site disposal system which was constructed before January 1, 1979; the failing on-site system cannot reasonably be corrected by expansion or replacement with an approved alternative system; all possible leach field area has been fully utilized and water conservation measures instituted; and, there is no reasonable alternative available to dispose of sewage on the lot or adjacent property.
- (b) [The waste disposal well is constructed and operated inside the City of Bend and only serves a dwelling or other structure located inside the City of Bend. A permit to construct a waste disposal well inside the City of Bend shall not be issued unless it is an interim disposal system

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that will be abandoned within ninety (90) days after the new Bend sewage treatment plant is completed. No waste disposal wells shall be constructed inside the City of Bend after the new Bend sewage treatment plant is completed or after January 1, 1981, whichever comes first. New waste disposal wells inside the City of Bend] Where conditions warrant, the Department may require additional sewage treatment before a new sewage drain hole will be permitted. In addition, new sewage drain holes shall be constructed within the following limitations:

- (A) [Waste disposal wells] Sewage drain holes shall not be constructed closer than five hundred (500) feet from a natural stream or lake; [and]
 - (B) [Waste disposal wells] Sewage drain holes shall not be constructed greater than one hundred (100) feet deep[.];
 - (C) [Waste disposal wells] Sewage drain holes [designed to dispose of waste quantities greater than twelve hundred (1200) gallons per day shall not be closer than one quarter (1/4) mile from a domestic water well. If the design waste quantity is twelve hundred (1200) gallons per day or less, the waste disposal well] shall not be closer than one thousand (1000) feet from a domestic water well[.] ; and
 - (D) Any new sewage drain hole shall terminate at least 100 feet above any known groundwater aquifer.
- (c) [The waste disposal well or wells are constructed under a letter permit issued by the Director. The Director may issue a permit only after he determines that the following requirements have been met:]

Any sewage drain hole constructed shall be abandoned and plugged whenever a feasible alternative on-site system or off-site sewers become available, unless a waiver is granted by the Director pursuant to Section (6) of this rule. No authorization for construction of a sewage drain hole within a sewer service area will be granted unless the property owner agrees in writing not to remonstrate against connection to the sewer and abandonment of the sewage drain hole when notified that sewer service is available. This agreement shall be recorded in county deed records and shall run as a covenant with the land.

- [(A) A written application shall be submitted to the Director, listing the number of waste disposal wells, the quantity of waste proposed for disposal, and the justification for allowing the disposal wells.]

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- [(B) The Director shall only issue a letter permit if he determines that the proposed waste disposal well or wells are needed to assure orderly extension of a regional sewerage system, or to preserve the capability of future sewer extensions to areas using existing waste disposal wells or other less desirable methods of long-term, urban sewage treatment and disposal.]
- [(C) The Director shall not issue a letter permit unless the owner of a municipal sewerage facility provides adequate assurances that the waste disposal wells are interim and will ultimately be connected to the municipal sewerage facility.]
- [(D) If the waste disposal wells will serve more than one parcel of land, it shall be operated and maintained by the owner of the municipal sewerage facility.]
- [(E) The Director, in his evaluation of the application for waste disposal well letter permits shall take into account other potential means for sewage treatment and disposal.]
- [(F) If the Director determines to issue a letter permit, he may require pretreatment of the wastes prior to disposal by waste disposal well. The Director may also require a commitment by the owner of the municipal sewerage system to provide a plan for replacing the waste disposal well or wells with sewers by a specific date. The Director may set other conditions on the construction and use of the waste disposal well or wells as necessary to assure that the disposal well or wells are interim and to assure protection of groundwater.]

[(d) Except for waste disposal wells that dispose of specifically approved non-sewage waste waters, no permit shall be issued for construction and use of a waste disposal well unless the owner of the property to be using the disposal well agrees in writing not to remonstrate against connection to sewer and abandonment of the waste disposal well when notified that sewer is available. The agreement shall be recorded in county deed records and shall run as a covenant with the land.]

[(6)] (8) A permit to construct a waste disposal well shall not be issued if the Director or his authorized representative, determines that the waste disposal well has the potential to cause significant degradation of public waters or creates a public health hazard.

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[(7)] (9) Without first obtaining [a permit issued by] written authorization from the Director or his authorized representative, no person shall modify any structure or change or expand any use of a structure or property that utilizes a [waste disposal well] sewage drain hole. [A permit shall be a written document and,] Except as allowed in section [(8)] (10) of this rule, the authorization shall not be issued unless:

- (a) The property cannot qualify for a standard [subsurface] on-site sewage disposal system including the reserve area requirement; and
- (b) The property is inside a designated, municipal sewer service area; and
- (c) The owner of the property and the municipality having jurisdiction over the municipal sewer service area shall enter into a written agreement. The agreement shall include the owner's irrevocable consent to connect to the municipal sewerage service when it becomes available and to not remonstrate against formation of and inclusion into a local improvement district if such a district is deemed necessary by the municipality to finance sewer construction to the property; and
- (d) The property is a single family dwelling that is not closer than one hundred (100) feet to a municipal sewerage system. (The proposed changes or expansion of the use of the waste disposal serving the single family dwelling shall not be for the purpose of serving a commercial establishment or multiple-unit dwelling); or
- (e) The property is not a single family dwelling, is not closer than 300 feet from a municipal sewerage system, and the proposed change or expansion of the use of the waste disposal well would not create an increased waste flow; or
- (f) The property is not a single family dwelling; existing sewer is not deemed available based upon the criteria established in Oregon Administrative Rules 340-71-160 and based upon the total average daily flow estimated from the property after the proposed modifications or expansion of the use of the

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waste disposal well and a municipality has committed in writing to provide sewers to the property within two (2) years.

[(8)] (10) The Director shall [issue a permit] grant authorization to connect a replacement structure to a [waste disposal well] sewage drain hole if:

- (a) The waste disposal well previously served a structure that was unintentionally destroyed by fire or other calamity; and
- (b) The property cannot qualify for a standard on-site sewage disposal system, including the reserve area requirement; and
- (c) There is no evidence that the waste disposal well had been failing; and
- (d) The replacement structure is approximately the same size as the destroyed structure and the use has not been significantly changed.

Stat. Auth.: ORS Ch. 468

Hist: SA 41, f. 5-15-69; DEQ 35-1979, f. & ef. 12-19-79;

DEQ 22-1981, f. & ef. 9-2-81

REPAIRS OF EXISTING [WASTE DISPOSAL WELLS] SEWAGE DRAIN HOLES

340-44-017

- (1) Without first obtaining a Waste Disposal Well Repair Permit from the Director or his representative, no person shall repair or attempt to repair a plugged or otherwise failing [waste disposal well] sewage drain hole.
- (2) The Director or his authorized representative shall not issue a Waste Disposal Well Repair Permit and shall require connection to a municipal sewerage system if, for a single-family dwelling, the property is within one hundred (100) feet from the municipal sewerage system or if, for other than a single-family dwelling, the property is within three hundred (300) feet from the municipal sewerage system.

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- (3) The Director or his authorized representative shall not issue a Waste Disposal Well Repair Permit if the property can successfully accommodate a [drainfield] standard on-site sewage disposal system. If the Director or his authorized representative determines that a drainfield can be installed and that it can be expected to function satisfactorily for an extended period of time, the property owner shall install a drainfield and abandon the waste disposal well. The Director or his authorized representative may waive the requirement to install a [drainfield] standard on-site sewage disposal system if a municipality provides written commitment to provide sewers to the property within two (2) years and if the failing waste disposal well can be repaired or operated without causing a public health hazard.
- (4) A Disposal Well Repair Permit shall be a written document and shall specify those methods by which the waste disposal well may be repaired. Possible methods for repair shall include, but not be limited to, introduction of caustic or acid, use of explosives, or deepening the waste disposal well. Deepening the waste disposal well shall be limited to a maximum depth of one hundred (100) feet and shall only be permitted if:
- (a) The property served by the failing waste disposal well shall be inside a recognized urban growth boundary; and
 - (b) There is a written agreement between the owner of the property and the municipality having jurisdiction over the urban growth boundary. The written agreement shall include the property owner's irrevocable consent to connect to a sewer when it becomes available and to abandon the waste disposal well. The agreement shall also include the owner's irrevocable consent to participate in the formation and be included in a local improvement district if the municipality determines that such a district is necessary to finance extension of sewers to the property.

Stat. Auth: ORS Ch. 468

Hist: DEQ 35-1979, f & ef. 12-19-79

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SCHEDULES FOR ELIMINATING WASTE DISPOSAL WELLS INSIDE INCORPORATED CITIES, SANITARY DISTRICTS, AND COUNTY SERVICE DISTRICTS

340-44-019 Entire Rule to be Repealed

[Prior to January 1, 1981, incorporated cities, sanitary districts, and county service districts that contain waste disposal wells inside their boundaries shall submit a plan to the Director that includes:]

[(1) An inventory and map of existing waste disposal wells inside its boundary; and]

[(2) A time schedule for eliminating all waste disposal wells inside its boundaries by January 1, 1983.]

Stat. Auth.: ORS Ch. 468

Hist: DEQ 35-1979, f. & ef. 12-19-79

ISSUANCE OF PERMITS WITHOUT DIRECTOR APPROVAL PROHIBITED

340-44-020

After the effective date of these rules, no person shall issue permits for the construction, modification, maintenance, or use of waste disposal wells unless that [person is at the time of issuance designated by the Director as the authorized representative for the area for which the permit is sought.] permit has been approved by the Director.

Stat. Auth.: ORS Ch. 468

Hist: SA 41, f. 5-15-69; DEQ 35-1979, f. & ef. 12-19-79

WASTE DISPOSAL WELL PERMIT AREAS

340-44-025 [SA 41, f. 5-15-69; Repealed by DEQ 35-1979, f. & ef. 12-19-79]

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WASTE DISPOSAL WELLS PROHIBITED WHERE BETTER TREATMENT OR PROTECTION IS AVAILABLE

340-44-030

Permits shall not be issued for construction, maintenance or use of waste disposal wells where any other treatment or disposal method which affords better protection of public health or water resources is reasonably available or possible.

Stat. Auth.: ORS Ch. 468

Hist: SA 41, f. 5-15-69

PERMIT CONDITIONS

340-44-035

(1) Permits for construction or use of waste disposal wells [issued by an approved permit issuing agency] shall include, in addition to other reasonable provisions, minimum conditions relating to their location, construction or use and a time limit for authorized use of said waste disposal wells[, not to exceed a period of five years]. [Construction and orientation of building sewers shall be compatible with the approved area sewerage plan.]

(2) Permits for construction or use of waste disposal wells used to inject salt water produced as a result of oil or gas extraction shall include conditions as necessary to prevent migration of fluids into an underground source of drinking water. These conditions could include casing and cementing requirements, fluid and fluid pressure monitoring requirements, and maximum injection pressure limitations. If other existing wells penetrate the zone which may be affected by the injection activity, conditions will also be included to ensure that these other wells will not serve as a conduit for the movement of fluids into an underground source of drinking water.

Stat. Auth.: ORS Ch. 468

Hist: SA 41, f. 5-15-69

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ABANDONMENT AND PLUGGING OF WASTE DISPOSAL WELLS

340-44-040

- (1) A waste disposal well, upon discontinuance of use or abandonment, shall immediately be rendered completely inoperable by plugging and sealing the hole to prevent the well from being a channel allowing the vertical movement of water and a possible source of contamination of the groundwater supply.
- (2) All portions of the well which are surrounded by "solid wall" formation shall be plugged and filled with cement grout or concrete.
- (3) The top portion of the well must be effectively sealed with cement grout or concrete to a depth of at least 18 feet below the surface of the ground, or wherever this method of sealing is not practical, effective sealing must be accomplished in a manner approved in writing by the director or his authorized representative.

Stat. Auth: ORS Ch. 468

Hist: SA 41, f. 5-15-69; DEQ 35-1979, f. & ef. 12-19-79

CONSTRUCTION OR USE OF WASTE DISPOSAL WELLS PROHIBITED AFTER JANUARY 1, 1980

340-44-045 [SA 41, f. 5-15-69;
Repealed by DEQ 35-1979,
f. & ef. 12-19-79

WASTE DISPOSAL WELLS FOR SURFACE DRAINAGE340-44-050

- (1) Waste disposal wells for storm drainage shall only be used in those areas where there is an adequate confinement barrier or filtration medium between the well and an underground source of drinking water; and where construction of surface discharging storm sewers is not practical.
- (2) New storm drainage disposal wells shall be as shallow as possible but shall not exceed a depth of 100 feet.

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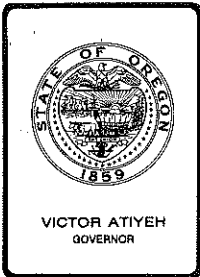
- (3) They shall not be located closer than 500 feet of a domestic water well.
- (4) Using a waste disposal well for agricultural drainage is prohibited.
- (5) Using a waste disposal well for surface drainage in areas where toxic chemicals or petroleum products are stored or handled is prohibited, unless there is containment around the product area which will prevent spillage or leakage from entering the well.
- (6) Any owner or operator of a waste disposal well for storm drainage shall have available a means of temporarily plugging or blocking the well in the event of an accident or spill.
- (7) Any parking lot which is drained by waste disposal wells shall be kept clean of petroleum products and other organic or chemical wastes as much as practicable to minimize the degree of contamination of the storm water drainage.

OTHER UNDERGROUND INJECTION ACTIVITIES

340-44-055

- (1) Any underground injection activity which may cause, or tend to cause, pollution of groundwater must be approved by the Director, in addition to other permits or approvals required by other federal, state, or local agencies.
- (2) Except for construction and use of waste disposal wells, the Director may enter into an agreement with another state agency which stipulates that that agency's approval of a type of underground injection activity will also constitute his approval, provided he determines that their approval and control program contains adequate safeguards to protect groundwaters from pollution.

[] = Deleted Material
_____ = New Material



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: Charles K. Ashbaker

Subject: Hearing Officer Report for Revised Waste Disposal Well Rules

Background

On May 20, 1983, the Commission authorized the Department to conduct a public hearing regarding proposed changes in the waste disposal well rules. A public notice regarding the hearing was circulated May 23, 1983. The hearing was scheduled for the Redmond City Council Chambers at 10 a.m., June 24, 1983. The record was left open until 5 p.m., June 27, 1983.

Public Testimony Received

Although the Department had several requests for copies of the draft rule changes, no public comments were received prior to the hearing.

There were eight persons who attended the hearing. Three of them testified. All were in support of the proposed rule modifications. One of the witnesses, representing Terrebonne Concerned Citizens, also submitted written testimony. His testimony requested some clarifying language regarding the construction of new sewage drain holes.

The hearing concluded at 12 noon.

Respectfully submitted,

Charles K. Ashbaker
Hearing Officer

Attachments: a. List of Witnesses
b. Written testimony

CKA:g
WG2577
7/28/83

ENVIRONMENTAL QUALITY COMMISSION

WITNESS REGISTRATION

LLOYD FOSNER June 24, 83
NAME (Please Print) DATE

S.F. Crown Bend 6-30
ADDRESS OR AFFILIATION

I request approximately 2 minutes to address the Commission on the subject of need for drill holes

I primarily favor / oppose _____ the Department's proposed action with regard to this subject matter.

GERALD G. KNIPPEL 6-24-83
NAME (Please Print) DATE

CITY OF REDMOND 455 S. 7th St. Redmond, Oregon
ADDRESS OR AFFILIATION 97756

I request approximately 5 minutes to address the Commission on the subject of 340-44-050

WASTE DISPOSAL WELLS FOR SURFACE DRAINAGE

I primarily favor / oppose _____ the Department's proposed action with regard to this subject matter.

Ed Pyritz 6/24/83
NAME (Please Print) DATE

Terrebonne Concerned Citizens
ADDRESS OR AFFILIATION

I request approximately 10 minutes to address the Commission on the subject of _____

I primarily favor / oppose _____ the Department's proposed action with regard to this subject matter.

TERREBONNE CONCERNED CITIZENS
8512 15th Street
Terrebonne, OR

We, Terrebonne Concerned Citizens recommend the following:

340-44-015(c) The sewage drain hole is constructed to augment the operation of an otherwise failing on-site sewage disposal system that meets the following conditions:

- (A) The on-site system cannot be expanded by addition of at least 20 feet of drainfield or a seepage pit, and
- (B) The existing failing on-site system was installed before January 1, 1979, and
- (C) The failing on-site system is located inside an area that has been shown (by a Department-approved sewerage facilities plan) not to require a community-wide sewer system, or
- (D) The failing on-site system is located in a municipal sewer service area, the owner of the property with the failing drainfield agrees in writing to connect to sewer when it becomes available, and the owner complies with OAR 340-44-015(9)(c).

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 change.

(1) Legal Authority

ORS 468.020 authorizes the Commission to adopt such rules and standards as necessary for performance of the functions vested by law in the Commission.

ORS 468.725 authorizes the Commission to adopt, by rule, effluent limitations and other minimum requirements for disposal of wastes and all matters pertaining to standards of quality for waters of the state.

(2) Need for the Rule

The current rules pertaining to waste disposal wells (OAR 340 - Division 44) were adopted primarily for the purpose of phasing out sewage drain holes in Central Oregon. Now that sewers have been constructed in the larger communities and most of the drain holes have been eliminated, it is necessary to update the rules so that they relate to the current situation. In addition, other types of waste disposal wells or underground injection activities need to be addressed for adequate protection of groundwaters.

(3) Principal Documents Relied Upon in this Rulemaking

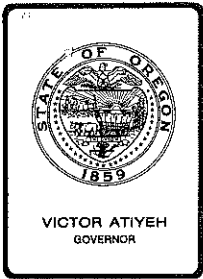
- a. OAR 340 Division 44
- b. ORS 468.020
- c. ORS 468.725
- d. 40 CFR Part 146

Fiscal and Economic Impacts

These rule changes are not expected to have any appreciable fiscal or economic impact above that of the current rules.

Land Use Consistency

These rule changes do not affect land use.



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, August 19, 1983, 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 Grants Priority List; and (2) Approve the FY84 Construction Grant Priority List.

Background

At the May 20, 1983 meeting, the EQC authorized a public hearing on proposed revisions to the administrative rules for development and management of the construction grants priority system and the draft FY84 statewide priority list. The proposals consisted of two management changes which improve the efficiency of distributing funds to projects that are known to be ready to proceed and which better integrate the state's program with the Construction Grants Amendments of 1981. A proposed priority list to distribute the FY84 federal grant funds, beginning October 1, 1983, was also proposed.

The development of the FY84 grant program policies and list was far less complicated than in the past several years. In July, the President signed a FY84 appropriation of \$2.4 billion, enabling Oregon to receive approximately \$27.6 million. EPA concurred that Oregon's present priority system complies with the 1981 Construction Grant Amendments. And, although new federal regulations are long overdue, many of the changes in program administration have been generally implemented and communicated to potential FY84 grant applicants.

As the effects of the Construction Grants Amendments of 1981 are realized, FY84 will be a significantly different experience for potential applicants. Applicants have the primary responsibility to update, schedule, finance, and meet all new procedural requirements for planning and design without federal funding for those steps in order to present an acceptable Step 3 construction application to the state.

The major changes in the construction grants programs are summarized as follows:

1. Federal assistance levels are at 75 percent of the estimated eligible project costs for FY84. In FY85, the percentage decreases to 55 percent for new projects. In FY85, the State will also consider whether the incentive for alternative and innovative technology should be raised so that qualifying projects receive a 20% grant increase for the cost of the technology.
2. For FY84, eligible types of projects include treatment and disposal facilities, inflow/infiltration correction, rehabilitation and replacement of sewers, interceptors, and correction of combined sewer overflows. In FY85, only treatment and disposal facilities, interceptors and inflow/infiltration correction are eligible unless the state exercises an option to use up to 20 percent of its allotment for funding ineligible projects.
3. For FY84, federal assistance for growth or reserve capacity in facilities is limited to the 20-year project needs for plants and sewers. In FY85, funding assistance for reserve capacity in new projects is limited to the capacity at the date of Step 3 grant approval.
4. The elimination of grant assistance for Step 1 facilities planning and Step 2 design will greatly impact the FY84 and FY85 programs. This effectively increases the responsibility of potential applicants to make appropriate decisions and local funding commitments in order to qualify for future construction grants. Since little change was made in the substantive planning and design requirements, nearly all completed facilities plans will require considerable updating or complete reevaluation prior to qualifying for future funding consideration.
5. After FY84, Congress intends to continue 75% grant participation for certain projects which were initially planned and financed and where construction was initiated under the 75% grant program. EPA has attempted to identify these projects (termed "grandfather" projects) according to various definitions within the past year. Each time a possible EPA definition has been proposed, DEQ has reevaluated potential qualifying applicants and discussed the changes with EPA. Although potential "grandfather" projects are noted on the FY84 priority list, we hope to receive final guidance on the inclusion of appropriate projects in order to assist potential FY85 applicants in preparing their financial plans.

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 May 23, 1983. A hearing was held in Portland at the DEQ's 14th Floor

Conference Room. About 20 people attended the hearing. A copy of the Hearing Officer's report and the list of respondents and attendees is appended as Attachments A and B of this report.

Alternatives and Evaluation

Administrative rule changes were proposed to (1) reduce the grant increase reserve, (2) require that potential applicants submit planning and design schedules prior to the year in which funding consideration is sought, and (3) make minor adjustments to add clarity to certain rule provisions. The draft FY84 priority list and point calculation scores were also proposed.

No controversial issues regarding the administrative rules were raised during the public participation process. Several project priority scores were reevaluated.

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

1. Federal regulations no longer mandate that the state set aside any portion of its allotment as a reserve for grant increases to cover cost overruns or minor changes in the proposed project. Proposed changes to the administrative rule 340-53-025(1) reduces from 10% to 5% of the state's allotment, the amount set aside for purposes of grant increases. The change does not limit the amount of increased funds available to individual projects.

It is not expected that the reduction will result in the inability of ongoing projects to receive grant increases during FY84. In future years, applicants should recognize that increase funds will be more limited than in the past.

One respondent requested clarification on whether the fund reduction places a 5% limitation on increases to individual projects. The proposed rule does not but it is probable that forthcoming construction grant regulations will contain a 5% per project limitation on increases for new projects. Another respondent supported the rule.

2. The elimination of Step 1 and 2 grants postpones official Environmental Protection Agency involvement in project reviews and applications until after planning and design are complete. The proposed rules 340-53-015(g) and (h) require that the potential applicant inform the state of the project's planning and design schedule prior to the year in which funding consideration is sought. If the potential applicant fails to provide information and scheduling that reasonably assures the readiness of the project to proceed, the target certification date for the application will not be set for the subsequent fiscal year. The schedules will be requested during the process for developing the annual priority list, beginning with the FY85 list.

Many respondents provided planning and design schedules with their testimony. One respondent concluded that the the rule was appropriate.

3. Minor "housekeeping" rule modifications were proposed to clarify, restate or delete rules, as appropriate. The changes do not affect program administration. No comments were received.

The affected rules are OAR 340-53-015(3)(f), 4(a), 5(a)(c); 340-53-025(f); 340-53-035(1)(a), (1)(b), (1)(c), and (1)(d).

Summation

1. The EQC must compile and adopt the state priority list for allocating federal construction grants for FY84. About \$27.6 million is available for Oregon.
2. Limited adjustments to the priority list management system are recommended regarding (a) the grant increase reserve fund; (b) submittal of applicants' planning and design schedules; and (c) minor "housekeeping" clarifications. No controversial issues were raised during the public involvement process.
3. The final FY84 construction grants priority list was developed in accordance with OAR 340-53-005 through 53-035. Reevaluations of priority ratings were considered where water quality and public health impact documentation was submitted prior to the closing of the record of public hearing record on June 29, 1983.

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 FY84 Construction Grants Priority List.

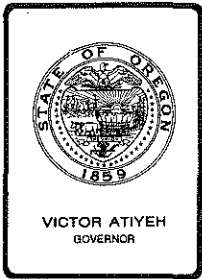
Bill

William H. Young

Attachments: (9)

- A. Hearing Officer's Report
- B. Record of Written Testimony
- C. Summary, Evaluation, and Response to Oral and Written Testimony
- D. Draft EPA Policy on Treatment Works Phases and Segments
- E. Technical Corrections to the FY84 Priority List
- F. OAR 340-53-005, as Revised
- G. Statement of Need for Rulemaking
- H. FY84 Priority Points Calculation List, as Revised
- I. FY84 Construction Grants Priority List, as Revised

B. J. Smith:g
WG2622
229-5415
August 4, 1983



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: 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 FY 1984 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 a.m. on June 24, 1983. Attendees were advised of the following:

1. On May 23, 1983, the DEQ distributed the materials and documents on which testimony is requested.
2. The materials on which testimony is sought include revisions to two state administrative rules governing program management and the proposed FY84 priority list.
3. The President's recommended budget for FY 1984 is currently being considered by Congress. It contains \$2.4 billion nationally for the construction grants program. At that level of funding, Oregon would expect to receive about \$27 million for projects during FY84.
4. The subject of this hearing is the proposed FY84 priority list which would become effective October 1, 1983, and would govern the distribution of funds after that date.
5. The hearing record will close at 5 p.m., June 29, 1983.
6. The priority system and list is scheduled for action by the EQC at their August 19, 1983, meeting in Portland.

The following summarizes the public testimony received:

1. Bill Cameron, City Engineer, City of Gresham

Mr. Cameron requested that the City of Gresham be placed on the DEQ priority list. The project had been included with the Step 1 FY83 Multnomah County Consortium Facility Plan project which was deleted from the list. The request is for \$7 million in treatment plant improvements planned for construction in FY85.

In a June 20, 1983 letter, Mr. Cameron noted (1) deficiencies in existing headworks, (2) inadequate capacity in the primary clarifiers and (3) the need for replacement of solids handling system. These deficiencies make it difficult to operate the plant and contribute to permit discharge violations. He referenced a June 2, 1983 letter from DEQ, recognizing odor problems and advising that a solution should be implemented not later than July 1, 1983.

2. J. Michael Hoehn, Roseburg Urban Sanitary Authority

Mr. Hoehn testified that the Roseburg Urban Sanitary Authority (RUSA) has been created and is ready to go ahead with the Roseburg project.

He indicated that a sewer ordinance and user fees had been adopted. He felt that since the facility plan was completed in 1977 when funding was at 75 percent, the project should be "grandfathered" (if not funded in FY84) at the 75 percent funding level. Mr. Hoehn submitted written testimony from Alta L. Bartram, Interim Manager of RUSA, which reiterated his statements and included a draft schedule of planning/design activities.

3. William Sobolewski, U.S. Environmental Protection Agency, Oregon Operations Office

Mr. Sobolewski stated that EPA had reviewed the priority list and was satisfied. He also said that the computerized system should provide greater flexibility than the previous manual system.

Mr. Sobolewski requested that the state review its grandfathering policy relative to 75 percent funding because of new EPA policy.

4. Bill Guenzler, City of Eugene

Mr. Guenzler supported the segmenting and ranking of the River Road/Santa Clara Project and noted that the actual segments might change after value engineering.

He hoped the 5 percent grant increase limitation in the grant increase reserve would be applied to the increase fund but not to individual projects.

Mr. Guenzler discussed the suitability of the City of Eugene as the grant applicant for River Road/Santa Clara. Although he recognized that federal

criteria must be met in order to be eligible for a grant, he felt that there was substantial local concurrence that Eugene, rather than Lane County, assume applicant responsibility. He urged that the criteria be detailed so Eugene's suitability as the grantee could be established.

Orders by the Lane County Board of Commissioners designated Eugene as the potential applicant.

Due to the confusion in modifying the program to eliminate Step 1 and 2 grants, Mr. Guenzler also requested that DEQ fund design as a part of the project defined on the priority list or make an allowance for design available from reserve funds.

5. Mike Warren, City Manager, City of Newberg

Mr. Warren noted that Newberg had not previously received construction grant funds and that city policy has been "we will resolve our own problems." He added that the city has passed bond issues, adopted an industrial pretreatment ordinance and is considering adopting a permit process.

Mr. Warren noted that only 1000 residential equivalents were left in treatment plant capacity and that the city would soon be facing a connection moratorium. He also noted that Newberg has a tax rate of about \$7.70 per \$1,000 which is among the highest in the state. The city is considering a new \$10 million treatment plant. Mr. Warren stated that a sewer system was the city's number one priority and although they would be willing to commit to still higher taxes, they needed financial help.

Mr. Warren appreciated the project's ranking and hoped that it wouldn't be lowered. Mr. Warren also requested that DEQ construction grants staff speak to the Newberg City Council in the future.

Mr. Warren's comments were supported by Mayor Elvern Hall in a June 27, 1983 letter.

6. Doug Adkins, Robert E. Meyers Engineers

Mr. Adkins was representing Klamath Falls and Crescent Sanitary District.

He noted that the Pelican City area of Klamath Falls had been declared by the state as a health hazard and was required to annex to the City of Klamath Falls and install sewer service. Mr. Adkins stated that preliminary plans and specifications had been submitted to DEQ and that the area should be annexed by mid-July and sewer system design started in September. The proposed system would serve 900 people and cost about \$1.4 million.

The city requested the project be declared an imminent threat and raised on the priority list with the hope of being funded this year so that they could comply with state law; if Step 3 construction funds were not available, then they requested Step 2 funding so they could proceed.

Mr. Adkins, speaking for Crescent Sanitary District, noted that they have invested \$50,000 in a facility plan and are the last project on the priority list. He noted the efforts and willingness of the community to help provide water and sewer service. The proposed system would be an innovative system. A Forest Service complex in the community also needed sewer service and would help finance a system.

Mr. Adkins requested that the priority of the Crescent S. D. project be raised because of local efforts and suggested that it is time to change the priority ranking system to incorporate local effort into the priority point allocation.

7. R. Lyman Houk, City Administrator, City of Philomath

Mr. Houk indicated that his purpose in attending the hearing was to see what could be done to increase the priority rating of Philomath. Mr. Houk felt that although the community is willing to expend funds to correct its sewer problems, financial assistance will be necessary.

He indicated that the .35 MGD treatment plant, built in 1971, is unable to handle present flows primarily because of a "totally leaky" collection system. Since 1979, the city has expended \$173,000 to grout and seal sewers in the western part of the city. Despite this expenditure, overflows frequently occur onto private property and streets. Mr. Houk noted that DEQ has stated that Philomath has one of the worst systems in the valley and that the Willamette Valley Region Office of DEQ would support raising the priority.

The firm of Westech Engineering prepared an evaluation of the Philomath sewer system and recommended that over \$1 million be expended to bring the treatment plant within its hydraulic capacity.

Mr. Houk felt that although the community is willing to expend funds to correct its sewer problems, financial assistance will be necessary. He noted that an increase in the priority ranking of the project would be appreciated.

Mr. Houk provided letters from DEQ and Benton County; the sewer system evaluation prepared by Westech; and photographs and articles describing the problems in the community.

8. Stephen C. Goodrich, City Manager, City of Cornelius (Letter of September 22, 1982)

Mr. Goodrich requested that the City of Cornelius be placed on the priority list for construction of a new interceptor. He noted that the sewer system, built in 1985, is experiencing inflow and infiltration problems resulting in surcharging, backup into homes, and overflow from manholes.

Mr. Goodrich concluded that funding of the needed work is difficult for a community like Cornelius.

9. Chris Noah-Nichols, U.S. Environmental Protection Agency, Region 10, (Letter of February 28, 1983)

Ms. Nichols noted that the state's priority system had been reviewed by EPA and that the system adequately addresses the need to consider both water quality and public health considerations.

10. Thomas Heinecke, Acting Planning Engineer, City of Salem (Letter of May 24, 1983)

Mr. Heinecke requested that Salem's interceptor project (identified as "East Relief" on the FY83 list changed to "Pringle Creek" on the draft FY84 list) be maintained on the priority list. He also noted that the benefitted population for the Pringle Creek Interceptor is 13,500 with an ultimate service area population of approximately 50,000.

Mr. Heinecke provided additional information describing the project.

11. Donna J. Rush, City Recorder, City of Huntington (Letter of June 2, 1983)

Ms. Rush indicated that the City of Huntington is in need of a grant for improvements to their sewer system. She refers to an April 1, 1983 letter from DEQ which notes that separation of the city's storm sewers from their sanitary sewers is needed. The present combined system has resulted in such high flows to the lagoons that treatment capability has been impaired and unchlorinated effluent has been discharged to the river. Also noted are problems of high exfiltration from the system which is probably leaking raw sewage to the local groundwater.

Ms. Rush explains the City's unsuccessful attempts to obtain Community Development Block Grant funds. She also notes that Huntington has the second highest tax rate in Baker County and that the cost for the needed sewer work would be prohibitive if added to the existing levy for their new water system.

Ms. Rush concludes that although they would like to live within their means, the cost of the needed sewer work is not within the community's ability to pay.

12. Janet Farstad, Business Manager, Pacific City Sanitary District (Letter of June 8, 1983)

Ms. Farstad indicated concern that a grant increase requested for their existing project might be adversely affected because it was not included on the FY84 list.

She requested clarification of the status of the District's increase request as well as confirmation that the request would be grandfathered at 75%.

13. Audrey Rockwell, Mayor, City of Westfir (Letter of June 15, 1983)

Ms. Rockwell noted that Westfir, a newly incorporated city of 307 people, is in extreme need of receiving a grant to bring their waste water treatment system up to DEQ standards. She added that small cities are "left out in the cold" relative to getting grant funds. Ms. Rockwell indicated that the sewer system, previously owned and operated by Hines Lumber Co., is outdated and that a grant is needed to update the facilities.

14. Richard O. Miller, Manager, Bear Creek Valley Sanitary Authority (Letter of June 17, 1983)

Mr. Miller indicated that the priority system amendments appeared to be necessary and proper and that the ranking of the Whetstone project agreed with past discussions. He provided a planning and design schedule for the Whetstone Interceptor.

He indicated that the North Ashland interchange project should be deleted from the list since it was being locally funded.

15. William V. Pye, General Manager, Metropolitan Wastewater Management Commission (Letter of June 21, 1983)

Mr. Pye noted that the Commission supported the 1985 certification date for permanent sludge and Phase II Springfield Rehab. He indicated that the cost of Phase VII of the Treatment Plant has been updated to \$2.1 million and that the cost of Phase I Sludge might be higher than indicated on the list depending on current engineering studies.

16. Dale F. Curry, City Manager, City of Astoria (Letter of June 27, 1983)

Mr. Curry discussed the background of the Williamsport interceptor project and noted that local matching funds are available to fund the project.

He indicated support for the state prioritization process and recommended against deviating from that process.

17. David J. Abraham, Utilities Director, Clackamas County (Letters June 29, 1983)

Mr. Abraham submitted three letters regarding the Tri-City Service District's regional treatment facility and Clackamas County Service District No. 1 Kellogg treatment plant.

First, Mr. Abraham requested that the Tualatin Pump Station and West Linn Force Main be changed from Letter Class "C" to "B". As justification for the change, Mr. Abraham noted that the facilities are needed to eliminate permit violations at the Willamette plant. He referred to 10 permit violations at the Willamette plant between August 1982 and May 1983, in addition to flows exceeding permitted limits 220 days during the last 12 months. Maximum daily flows during the period were 2.7 times the design

flow of the plant. The permit violations resulted from shutdowns for maintenance and equipment failure. He also referenced materials documenting beneficial use impairment from the Willamette plant.

Second, Mr. Abraham requested that Phase 4 of the Tri-City STP be divided into Phase 4 and Phase 5, estimated at \$700,000 and a cost decrease of \$400,000, respectively.

Third, Mr. Abraham requested that the Kellogg Creek sludge digesters be treated as a segment of the Tri-City project for purposes of priority ranking. He noted that effluent violations can occur if sludge is not removed from the treatment process and described the unreliability of present sludge handling capability at the Kellogg plant. He concluded that, to his knowledge, no sludge handling facilities have been segmented out from treatment systems.

18. Douglas Adkins, City Engineer, City of Klamath Falls (Letter of July 22, 1983)

Mr. Adkins supplied information to justify the City's request to improve the priority of the Klamath Falls Pelican City interceptor project. The information noted that (1) drainage from the Pelican City area flows westerly to the Klamath Lake basin, (2) the State Health Division's findings described sewage flowing into ditches, and (3) the findings describe sewage in domestic water supply meter boxes which could contaminate public water supply. Mr. Adkins noted that Harbor Isles, a new subdivision immediately west of Pelican City would bring Klamath Lake waters to within 300 feet of the health hazard area boundary.

Respectfully submitted,



B. J. Smith
Hearing Officer

Attachments (9)

- A. Hearing Officer's Report
- B. Record of Written Testimony
- C. Summary, Evaluation and Response to Oral and Written Testimony
- D. Draft EPA Policy on Treatment Works Phases and Segments
- E. Technical Corrections to the FY84 Priority List
- F. OAR 340-53-005, as Revised
- G. Statement of Need for Rulemaking
- H. FY84 Priority Points Calculation List, as Revised
- I. FY84 Construction Grants Priority List, as Revised

B. J. Smith:g
WG2562
8/4/83

RECORD OF WRITTEN TESTIMONY

1. Letter of September 22, 1982, from Stephen C. Goodrich, City Manager, City of Cornelius.
2. Letter of February 28, 1983, from Chris Noah-Nichols, U.S. Environmental Protection Agency, Region X.
3. April 27, 1983, Orders No. 83-4-27-22 and 23 by the Board of Commissioners of Lane County.
4. Letter of May 24, 1983, from Thomas L. Heinecke, Acting City Planner, City of Salem.
5. Letter of June 2, 1983, from Donna J. Rush, City Recorder, City of Huntington.
6. Letter of June 3, 1983, from Alta L. Bartram, Manager, Roseburg Urban Sanitary Authority.
7. Letter of June 8, 1983, from Janet Farstad, Business Manager, Pacific City Sanitary District.
8. Letter of June 15, 1983, from Audrey Rockwell, Mayor, City of Westfir.
9. Letter of June 17, 1983, from Richard O. Miller, Manager, Bear Creek Valley Sanitary Authority.
10. Letter of June 20, 1983, from William E. Cameron, City Engineer, City of Gresham.
11. Letter of June 22, 1983, from William Guenzler, Maintenance Engineer, City of Eugene.
12. Letter of June 23, 1983, from Alta L. Bartram, Interim Manager, Roseburg Urban Sanitary Authority.
13. Notice of Areawide Clearinghouse Review, June 24, 1983, from Lane Council of Governments. Comments from City of Eugene, the Metropolitan Wastewater Management Commission, and the City of Oakridge included.
14. Transcribed remarks made by William J. Sobolewski, Oregon Operations Office, U. S. Environmental Protection Agency.
15. Letter of June 27, 1983, from John F. Crockett, Public Works Director/City Engineer, City of Astoria.
16. Letter of June 27, 1983, from Mayor Elvern Hall, City of Newberg.

ATTACHMENT B

Page 2

17. Letter of June 28, 1983, from R. Lyman Houck, City Administrator, City of Philomath.
18. Three letters of June 29, 1983, from David J. Abraham, Utilities Director, Clackamas County.
19. Letter of July 22, 1983, from Douglas Adkins, City Engineer, Klamath Falls.

BJS:g
WG2552
8/4/83

SUMMARY, EVALUATION AND RESPONSE TO ORAL AND WRITTEN TESTIMONY

The following two 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 FY84 priority list. A summary of the June 24, 1983, public hearing and the record of testimony appears as Attachments A and B. Copies of 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; and
 2. Testimony Related to the Individual Project and Segment Classification and Ranking on the Draft FY84 Priority List.
1. Testimony Related to Rules Governing the Development and Management of the Priority Systems and List
 - a. Ms. Chris Noah-Nichols and Mr. William Sobolewski of the U. S. Environmental Protection Agency indicated that the system and administrative rules acceptably implemented the objectives of the 1981 Construction Grant Amendments and specifically 40 CFR 35.2015(b)(1)(A) and (B), which require that states emphasize project priorities based on public health and water quality/beneficial water use impacts. They noted the new use of the computer-assisted method for developing the priority list.

EPA also forwarded a new policy statement regarding the qualifications of certain projects which are "grandfathered" to continue at 75% funding even if such projects are funded after FY84. (New projects funded after FY84 are eligible for 55% grant participation.) This EPA policy statement, as contrasted with earlier correspondence from EPA, refines and considerably reduces the potential number of projects with grandfather status. Although the full text of the current EPA policy is appended to this report, several portions are excerpted below (emphasis added):

Once a grantee has planned, financed and initiated the building of a substantial portion of its needed treatment facility and related interceptors, the intent is ... the Federal funding rules will not be changed prior to completion of building that facility. However, it is not the intent . . . to grandfather every treatment facility and related interceptor because the grantee has received a grant for a minor portion of it.

The future phases and segments of the treatment facility, related interceptors and infiltration-inflow correction to be built are described in a facilities plan approved by the Regional Administrator of EPA before October 1, 1984. The projects that are grandfathered should only be those that are necessary to make the remainder of the treatment works operational and comply with the enforceable requirements of the act.

EPA requested that appropriate changes be made to the state priority list grant estimates in order to reflect this policy.

Response

Several funding estimates on the FY84 priority list are reduced to better coincide with the current EPA policy on grandfathered projects. This EPA policy is expected to become a part of EPA's forthcoming guidance "Construction Grants 1984" and is, in our judgment, still tentative and subject to interpretative change prior to its effect in FY85. This refinement of estimates for 75% - 55% grant participation after FY84 made at this time constitutes only the current best estimate of funding potential. We will work with EPA prior to FY85 in order to better ascertain grandfather qualified projects.

In developing or revising financial plans, it appears prudent to assume that all projects funded after FY84 will be offered a construction grant participation level of 55% of the eligible costs since actual determinations on which projects will qualify as "grandfathered" have not yet been made by EPA.

- b. One respondent indicated that since the facility plan for a project was completed when funding participation was at 75%, the construction should be accorded grandfather status and funded at 75%.

Response

Section 202(a)(1) of the Clean Water Act was changed by the 1981 Construction Grant Amendments as follows: (1) The grant share "...for any fiscal year beginning on or after October 1, 1984, shall be 55 per centum of the cost of construction ..." and (2) except ... "in any case where a primary, secondary or advanced waste treatment facility or its related interceptors or a project for infiltration/inflow correction has received a grant for erection, building, acquisition, alteration, remodeling, improvement, expansion, or correction before October 1, 1984, all segments and phases of such facility, interceptors and project for infiltration/inflow correction shall be eligible for grants at 75 per centum ..."

The specific language of the Act and EPA's regulations appear to provide no discretion for continuing 75% participation on projects that had only received planning or design grants.

The apparent Congressional intent is to reduce the federal share as quickly as possible without upsetting firm prior construction financing commitments.

- c. One respondent supported the continuation of the existing priority system; another respondent suggested that the priority rating system should be modified to add points to projects that have initiated planning and/or design without benefit of grant.

Response

Federal regulations and policy require that state priority lists be developed on a water quality and public health improvement basis. In 1981, Section 18 of Public Law 97-117 was amended as follows:

"It is the policy of Congress that projects for wastewater treatment and management undertaken with Federal financial assistance under this Act by any State, municipality . . . are designed to achieve optimum water quality management, consistent with the public health and water quality goals and requirements of the Act."

EPA amended its Construction Grants Regulations (40 CFR 35.2015) to reflect the policy and states are now required to consider ". . . (A) The impairment of classified water uses resulting from existing municipal discharges; and (B) The extent of surface or groundwater use restoration or public health improvement resulting from the reduction of pollution . . ." (emphasis added).

Clearly, there is an increased federal interest in correcting severe water quality and public health problems yet federal funding levels are not established at levels which will realistically remedy all documented problems of this nature in a timely fashion.

Since 1980, the Environmental Quality Commission has utilized a management policy that (1) encouraged communities to seek other funding mechanisms, (2) redirected the flow of scarce grant dollars to the highest priority projects on the list and (3) phased out a transition policy that virtually guaranteed funding priority for all projects that initiated design in a priority order that considered whether planning and design was completed as well as quality impacts. This step was taken because of fiscal necessity due to the reduced allocations of funds to the state and the insufficiency of funds to reach the highest rated priority projects on the list.

Although states are allowed to adopt priority criteria in addition to those required by EPA, priorities established by other significant factors would directly impact the ability to eliminate those types of problems where regulations and statutes expressly direct the use of grant funds.

Under the present grant program, all projects must now proceed through planning and design without EPA grants and additionally, such efforts must include a demonstration of the water quality and public health basis for the project. Projects currently categorized as Letter Class D or E on the priority list do not currently meet the later qualification.

- d. One respondent sought clarification of the grant increase reserve sum, which was proposed to be reduced from 10% to 5% of the state's allotment.

Response

The proposed change to the administrative rule reduces the state's annual sum of funds set aside for grant increases to cover allowable project cost overruns and minor changes. If all increase requests within a given year deplete this fund, either the increase beyond the original grant amount would not be funded or would be delayed until the next year's allotment. This rule change, by itself, does not limit the amount of increased funds for an individual project as long as funds are available in the increase reserve fund. However, based on recent experiences in fiscal years 1981-83, grant increase expenditures have been less than 10% of the state's allotment set aside. The 5% of state funds formerly held for increases will now be added to the general allotment for funding new projects.

It is probable that the final federal construction grant regulations, when published, will limit the amount of grant increases which may be added to any one project. The federal cost overrun limitation is expected to be 5% of the bid price. EPA's limitation would affect all projects that receive grant awards or go to bid after the effective date of the regulation. Grants awarded and bid prior to the federal regulation would not be limited to 5%.

The proposed reduced state reserve fund should (1) accommodate the expected overruns on older projects; (2) coincide with future EPA regulations on the 5% maximum cost overruns per project, if such regulations are adopted; and (3) provide sufficient reasonable grant increase coverage for new projects as a class, regardless of whether EPA adopts individual limitations.

- e. One respondent (Pacific City Sanitary District) questioned whether grant increases for existing projects can be funded if they do not appear on the FY84 Priority List.

Response

Grant increases for minor project changes are not listed on the state's priority list, but are funded in the order in which the completed application is received subject to funds available in the increase reserve fund. The Pacific City S.D. increase will

be funded at the same level of grant participation (75%) as the original construction.

- f. One respondent requested that design funds be included in the grant awards for projects on the priority list or that an allowance from available reserve funds be offered to fund design for projects on the priority list.

Response

Section 201 of the Clean Water Act now specifically prohibits grants solely for facility plans and design and specifications. The definition of a Step 3 construction project, which is now the only type of listed project on the priority list, includes only grants for the erection, building, acquisition, alteration, remodeling, improvement or extension of treatment and conveyance facilities. Where appropriate, an allowance to defray a portion of the cost for facilities planning and design will be included in the Step 3 grant.

Section 201(1)(2)(B) was amended to provide advances of allowances to a "potential grant applicant which is a small community and which in the judgment of the State would otherwise be unable to prepare a request for a grant for construction ..." The present EQC rule implements the statute so that advances may be made to potential applicants who (1) are expected to apply for funding in the current funding year or one funding year thereafter, (2) are a municipality having less than 25,000 population, and (3) demonstrate financial need for the advance.

2. Testimony Related to Individual Project and Segment Classification and Ranking on the Draft FY84 Priority List.

- a. Several respondents provided new information or requested re-assessment of priority ratings.

- (1) Cornelius. The City Manager requested the addition of a relief interceptor project to eliminate overflows from the sewer system during heavy winter rains. A new project was added to the list and prioritized in Letter Class E until such time as the City submits additional documentation supporting its need and identifying project estimates and schedules.
- (2) Huntington. In accordance with the City's request, a project to eliminate combined sewer overflows from the City's sewerage system was added to the list. The lack of water quality documentation on the effects of the existing sewerage system (i.e., quantity, frequency, duration of high flows) on the waste treatment lagoon or the Burnt River result in a Letter Class D determination at this time.

- (3) Westfir. The City requested they be placed on the priority list but did not specify the project type needed. The Department, as part of the City's NPDES permit, has requested that the City undertake ongoing corrective measures to reduce infiltration/inflow to the system. A project to address this need was added under Letter Class D. No incidence of effluent violations have been recorded on the City's monthly discharge monitoring reports. Due to lack of planning documentation, all information is estimated.
- (4) Gresham. At the City's request, a project for STP improvements was placed on the priority list. Based on its need to ensure treatment capability to comply with effluent standards established in the City's NPDES permit, the project was categorized as Letter Class C. It should be noted that project construction consideration must be preceded by a facility plan which demonstrates its compatibility with the area's 208 plan.
- (5) Philomath. The City requested that the priority rating of its projects be reviewed and raised to reflect the frequency of bypass conditions and numerous instances of sewage overflows onto streets and private property. In order for DEQ to raise the priority of these projects for purposes of federal funding, it must be demonstrated that water quality standards are being violated or that the projects are needed to eliminate surface water pollution where beneficial uses are impaired. Since no documentation of these conditions currently exists, mixing zone surveys are being scheduled for this summer and winter to determine the effects of the City's discharges on Newton Creek and Mary's River. Following these surveys, the projects will be re-evaluated and the results incorporated into the FY85 priority list.
- (6) Clackamas County Service District 1. The District requested that the Kellogg plant's sludge digester project be considered operationally dependent with the Tri-City S.D. Regional STP project. The operational dependency criteria would require a showing that the higher rated project (Tri-City S.D.) is dependent for its operation on the construction of the lower rated project (C.C.S.D. Kellogg). Although sludge hauling from Kellogg has, at times, required use of a truck from Oregon City's STP, the relationship between the two facilities is not sufficiently integral to operation to justify the requested change.

Several other sludge facilities (MWMC, Portland, USA Durham) were analyzed and based on individual circumstances also found not to be operationally dependent.
- (7) Tri-City Service District (Willamette). The District requested that the priority of the Tualatin Pump Station and the West Linn

Force Main projects (which are required to connect the West Linn Willamette STP to the Tri-City S. D. regional facility) be elevated to Letter Class B. The Department evaluates these projects as Letter Class C since they are necessary to insure treatment capability within the effluent standards established in West Linn Willamette's NPDES permit. The Request for Administrator's Concurrence specifically discussed DEQ's finding that the Oregon City, West Linn-Bolton and Gladstone facilities do not adequately protect beneficial uses.

- (8) Benton County (Alsea). In 1983, the Department conducted a sanitary survey of the Alsea area and identified direct discharges of sewage from failing septic tanks into the North Fork Alsea River. A project has been added to the list under Letter Class C.
 - (9) Gold Beach. In response to a verbal request from the City, an interceptor project to serve an area of the City which is presently unsewered has been added to the list. Since no septic tank failures or discharges of raw sewage have been identified or documented, the project was assigned Letter Class E.
 - (10) Klamath Falls (Pelican City). Subsurface disposal facilities have been investigated, a public hearing has been held and the Administrator of Health Division has certified written Findings of Fact that a hazard to public health exists and has ordered an area to be annexed to the City. A survey of 29 properties showed evidence of on-site system failures resulting in surfacing sewage and sewage being piped to the ground surface. According to the Health Division, these properties represent a 30 percent failure rate within the area annexed. No groundwater or surface water quality samples were collected to assess sewage impacts on water quality, therefore the appropriate letter class is C. The affected area of Pelican City is 1/2 to 1 mile from Klamath Lake.
- b. Several respondents provided a Planning and Design Schedule, as requested in proposed administrative rules 340-53-015(g) and (h).

Response

To the extent possible, this information will be used to schedule projects for funding or to establish the ready to proceed date on the FY84 priority list in order to specify projects which can move ahead if any projects within the fundable list cannot provide an acceptable application during the fiscal year.

Under the proposed administrative rule, the Department would require a schedule prior to establishing a target application submittal date for a project expecting to receive funds, beginning with the FY85 priority list.

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DRAFT EPA POLICY

ON

Treatment Works Phases and Segments
(For Construction Grants - 84)

Once a grantee has planned, financed and initiated the building of a substantial portion of its needed treatment facility and related interceptors, the intent is that, unless action is taken by the Governor, the Federal funding rules will not be changed prior to the completion of building that facility. However, it is not the intent of the construction grants program to grandfather every treatment facility and related interceptor because the grantee has received a grant for a minor portion of it. Also, for a treatment facility meeting the enforceable requirements of the Act, proposed projects to alter, remodel, improve or extend that facility should not be considered eligible under the grandfathering provisions. In support of this provision is the program's high priority placed on completing phased or segmented treatment facilities and related interceptors in order to receive the benefits of improved water quality.

The term "treatment works phase or segment" means a substantial portion of a treatment facility. All phases or segments should be built sequentially, usually funded from successive allotments, and when all segments are completed they must be a part of an operable treatment facility and related interceptors necessary to meet the enforceable requirements of the Act.

The construction grant regulations at 40 CFR 35.2152(a)(3)(i) require that the future phases and segments of the treatment facility, related interceptors and infiltration-inflow correction to be built are described in a facilities plan approved by the Regional Administrator before October 1, 1984. Also, the projects that are grandfathered should be only those that are necessary to make the remainder of the treatment works operational and comply with the enforceable requirements of the Act.

For treatment facilities and related interceptors that were segmented or phased prior to May 12, 1982, the project files should indicate a conscious decision on the part of the grantee, State agency or EPA regarding the appropriateness of phasing or segmenting. For those treatment facilities, related interceptors and infiltration-inflow correction that have been segmented or phased since May 12, 1982, one or more of the conditions of 40 CFR 35.2108(b) must have existed when grant assistance was awarded and should be noted in the project file. The award of these grants must be conditioned upon the applicant's agreement to make the treatment works of which the phase or segment is a part operational and comply with the enforceable requirements of the Act according to a schedule specified in the grant agreement regardless of whether grant funding is available for the remaining phases or segments. Also, the grant agreement for the initial phase or segment should include an inventory of future phases or segments to be grandfathered.

TECHNICAL CORRECTIONS TO THE FY84 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 ranking the project had on the draft priority list distributed on May 23, 1983.

The results of stream survey and sanitary surveys planned to be conducted this summer for Baker and the Hoodland Service District are not available at this time. If necessary, the results may lead to modifications in the final FY84 priority list at a later date.

The following projects were funded by Community Development Block Grants: Cresswell City STP, St. Helens South Interceptor and the Green S.D. Landers Lane Interceptor. The BCVSA N. Ashland Interceptor and the Klamath Falls Riverside Interceptor were locally funded.

<u>Grantee/Project</u>	<u>Technical Correction</u>	<u>Comment</u>
Bend	Modify Alternative Technology Estimate	Typographical Correction
MWMC/Regional	Estimate is \$2.1 M for STP Phase 7	Update Costs
Tri-City/Regional	Rephase Project	Information Supplied by District
Baker	Modify Alternative Technology Estimate	Typographical Correction
Salem/Pringle Creek	Project Population Served Changed from 119,000 to 13,500	Recent Information Supplied by City
BCVSA/Whetstone	Establish Ready to Proceed Dates	Planning/Design Schedule Provided
Gresham/City	New Entry	Request by City
Cornelius/City	New Entry	Request by City
Westfir/City	New Entry	Request by City
Gold Beach/City	New Entry	Request by City
Benton County/Alsea	New Entry	Recent DEQ Sanitary Survey

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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.

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- (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) "Project" means a potentially fundable entry on the priority list consisting of Step 3 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) "Treatment Works Component" means a portion of an operable treatment works described in an approved facility plan including but not limited to:

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- (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) "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) "Priority List" means all projects in the state potentially eligible for grants listed in rank order.
- (13) "Fundable portion of the list" means those projects on the priority list which are planned for a grant 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) "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) "Step 1 Project" means any project for development of a facilities plan for treatment works.

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- (16) "Step 2 Project" means any project for engineering design of all or a portion of treatment works.
- (17) "Step 3 Project" means any project for construction or rehabilitation of all or a portion of treatment works.
- (18) "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) "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) "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) "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) "Funding Year" means a federal fiscal year commencing October 1st and ending September 30th.
- (23) "Current Funding Year" means the funding year for which the priority list is adopted.

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- (24) "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.

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- (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)(a) 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.

- (b) 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.

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- (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] Grant application 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. For the current funding year the ready to proceed date will be based upon planning and design schedules submitted by potential applicants. For later funding years, the ready to proceed date may be based upon information available to 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 funds expected to be available. The target certification date for the current funding year will be assigned based on a ready to proceed date. 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.

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- (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.
- (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) Design (Step 2) and construction of complete treatment works, (Step 2 plus 3), or
 - (b) Construction of one or more complete waste treatment systems, or
 - (c) Construction of one or more treatment works components,
 - (d) Construction of one or more treatment works segments of a treatment works component.
- (5)(a) 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,] project included on the priority list, as defined by 340-53-010(9) exceed ten (10) million dollars in any given funding year.

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Where a [grant] proposed project 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.

- (b) 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) 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.

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- (9) 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 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.

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- (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 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. The Commission may reduce the percentage to fifty (50) percent 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)~~] five (5) percent.
- (2) Reserve for Step 1 and Step 2 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.

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- (3) Reserve for alternative components of projects for small communities utilizing alternative [system] systems of four (4) percent.
- (4) Reserve for additional funding of projects involving innovative or alternative technology 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) The balance of the state's allocation will be the general allotment.
- (8) The Director may at his discretion utilize funds recovered from prior year allotments for the purpose of:
 - (a) Grant increases or
 - (b) 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.]

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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) 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.
- (3) Projects included on the priority list but not included within the fundable portion of the list will constitute the planning portion of the list.

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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.

[] = Deleted Material
_____ = New Material

- (d) If a project is bypassed it will maintain its priority point rating for consideration in future years. [If, however, a project is designated as a transition project as described in section 340-53-015(7), it will retain its transition status after being bypassed and will be ranked the following year according to the criteria.] If a project is bypassed for two consecutive years the Commission may remove it from the priority list.
- (e) Department failure to certify a project not on the fundable portion of the list or for which funds are otherwise unavailable will not constitute a "bypass".

[] = Deleted Material
_____ = New Material

Stream Segment Ranking Points

Segment	Segment Rank	Points
No. 1, Willamette Basin		
Tualatin	1	95.73
Willamette (River Mile	2	93.45
Willamette (River Mile 84-186)	3	91.18
South Yamhill River	4	88.91
North Yamhill River	5	86.64
Yamhill River	6	84.36
Pudding River	7	82.09
Molalla River	8	79.82
S. Santiam River	9	77.55
Santiam River & N. Santiam	10	75.27
Coast Fork Willamette River	11	73.00
Middle Fork Willamette River	12	70.73
Clackamas River	13	68.45
McKenzie River	14	66.18
Hickreall Creek	15	63.91
Lacklamute River	16	61.64
Marys River	17	59.36
Calapoola River	18	57.09
Long Tom 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		
Bear Creek and Tributaries	1	83.50
Applegate River	2	71.00
Middle Rogue	3	58.50
Remaining Rogue Basin Streams	4	46.00
No. 3, Umpqua Basin		
South Umpqua River	1	77.33
Cow Creek	2	60.67
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

Segment	Segment Rank	Points
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-Source)	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
Klatskanine River	2	82.44
Wilson River (River Mile 0-7)	3	79.88
Trask River (River Mile 0-6)	4	76.88
Skipanon River	5	74.10
Nestucca River (River Mile 0-15)	6	71.32
Nehalem River	7	68.54
Wilson River (River Mile 7 +)	8	65.76
Trask River (River Mile 6 +)	9	62.98
Nestucca River (River Mile 15 +)	10	60.20
Nehalem Bay	11	57.42
Tillamook Bay	12	56.64
Tillamook River (River Mile 0-15)	13	51.86
Nestucca Bay	14	49.08
Necanicum River	15	46.30
Tillamook River (River Mile 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 Mile 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	50.67
Remaining Umatilla Basin Streams	3	34.00
No. 9, Mid Coast Basin		
Siuslaw Bay	1	77.00
Yaquina Bay	2	72.00
Siletz River	3	67.00
Yaquina River	4	62.00
Alsea River	5	57.00

<u>Segment</u>	<u>Segment Rank</u>	<u>Points</u>
Siuslaw River	6	52.00
Alesea 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
Donner & Blitzen River	2	32.67
Remaining Malheur Lake Basin Streams	3	16.00

<u>Segment</u>	<u>Segment Rank</u>	<u>Points</u>
No. 18, Goose and Summer Lakes Basin		
Chewaucan River	1	39.00
Remaining Goose and Summer Lakes Basin Streams	2	14.00
No. 19, Owyhee Basin		
Owyhee River	1	17.00
Remaining Owyhee Basin Streams	2	12.00

Population Emphasis

Population emphasis points shall be assigned on the basis of the formula:

$$\text{Points} = \text{Population Served}^2 \log 10$$

where:

Population Served represents the existing Oregon population that would be initially served by the project if it were in operation.

PROJECT TYPE

<u>Description</u>	<u>Points</u>
Secondary Treatment and BPWTT	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

TABLE 1
(340-53-015)

CONSTRUCTION GRANTS PRIORITY CRITERIA
PROJECT CLASS

<u>Letter Code</u>	<u>Description</u>
A.	<p>Project will minimize or eliminate surface or underground water pollution where:</p> <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 OAR 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.	<p>Project will minimize or eliminate surface or underground water pollution where:</p> <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.	<p>Project is required to insure treatment capability to comply with water quality standards including:</p> <ol style="list-style-type: none"> 1. Minimum federal effluent guidelines established by rule pursuant to PL 95-217 or 2. Effluent standards established in an issued WPCF or NPDES 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).

<u>Letter Code</u>	<u>Description</u>
	<p>Documentation required includes:</p> <p>Actual written documentation of the applicable guideline, standard, permit condition, or other regulatory requirement.</p>
D.	<p>Project is necessary to minimize or eliminate pollution of surface or underground waters from:</p> <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.
E.	<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.
	<p><u>Regulatory Emphasis Points</u></p>
150	<p>Project received a limited time extension to meet the 1977 secondary treatment goals of the Clean Water Act.</p> <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.
130	<p>Project is necessary for immediate correction of a public health hazard through extraordinary measures such as:</p> <ol style="list-style-type: none"> 1. Annexation, 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 ORS 431.705 et.seq. or 222.850 et.seq.

Points	Description
120	<p>Project is necessary to eliminate a voluntary or involuntary moratorium, including:</p> <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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. <p>Documentation required includes:</p> <ol style="list-style-type: none"> 1. Rule or order establishing involuntary moratorium, or 2. Order, ordinance, or other documentation of voluntary moratorium.

90	<p>Project is necessary because of the potential for regulatory action identified by:</p> <ol style="list-style-type: none"> 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. <p>Documentation required includes:</p> <p>DEQ written concurrence based on the above.</p>
50	<p>Project is needed because of probable water quality problems identified through preliminary screening of problem and water quality concerns.</p> <p>Documentation required includes:</p> <p>Written suggestion by DEQ.</p>
0	<p>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.</p>

STREAM SEGMENT RANK

Stream Segment ranking points shall be assigned based on the formula:

where:

BR = 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	1978 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
Mid Coast	44,630	10	9
Hood River	34,200	4	10
Grande Ronde	30,160	3	11
Malheur River	22,480	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
Goose and Summer Lakes	6,900	2	18
Owyhee	3,420	2	19

TABLE 1
(340-53-015)

CONSTRUCTION GRANTS PRIORITY CRITERIA
PROJECT CLASS

Letter Code	Description
A.	<p>Project will minimize or eliminate surface or underground water pollution where:</p> <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 OAR 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.	<p>Project will minimize or eliminate surface or underground water pollution where:</p> <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.	<p>Project is required to insure treatment capability to comply with water quality standards including:</p> <ol style="list-style-type: none"> 1. Minimum federal effluent guidelines established by rule pursuant to PL 95-217 or 2. Effluent standards established in an issued WPCF or NPDES 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).

Letter Code	Description
	<p>Documentation required includes:</p> <p>Actual written documentation of the applicable guideline, standard, permit condition, or other regulatory requirement.</p>
D.	<p>Project is necessary to minimize or eliminate pollution of surface or underground waters from:</p> <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.
E.	<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.

Regulatory Emphasis Points	Description
150	<p>Project received a limited time extension to meet the 1977 secondary treatment goals of the Clean Water Act.</p> <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.
130	<p>Project is necessary for immediate correction of a public health hazard through extraordinary measures such as:</p> <ol style="list-style-type: none"> 1. Annexation, 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 ORS 431.705 et.seq. or 222.850 et.seq.

Points

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

Stream Segment ranking points shall be assigned based on the formula:

$$\text{where: } \text{SEGMENT POINTS} = 100 - 2(\text{BR}) - \frac{1}{n} (\text{SR})(50)$$

BR = 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

<u>Basin</u>	<u>1978 Population</u>	<u>No. of Stream Segments</u>	<u>Basin Rank</u>
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
Mid Coast	44,630	10	9
Hood River	34,200	4	10
Grande Ronde	30,100	3	11
Malheur River	22,480	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
Goose and Summer Lakes	6,900	2	18
Owyhee	3,420	2	19

Stream Segment Ranking Points

<u>Segment</u>	<u>Segment Rank</u>	<u>Points</u>
No. 1, Willamette Basin		
Tualatin	1	95.73
Willamette (River Mile	2	93.45
Willamette (River Mile 84-186)	3	91.18
South Yamhill River	4	88.91
North Yamhill River	5	86.64
Yamhill River	6	84.36
Pudding River	7	82.09
Molalla River	8	79.82
S. Santiam River	9	77.55
Santiam River & N. Santiam	10	75.27
Coast Fork Willamette River	11	73.00
Middle Fork Willamette River	12	70.73
Clackamas River	13	68.45
McKenzie River	14	66.18
Rickreall Creek	15	63.91
Luckiamute River	16	61.64
Marys River	17	59.36
Calapooia River	18	57.09
Long Tom 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		
Bear Creek and Tributaries	1	83.50
Applegate River	2	71.00
Middle Rogue	3	58.50
Remaining Rogue Basin Streams	4	46.00
No. 3, Umpqua Basin		
South Umpqua River	1	77.33
Cow Creek	2	60.67
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

<u>Segment</u>	<u>Segment Rank</u>	<u>Points</u>
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-Source)	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
Klatskanine River	2	82.44
Wilson River (River Mile 0-7)	3	79.88
Trask River (River Mile 0-6)	4	76.88
Skipanon River	5	74.10
Nestucca River (River Mile 0-15)	6	71.32
Nehalem River	7	68.54
Wilson River (River Mile 7 +)	8	65.76
Trask River (River Mile 6 +)	9	62.98
Nestucca River (River Mile 15 +)	10	60.20
Nehalem Bay	11	57.42
Tillamook Bay	12	56.64
Tillamook River (River Mile 0-15)	13	51.86
Nestucca Bay	14	49.08
Necanicum River	15	46.30
Tillamook River (River Mile 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 Mile 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	50.67
Remaining Umatilla Basin Streams	3	34.00
No. 9, Mid Coast Basin		
Siuslaw Bay	1	77.00
Yaquina Bay	2	72.00
Siletz River	3	67.00
Yaquina River	4	62.00
Alsea River	5	57.00

<u>Segment</u>	<u>Segment Rank</u>	<u>Points</u>
Siuslaw 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 Power 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
Donner & Blitzen River	2	32.67
Remaining Malheur Lake Basin Streams	3	16.00

<u>Segment</u>	<u>Segment Rank</u>	<u>Points</u>
No. 18, Goose and Summer Lakes Basin		
Chewaucan River	1	39.00
Remaining Goose and Summer Lakes Basin Streams	2	14.00
No. 19, Owyhee Basin		
Owyhee River	1	17.00
Remaining Owyhee 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

<u>Description</u>	<u>Points</u>
Secondary Treatment and BPWTT	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

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 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 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.

BJS:g
WG2303
May 20, 1983 EQC Meeting

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
REPORT OPTIONS: FINAL REPORT OF ELIGIBLE PROJECTS ONLY ORDERED BY TOTAL POINTS										
E 048607	BEND	CITY	EFF DISPOSAL	3	A	130	8.47	79.50	10	A 227.97
E 056903	MONROE	NORTH AREA	INTERCEPTOR	3	A	130	3.69	54.82	6	A 194.51
E 056903	MONROE	NORTH AREA	COLLECTION	3	A	130	3.69	54.82	1	A 189.51
E 062414	MWMC	REGIONAL	STP P6	3	B	150	10.33	91.18	10	B 261.51
E 062419	MWMC	REGIONAL	STP P7	3	B	150	10.33	91.18	10	B 261.51
E 049304	TRI CITY SD	REGIONAL	STP P1 AND 2	3	B	120	9.10	93.45	10	B 232.55
E 049305	TRI CITY SD	REGIONAL	STP P3	3	B	120	9.10	93.45	10	B 232.55
E 049306	TRI CITY SD	REGIONAL	STP P4	3	B	120	9.10	93.45	10	B 232.55
E 049308	TRI CITY SD	REGIONAL	STP P5	3	B	120	9.10	93.45	10	B 232.55
E 049306	TRI CITY SD	REGIONAL	WILL INT 1A	3	B	120	9.10	93.45	8	B 230.55
E 049307	TRI CITY SD	REGIONAL	WILL INT 1B	3	B	120	9.10	93.45	8	B 230.55
E 049307	TRI CITY SD	REGIONAL	WILL INT 2	3	B	120	9.10	93.45	8	B 230.55
E 049306	TRI CITY SD	OREGON CITY	OREGON CITY INT	3	B	120	8.33	93.45	8	B 229.78
E 049307	TRI CITY SD	GLADSTONE	PUMP STATION	3	B	120	7.94	93.45	8	B 229.39
E 049306	TRI CITY SD	W. LINN-BOLTON	RIVER ST FM	3	B	120	7.75	93.45	8	B 229.20
E 049307	TRI CITY SD	W. LINN-BOLTON	BOLTON FORCE M	3	B	120	7.31	93.45	8	B 228.76
E 049307	TRI CITY SD	W. LINN-BOLTON	BOLTON PS	3	B	120	7.31	93.45	8	B 228.76
E 049307	TRI CITY SD	W. LINN-BOLTON	RIVER ST PS	3	B	120	7.31	93.45	8	B 228.76
E 068901	EUGENE	RVR R-SANTA CLA	RR/SC PS	3	B	120	8.55	91.18	6	B 225.73
E 068902	EUGENE	RVR R-SANTA CLA	SANTA CLARA INT	3	B	120	8.04	91.18	6	B 225.22
E 068903	EUGENE	RVR R-SANTA CLA	RIVER RD INT	3	B	120	7.83	91.18	6	B 225.01
E 043102	BAKER	CITY	STP IMP	3	B	150	7.87	49.00	10	B 216.87
E 069301	ROSEBURG U.S.A.	REGIONAL	STP	3	B	120	8.96	77.33	10	B 216.29
E 068101	SEASIDE	CITY	STP IMP	3	B	150	7.40	46.30	10	B 213.70

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
E 068102	SEASIDE	CITY	P.S. P1A	3	B	150	7.31	46.30	8	B 211.61
E 068101	SEASIDE	CITY	II CORRECTION	3	B	150	7.40	46.30	7	B 210.70
E 049402	NEWBERG	CITY	STP IMP	3	B	90	6.08	93.45	10	B 201.53
E 064601	SALEM	PRINGLE CREEK	INT	3	B	90	8.26	93.45	8	B 199.71
E 049403	NEWBERG	CITY	II CORRECTION	3	B	90	8.08	93.45	7	B 198.53
E 049404	NEWBERG	CITY	HESS CRK INT	3	B	90	6.23	93.45	8	B 197.68
E 064202	GRANDE RONDE	AREA	SYSTEM	3	B	90	5.11	88.91	10	B 194.02
E 042601	MULTNOMAH CO	INVERNESS	INTERCEPTOR 8A	3	B	130	8.56	48.00	6	B 192.56
E 042602	MULTNOMAH CO	INVERNESS	INTERCEPTOR 8F	3	B	130	8.40	48.00	6	B 192.40
E 042602	MULTNOMAH CO	INVERNESS	INTERCEPTOR 8B	3	B	130	8.06	48.00	6	B 192.06
E 042602	MULTNOMAH CO	INVERNESS	INTERCEPTOR 8C	3	B	130	7.80	48.00	6	B 191.80
E 042602	MULTNOMAH CO	INVERNESS	INTERCEPTOR 8H	3	B	130	7.38	48.00	6	B 191.38
E 042603	MULTNOMAH CO	INVERNESS	INTERCEPTOR 8D	3	B	130	6.89	48.00	6	B 190.89
E 042603	MULTNOMAH CO	INVERNESS	INTERCEPTOR 8G	3	B	130	6.51	48.00	6	B 190.51
E 056702	HAPPY VALLEY	CITY	INTERCEPTOR	3	B	130	6.32	48.00	6	B 190.32
E 042604	MULTNOMAH CO	INVERNESS	INTERCEPTOR 8E	3	B	130	6.00	48.00	6	B 190.00
E 062801	COOS BAY NO.1	CITY	STP IMP	3	B	90	7.91	80.00	10	B 187.91
E 052002	NORTH BEND	CITY	SEWER REHAB	3	B	90	7.98	80.00	9	B 186.98
E 052002	NORTH BEND	CITY	II CORRECTION	3	B	90	7.98	80.00	7	B 184.98
E 052002	NORTH BEND	CITY	PUMP STATION	3	B	90	7.98	80.00	7	B 184.98
E 062802	COOS BAY NO.1	CITY	I/I CORR	3	B	90	7.91	80.00	7	B 184.91
E 069303	ROSEBURG U.S.A.	ROSEBURG CITY	SEWER REHAB	3	B	90	8.51	77.33	9	B 184.84
E 069302	ROSEBURG U.S.A.	REGIONAL	INT	3	B	90	8.07	77.33	8	B 183.40
E 052003	NORTH BEND	CITY	CSO	3	B	90	7.98	80.00	3	B 180.98
E 061902	ASTORIA	WILLIAMSPORT	INTERCEPTOR	3	B	130	4.60	38.00	6	B 178.60

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
E 044901	FALLS CITY	CITY	SYSTEM	3	B	90	5.88	61.64	10	B 167.52
E 056903	MONROE	CITY	SEWER REHAB	3	B	90	5.50	54.82	9	B 159.32
E 063902	YAMHILL CO	COVE ORCHARD	SYSTEM	3	B	90	4.08	48.00	10	B 152.08
E 060701	BCVSA	WHETSTONE	INTERCEPTOR	3	B	90	6.60	46.00	8	B 150.60
E 062901	DRAIN	CITY	STP IMP	3	B	90	6.07	44.00	10	B 150.07
E 068301	CLATSOP COUNTY	WESTPORT AREA	SYSTEM	3	B	90	5.42	38.00	10	B 143.42
E 052601	HOODLAND S.D.	RHODO-WELCHES	INT	3	B	90	4.41	38.67	6	B 139.08
E 053701	SW LINCOLN CO	SAN DISTRICT	SYSTEM	3	B	90	6.62	32.00	10	B 138.62
E 053601	DESCHUTES CO	LAPINE	SYSTEM	3	B	50	5.20	67.00	10	B 132.20
E 058802	MT ANGEL	CITY	STP IMP	3	C	150	6.83	82.09	10	C 248.92
E 058803	MT ANGEL	CITY	II CORRECTION	3	C	150	6.83	32.09	7	C 245.92
E 066701	SOUTH SUBURBAN	SAN DISTRICT	STP IMP	3	C	150	8.53	66.00	10	C 234.53
E 049309	TRI CITY SD	REGIONAL	SEWER REHAB	3	C	120	9.10	93.45	9	C 231.55
E 047202	ELGIN	CITY	STP IMP	3	C	150	6.44	61.33	10	C 227.77
E 047203	ELGIN	CITY	II CORRECTION	3	C	150	6.48	61.33	9	C 226.81
E 061502	CARLTON	CITY	STP IMP	3	C	120	6.29	86.64	10	C 222.93
E 063101	VERNONIA	CITY	STP IMP	3	C	120	6.52	68.54	10	C 205.06
E 059203	DALLAS	FIR VILLA	INTERCEPTOR	3	C	130	3.91	63.91	6	C 203.82
E 060402	CLACKAMAS CO	KELLOGG	SLUDGE DIGEST	3	C	90	9.11	93.45	10	C 202.56
E 065501	PORTLAND	COLUMBIA BV RLV	INTERCEPTOR	3	C	90	10.60	93.45	8	C 202.05
E 034202	PORTLAND	SOUTHEAST RLVG	INTERCEPTOR P3	3	C	90	10.41	93.45	8	C 201.86
E 034203	PORTLAND	SOUTHEAST RLVG	INTERCEPTOR P4	3	C	90	10.41	93.45	8	C 201.86
E 062416	MWMC	REGIONAL	SLUDGE P1	3	C	90	10.33	91.18	10	C 201.51
E 062417	MWMC	REGIONAL	SLUDGE P2	3	C	90	10.33	91.18	10	C 201.51
E 049310	TRI CITY SD	WEST LINN	RIVER ST INT	3	C	90	8.35	93.45	8	C 199.80

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
E 062418	MWMC	SPRINGFIELD	SEWER REHAB P2	3	C	90	9.25	91.18	9	C 199.43
E 049311	TRI CITY SD	GLADSTONE	FORCE MAIN	3	C	90	7.94	93.45	8	C 199.39
E 049312	TRI CITY SD	GLADSTONE	INTERCEPTOR	3	C	90	7.94	93.45	8	C 199.39
E 049313	TRI CITY SD	OREGON CITY	ABERNETHY INT	3	C	90	7.63	93.45	8	C 199.08
E 049314	TRI CITY SD	OREGON CITY	NEWELL INT	3	C	90	7.31	93.45	8	C 198.76
E 049315	TRI CITY SD	WEST LINN-WILLA	TUALATIN PS	3	C	90	7.09	93.45	8	C 198.54
E 049315	TRI CITY SD	WEST LINN-WILLA	WEST LINN FM	3	C	90	7.09	93.45	8	C 198.54
E 062415	MWMC	REGIONAL	WEST IRWIN PS	3	C	90	9.23	91.18	8	C 198.41
E 057502	USA	GASTON	INTERCEPTOR	3	C	90	4.00	95.73	8	C 197.73
E 069401	N. ALBANY S.D.	AREA 2A	STP	3	C	90	5.09	91.18	10	C 196.27
E 050603	SHERIDAN	SOUTH SIDE	SEWER REHAB	3	C	90	6.00	88.91	9	C 193.91
E 051302	CRESWELL	CITY	INTERCEPTOR	3	C	90	6.51	91.18	6	C 193.69
E 066801	CORVALLIS	CITY	CSO	3	C	90	8.48	91.18	3	C 192.66
E 069402	N. ALBANY S.D.	AREA 2A	INT	3	C	90	5.09	91.18	6	C 192.27
E 050604	SHERIDAN	SOUTH SIDE	II CORRECTION	3	C	90	6.00	88.91	7	C 191.91
E 061503	CARLTON	CITY	I/I CORR	3	C	90	6.29	86.64	7	C 189.93
E 055402	ENTERPRISE	CITY	STP IMP	3	C	120	6.60	44.67	10	C 181.27
E 042902	EAGLE POINT	CITY	INTERCEPTOR	3	C	120	6.86	46.00	8	C 180.86
E 055403	ENTERPRISE	CITY	II CORRECTION	3	C	120	6.60	44.67	7	C 178.27
E 051402	OAKRIDGE	CITY	STP IMP	3	C	90	7.27	70.73	10	C 178.00
E 057302	LOWELL	CITY	STP IMP	3	C	90	5.69	70.73	10	C 176.42
E 057303	LOWELL	CITY	II CORRECTION	3	C	90	5.69	70.73	9	C 175.42
E 051403	OAKRIDGE	CITY	II CORRECTION	3	C	90	7.27	70.73	7	C 175.00
E 059402	ESTACADA	CITY	STP IMP	3	C	90	6.16	68.45	10	C 174.61
E 051604	KLAMATH FALLS	REGIONAL	STP EXPANSION	3	C	90	8.52	66.00	10	C 174.52

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
E 056502	STANFIELD	CITY	STP IMP	3	C	90	6.42	67.33	10	C 173.75
E 056504	STANFIELD	CITY	SEWER REHAB	3	C	90	6.42	67.33	9	C 172.75
E 059403	ESTACADA	CITY	II CORRECTION	3	C	90	6.16	68.45	7	C 171.61
E 051605	KLAMATH FALLS	REGIONAL	II CORRECTION	3	C	90	8.52	66.00	7	C 171.52
E 056503	STANFIELD	CITY	II CORRECTION	3	C	90	6.42	67.33	7	C 170.75
E 059202	DALLAS	CITY	II CORRECTION	3	C	90	7.91	63.91	7	C 168.82
E 057902	MADRAS	FRINGE AREA	INTERCEPTOR	3	C	90	5.40	67.00	6	C 168.40
E 051606	KLAMATH FALLS	PELICAN CITY	INTERCEPTOR	3	C	90	5.70	66.00	6	C 167.70
E 066101	GRANTS PASS	CITY	SEWER REHAB	3	C	90	9.20	58.50	9	C 166.70
E 062001	PHILOMATH	CITY	STP IMP	3	C	90	6.76	59.36	10	C 166.12
E 066102	GRANTS PASS	CITY	II CORRECTION	3	C	90	9.20	58.50	7	C 164.70
E 057903	MADRAS	FRINGE AREA	COLLECTION	3	C	90	5.40	67.00	1	C 163.40
E 047101	TANGENT	CITY	SYSTEM	3	C	90	5.45	57.09	10	C 162.54
E 070001	BENTON COUNTY	AREA	SYSTEM	3	C	90	4.78	57.00	10	C 161.78
E 056904	MONROE	CITY	STP IMP	3	C	90	5.50	54.82	10	C 160.32
E 053302	FLORENCE	CITY	STP IMP	3	C	90	7.48	52.00	10	C 159.48
E 055705	PORTLAND	CITY	SLUDGE GAS UTIL	3	C	90	11.40	48.00	10	C 159.40
E 055706	PORTLAND	CITY	SLUDGE DISPOSAL	3	C	90	11.40	48.00	10	C 159.40
E 053304	FLORENCE	CITY	SEWER REHAB	3	C	90	7.48	52.00	9	C 158.48
E 069501	GRESHAM	CITY	STP IMP	3	C	90	9.07	48.00	10	C 157.07
E 053303	FLORENCE	CITY	II CORRECTION	3	C	90	7.48	52.00	7	C 156.48
E 057702	HOOD RIVER	WESTSIDE	INTERCEPTOR	3	C	90	5.40	55.00	6	C 156.40
E 051502	SCIO	CITY	STP IMP	3	C	90	5.53	50.27	10	C 155.80
E 051504	SCIO	SOUTHSIDE	PUMP STATION	3	C	90	5.53	50.27	8	C 153.80
E 053305	FLORENCE	HECETA BEACH	INTERCEPTOR	3	C	90	5.31	52.00	6	C 153.31

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
E 051503	SCIO	CITY	II CORRECTION	3	C	90	5.53	50.27	7	C 152.80
E 057602	USA	BANKS	INTERCEPTOR	3	C	90	5.31	48.00	8	C 151.31
E 061702	OAKLAND	CITY	STP IMP	3	C	90	5.90	44.00	10	C 149.90
E 053306	FLORENCE	HECETA BEACH	COLLECTION	3	C	90	5.31	52.00	1	C 148.31
E 067201	BROOKINGS	CITY	STP IMP	3	C	90	7.09	40.00	10	C 147.09
E 068501	RUFUS	CITY	STP IMP	3	C	90	5.06	42.00	10	C 147.06
E 062902	DRAIN	NORTH	INTERCEPTOR	3	C	90	4.00	44.00	8	C 146.00
E 068701	KNOXTOWN S.D.	SAN DISTRICT	STP IMP	3	C	90	5.15	40.00	10	C 145.15
E 067202	BROOKINGS	CITY	II CORRECTION	3	C	90	7.09	40.00	7	C 144.09
E 053902	ST HELENS	CITY	II CORRECTION	3	C	90	7.97	38.00	7	C 142.97
E 053903	ST HELENS	CITY	P. S. 1	3	C	90	6.00	38.00	8	C 142.00
E 069201	WARRENTON	CITY	II CORRECTION	3	C	90	6.96	38.00	7	C 141.96
E 058602	RAINIER	CITY	II CORRECTION	3	C	90	6.61	38.00	7	C 141.61
E 064801	HEPPNER	CITY	STP IMP	3	C	90	6.48	34.00	10	C 140.48
E 055904	LINCOLN CITY	CITY	INTERCEPTOR P2	3	C	90	7.15	37.00	6	C 140.15
E 061802	NEWPORT	CITY	STP IMP	3	C	90	7.84	32.00	10	C 139.84
E 046901	KLAMATH CO	MODOC POINT	SYSTEM	3	C	90	3.40	36.00	10	C 139.40
E 061803	NEWPORT	CITY	II CORRECTION	3	C	90	7.84	32.00	7	C 136.84
E 047302	DUFUR	CITY	STP IMP	3	C	90	5.56	30.00	10	C 135.56
E 051902	JOSEPH	CITY	STP IMP	3	C	90	5.96	28.00	10	C 133.96
E 051801	ONTARIO	CITY	STP IMP	3	C	90	7.90	26.00	10	C 133.90
E 047303	DUFUR	CITY	II CORRECTION	3	C	90	5.56	30.00	7	C 132.56
E 065101	FOSSIL	CITY	STP IMP	3	C	90	5.63	20.00	10	C 125.63
E 058902	MILTON-FREEWATE	CITY	STP IMP	3	C	90	7.33	18.00	10	C 125.33
E 058302	IONE	CORE AREA	SYSTEM	3	C	90	4.00	20.00	10	C 124.00

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
E 058903	MILTON-FREEWATE	CITY	INTERCEPTOR	3	C	90	7.33	18.00	6	C 121.33
E 059501	HALSEY	CITY	STP IMP	3	C	50	5.72	48.00	10	C 113.72
E 063501	ATHENA	CITY	STP IMP	3	C	50	6.00	34.00	10	C 100.00
E 058202	IRRIGON	CITY	SYSTEM	3	D	130	5.42	50.67	10	D 196.09
E 067001	TRI CITY S.D.	MYRTLE CREEK	STP IMP	3	D	90	7.56	77.33	10	D 184.89
E 067002	TRI CITY S.D.	MYRTLE CREEK	II CORRECTION	3	D	90	7.56	77.33	7	D 181.89
E 067401	BORING	AREA	SYSTEM	3	D	90	5.40	68.45	10	D 173.85
E 069701	WESTFIR	CITY	II CORRECTION	3	D	90	4.97	70.73	7	D 172.70
E 037102	USA	DURHAM	SLUDGE	3	D	50	10.16	95.73	10	D 165.89
E 066201	SODAVILLE	CITY	SYSTEM	3	D	90	4.56	57.09	10	D 161.65
E 056402	NORTH POWDER	CITY	STP IMP	3	D	90	5.29	49.00	10	D 154.29
E 067501	WALLOWA	CITY	STP IMP	3	D	90	5.99	44.67	10	D 150.66
E 059701	YONCALLA	CITY	STP IMP	3	D	90	5.86	44.00	10	D 149.86
E 059702	YONCALLA	CITY	SEWER REHAB	3	D	90	5.86	44.00	9	D 148.86
E 066601	DOUGLAS CO	CAMAS VALLEY	SYSTEM	3	D	90	4.35	44.00	10	D 148.35
E 054102	SISTERS	CITY	SYSTEM	3	D	90	5.81	42.00	10	D 147.81
E 059703	YONCALLA	CITY	II CORRECTION	3	D	90	5.86	44.00	7	D 146.86
E 068105	SEASIDE	CITY	P.S. IMP	3	D	90	7.40	46.30	2	D 145.70
E 061703	OAKLAND	UNION GAP	INTERCEPTOR	3	D	90	4.35	44.00	6	D 144.35
E 060201	NESKOWIN	SAN AUTHORITY	SYSTEM	3	D	90	4.80	38.00	10	D 142.80
E 044701	MILL CITY	CITY	SYSTEM	3	D	50	6.46	75.27	10	D 141.73
E 045601	JOSEPHINE CO	MERLIN/COL. V.	SYSTEM	3	D	50	8.21	58.50	10	D 126.71
E 065001	BURNS	CITY	STP IMP	3	D	50	7.11	49.33	10	D 116.44
E 044302	TURNER	CITY	INTERCEPTOR	3	D	0	6.12	91.18	6	D 103.30
E 067101	PILOT ROCK	CITY	STP IMP	3	D	50	6.50	34.00	10	D 100.50

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
E 064501	PRINEVILLE	CITY	STP IMP	3	D	0	7.56	79.50	10	D 97.06
E 069601	HUNTINGTON	CITY	CSO	3	D	50	5.48	36.50	3	D 94.98
E 044201	LANE CO	MAPLETON	SYSTEM	3	D	0	5.83	52.00	10	D 67.83
E 069403	N. ALBANY S.D.	AREA 1	INT	3	E	120	5.95	91.18	6	E 223.13
E 068201	USA	HILLSBORO	EFF DISPOSAL	3	E	90	8.00	95.73	10	E 203.73
E 051303	CRESWELL	CITY	STP IMP	3	E	90	6.51	91.18	10	E 197.69
E 049405	NEWBERG	CITY	HESS CRK P.S.	3	E	90	6.23	93.45	8	E 197.68
E 049406	NEWBERG	CITY	8TH ST.P.S.	3	E	90	5.50	93.45	8	E 196.95
E 069404	N. ALBANY S.D.	AREA 2B	INT	3	E	90	5.55	91.18	6	E 192.73
E 068202	USA	HILLSBORO	CORNELIUS INT.	3	E	90	4.00	95.73	2	E 191.73
E 068401	REDMOND	CITY	STP EXPANSION	3	E	90	7.63	67.00	10	E 174.63
E 059204	DALLAS	CITY	STP EXPANSION	3	E	90	7.91	63.91	10	E 171.82
E 066001	VENETA	CITY	STP EXPANSION	3	E	90	6.60	54.82	10	E 161.42
E 045801	CORVALLIS	AIRPORT	STP EXPANSION	3	E	90	5.09	48.00	10	E 153.09
E 053904	ST HELENS	CITY	STP IMP	3	E	90	7.97	38.00	10	E 145.97
E 069202	WARRENTON	CITY	STP EXPANSION	3	E	90	6.96	38.00	10	E 144.96
E 054202	CARMEL-FOULWEA	SAN DISTRICT	SYSTEM	3	E	90	6.00	38.00	10	E 144.00
E 061704	OAKLAND	DRIVERS VALLEY	INTERCEPTOR	3	E	90	3.75	44.00	6	E 143.75
E 064701	TWIN ROCKS	SAN DISTRICT	STP EXPANSION	3	E	90	5.63	38.00	10	E 143.63
E 068104	SEASIDE	N WAHENA RD	FORCE MAIN	3	E	90	5.09	46.30	2	E 143.39
E 068103	SEASIDE	S WAHENA RD	FORCE MAIN	3	E	90	4.89	46.30	2	E 143.19
E 069203	WARRENTON	HARBOR & ENSIGN	FORCE MAIN	3	E	90	5.05	38.00	3	E 136.05
E 069204	WARRENTON	MERLIN & SECOND	FORCE MAIN	3	E	90	4.85	38.00	3	E 135.85
E 060101	WALLOWA LAKE	SAN AUTHORITY	SYSTEM	3	E	50	6.00	44.67	10	E 110.67
E 067601	ADAIR VILLAGE	CITY	STP IMP	3	E	0	5.48	91.18	10	E 106.66

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.
E 063701	MARION CO	BROOKS	SYSTEM	3	E	0	4.60	91.18	10	E 105.78
E 068601	WEDDERBURN	SAN DISTRICT	STP EXPANSION	3	E	50	5.12	40.00	10	E 105.12
E 069405	N. ALBANY S.D.	AREA 4	INT	3	E	0	6.31	91.18	6	E 103.49
E 069406	N. ALBANY S.D.	AREA 3	INT	3	E	0	5.83	91.18	6	E 103.01
E 046001	ALBANY	N.E. KNOXBUTTE	INTERCEPTOR	3	E	0	5.09	91.18	6	E 102.27
E 064401	ODELL	SAN DISTRICT	STP EXPANSION	3	E	50	6.16	30.00	10	E 96.16
E 054001	MERRILL	CITY	STP EXPANSION	3	E	0	5.91	76.00	10	E 91.91
E 067801	LYONS-MEHAMA	REGIONAL	SYSTEM	3	E	0	6.21	75.27	10	E 91.48
E 047701	DETROIT	CITY	SYSTEM	3	E	0	5.58	75.27	10	E 90.85
E 067901	IDANHA	CITY	SYSTEM	3	E	0	5.14	75.27	10	E 90.41
E 068001	GATES	CITY	SYSTEM	3	E	0	4.95	75.27	10	E 90.22
E 055101	SANDY	CITY	STP EXPANSION	3	E	0	6.91	68.45	10	E 85.36
E 066301	SCAPPOOSE	CITY	STP EXPANSION	3	E	0	7.00	48.00	10	E 65.00
E 069901	CORNELIUS	CITY	INTERCEPTOR	3	E	0	7.38	48.00	8	E 63.38
E 054601	CRESCENT	SAN DISTRICT	SYSTEM	3	E	0	4.08	42.00	10	E 56.08
E 069801	GOLD BEACH	MYRTLE ACRES	INTERCEPTOR	3	E	0	4.00	40.00	6	E 50.00

Effective October 1, 1983

FINAL MUNICIPAL WASTE WATER TREATMENT WORKS CONSTRUCTION GRANTS FY84 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. The FY84 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 priority list includes all known projects potentially eligible for a grant, the estimated grant amount, and estimated target certification date.

The FY84 Priority List is based on OAR 340-53-005. These rules specify that the FY84 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.

Funding Assumptions

1. Projects which are still scheduled for available FY83 funding are targeted for FY83.
2. The national authorization for FY83-85 is \$2.4 billion annually. If the full authorization were received for FY84, Oregon would receive \$27.636 million.
3. The \$27.64 million in FY84 funds would be separated into the following reserves:

	<u>Million \$</u>
General Allotment (83% minus \$150,000)	22.787
Reserve for Grant Increases (5%)	1.382
Small Community Alternative Reserve (4%)	1.105
Innovative/Alternative Reserve (4%)	1.105
Steps 1 and 2 Advance Reserve (Up to 10%; \$50,000 Estimate)	.050
Reserve for Water Quality Management (Up to \$276,000; \$100,000 Estimate)	.100
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.
3. When a project could not be fully funded in a given year, it was scheduled for two or more years.
4. The priority list shows projects which may be funded during a five year period if funds are available at an assumed rate. FY85 is the last year for which funds are currently authorized under the Clean Water Act.

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. Projects which are "grandfathered" to continue at 75% funding are not affected by the decrease in grant participation for projects beginning in FY85; however, please note that actual determinations on which projects are expected to qualify as "grandfathered" have not yet been made by EPA. Where new projects are scheduled for FY84 funding or where projects are estimated to qualify for "grandfather" consideration, an asterisk has been placed next to the grant amount.

STATE OF OREGON
DEPARTMENT OF ENVIRONMENTAL QUALITY
CONSTRUCTION GRANTS FINAL PRIORITY LIST

RANK	COMMUNITY	AREA	COMPONENT	PROJECT NUMBER	STEP	READY TO PROCEED	TARGET CERT.	GENERAL FUND	SMALL COMM. FUND	ALT. TECH. FUND	INNOV. TECH. FUND	STEP1&2 ADVANCE	PRIORITY POINTS
1	BEND	CITY	EFF DISPOSAL	048607	3	FY 83	08/83	1,231*		164			A 227.97
2	MWMC	REGIONAL	STP P7	062419	3	FY 84	04/84	1,576*					B 261.51
			SLUDGE P1	062416	3	FY 83	09/83	1,896*		158			C 201.51
			WEST IRWIN PS	062415	3	FY 83	06/83	4,882*					C 198.41
3	TRI CITY SD	REGIONAL	STP P4	049306	3	FY 83	09/83	1,224*					B 232.55
			STP P5	049308	3	FY 84	09/84	525*					B 232.55
4	TRI CITY SD	REGIONAL	WILL INT 2	049307	3	FY 84	11/83	544*					B 230.55
5	TRI CITY SD	REGIONAL	WILL INT 1A	049306	3	FY 83	09/83	782*					B 230.55
			WILL INT 1B	049307	3	FY 84	11/83	1,426*					B 230.55
		OREGON CITY	OREGON CITY INT	049306	3	FY 83	09/83	238*					B 229.78
		W. LINN-BOLTON	RIVER ST FM	049306	3	FY 83	09/83	531*					B 229.20
			BOLTON FORCE M	049307	3	FY 84	11/83	137*					B 228.76
			BOLTON PS	049307	3	FY 84	11/83	720*					B 228.76
			RIVER ST PS	049307	3	FY 84	11/83	720*					B 228.76
6	TRI CITY SD	GLADSTONE	PUMP STATION	049307	3	FY 84	11/83	1,015*					B 229.39
7	EUGENE	RVR R-SANTA CLA	RR/SC PS	068901	3	FY 84	08/84	1,350*					B 225.73
8	EUGENE	RVR R-SANTA CLA	SANTA CLARA INT	068902	3	FY 84	08/84	4,885*					B 225.22
9	EUGENE	RVR R-SANTA CLA	RIVER RD INT	068903	3	FY 84	08/84	724*					B 225.01
10	BAKER	CITY	STP IMP	043102	3		06/84	3,210*		428			B 216.87
11	ROSEBURG U.S.A.	REGIONAL	STP	069301	3	FY 84	10/84	7,194					B 216.29
			INT	069302	3	FY 84	10/84	55					B 183.40
12	SEASIDE	CITY	STP IMP	068101	3		10/84	2,124					B 213.70
			II CORRECTION	068101	3		10/84	329					B 210.70

NOTE: 1) AN ASTERISK AFTER THE FUND AMOUNT INDICATES 75% FUNDING

2) ALL DOLLAR AMOUNTS ARE IN THOUSANDS OF DOLLARS

STATE OF OREGON
DEPARTMENT OF ENVIRONMENTAL QUALITY
CONSTRUCTION GRANTS FINAL PRIORITY LIST

RANK	COMMUNITY	AREA	COMPONENT	PROJECT NUMBER	STEP	READY TO PROCEED	TARGET CERT.	GENERAL FUND	SMALL COMM. FUND	ALT. TECH. FUND	INNOV TECH. FUND	STEP1&2 ADVANCE	PRIORITY POINTS
13	SEASIDE	CITY	P.S. P1A	068102	3		10/84	509					B 211.61
14	NEWBERG	CITY	STP IMP	049402	3		10/84	2,078		11			B 201.53
15	SALEM	PRINGLE CREEK	INT	064601	3		10/84	825					B 199.71
16	NEWBERG	CITY	II CORRECTION	049403	3		10/84	275					B 198.53
17	NEWBERG	CITY	HESS CRK INT	049404	3		10/84	125					B 197.68
18	GRANDE RONDE	AREA	SYSTEM	064202	3		08/83	39*	1,533*	204			B 194.02
19	MULTNOMAH CO	INVERNESS	INTERCEPTOR 8A	042601	3		10/84	387					B 192.56
20	MULTNOMAH CO	INVERNESS	INTERCEPTOR 8F	042602	3		10/84	606					B 192.40
			INTERCEPTOR 8B	042602	3		10/84	254					B 192.06
			INTERCEPTOR 8C	042602	3		10/84	119					B 191.80
			INTERCEPTOR 8H	042602	3		10/84	84					B 191.38
21	MULTNOMAH CO	INVERNESS	INTERCEPTOR 8D	042603	3		10/84	124					B 190.89
			INTERCEPTOR 8G	042603	3		10/84	159					B 190.51
22	HAPPY VALLEY	CITY	INTERCEPTOR	056702	3		10/84	275					B 190.32
23	MULTNOMAH CO	INVERNESS	INTERCEPTOR 8E	042604	3		10/84	101					B 190.00
24	COOS BAY NO.1	CITY	STP IMP	062801	3		10/84	696					B 187.91
25	NORTH BEND	CITY	SEWER REHAB	052002	3		10/84	291					B 186.98
			II CORRECTION	052002	3		10/84	291					B 184.98
			PUMP STATION	052002	3		10/84	31					B 184.98
26	COOS BAY NO.1	CITY	I/I CORR	062802	3		10/84	1,573					B 184.91

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CONSTRUCTION GRANTS FINAL PRIORITY LIST

RANK	COMMUNITY	AREA	COMPONENT	PROJECT NUMBER	STEP	READY TO PROCEED	TARGET CERT.	GENERAL FUND	SMALL COMM. FUND	ALT. TECH. FUND	INNOV TECH. FUND	STEP1&2 ADVANCE	PRIORITY POINTS
27	ROSEBURG U.S.A.	ROSEBURG CITY	SEWER REHAB	069303	3	FY 83	10/84	1,234					B 184.84
28	NORTH BEND	CITY	CSO	052003	3		10/84	685					B 180.98
29	ASTORIA	WILLIAMSPORT	INTERCEPTOR	061902	3	FY 84	10/84	402					B 178.60
30	FALLS CITY	CITY	SYSTEM	044901	3		10/84	1,100					B 167.52
31	YAMHILL CO	COVE ORCHARD	SYSTEM	063902	3		01/84		160*	21			B 152.08
32	BCVSA	WHETSTONE	INTERCEPTOR	060701	3	FY 85	10/84	660					B 150.60
33	DRAIN	CITY	STP IMP	062901	3		03/84	28*	259*	38			B 150.07
34	CLATSOP COUNTY	WESTPORT AREA	SYSTEM	068301	3		06/84	219*	515*	69			B 143.42
35	HOODLAND S.D.	RHODO-WELCHES	INT	052601	3	FY 81	10/84	156					B 139.08
36	SW LINCOLN CO	SAN DISTRICT	SYSTEM	053701	3		10/84	495					B 138.62
37	DESCHUTES CO	LAPINE	SYSTEM	053601	3		10/84	272					B 132.20
38	MT ANGEL	CITY	STP IMP	058802	3		10/84	106					C 248.92
39	MT ANGEL	CITY	II CORRECTION	058803	3		10/84	107					C 245.92
40	SOUTH SUBURBAN	SAN DISTRICT	STP IMP	066701	3		10/84	470					C 234.53
41	TRI CITY SD	REGIONAL	SEWER REHAB	049309	3	FY 84	10/84	774*					C 231.55
42	ELGIN	CITY	STP IMP	047202	3		10/84	259					C 227.77

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STATE OF OREGON
DEPARTMENT OF ENVIRONMENTAL QUALITY
CONSTRUCTION GRANTS FINAL PRIORITY LIST

RANK	COMMUNITY	AREA	COMPONENT	PROJECT NUMBER	STEP	READY TO PROCEED	TARGET CERT.	GENERAL FUND	SMALL COMM. FUND	ALT. TECH. FUND	INNOV TECH. FUND	STEP1&2 ADVANCE	PRIORITY POINTS
43	ELGIN	CITY	II CORRECTION	047203	3		10/84	90					C 226.81
44	CARLTON	CITY	STP IMP	061502	3		10/84	431					C 222.93
45	VERNONIA	CITY	STP IMP	063101	3		10/84	468					C 205.06
46	DALLAS	FIR VILLA	INTERCEPTOR	059203	3		10/85	138					C 203.82
47	CLACKAMAS CO	KELLOGG	SLUDGE DIGEST	060402	3	FY 83	10/85	2,162*					C 202.56
48	PORTLAND	COLUMBIA BV RLV	INTERCEPTOR	065501	3		10/85	1,210					C 202.05
49	PORTLAND	SOUTHEAST RLVG	INTERCEPTOR P3	034202	3	FY 80	10/85	9,200*					C 201.86
			INTERCEPTOR P4	034203	3	FY 81	10/85	3,200*					C 201.86
50	MWMC	REGIONAL	SLUDGE P2	062417	3		10/85	7,369*		983			C 201.51
51	TRI CITY SD	WEST LINN	RIVER ST INT	049310	3		10/86	665*					C 199.80
52	MWMC	SPRINGFIELD	SEWER REHAB P2	062418	3	FY 82	10/86	1,125*					C 199.43
53	TRI CITY SD	GLADSTONE	FORCE MAIN	049311	3		10/86	152*					C 199.39
54	TRI CITY SD	GLADSTONE	INTERCEPTOR	049312	3		10/86	133*					C 199.39
55	TRI CITY SD	OREGON CITY	ABERNETHY INT	049313	3		10/86	797*					C 199.08
56	TRI CITY SD	OREGON CITY	NEWELL INT	049314	3		10/86	679*					C 198.76
57	TRI CITY SD	WEST LINN-WILLA	TUALATIN PS	049315	3		10/86	872*					C 198.54
			WEST LINN FM	049315	3		10/86	688*					C 198.54

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STATE OF OREGON
DEPARTMENT OF ENVIRONMENTAL QUALITY
CONSTRUCTION GRANTS FINAL PRIORITY LIST

RANK	COMMUNITY	AREA	COMPONENT	PROJECT NUMBER	STEP	READY TO PROCEED	TARGET CERT.	GENERAL FUND	SMALL COMM. FUND	ALT. TECH. FUND	INNOV TECH. FUND	STEP1&2 ADVANCE	PRIORITY POINTS
58	USA	GASTON	INTERCEPTOR	057502	3		10/86	667					C 197.73
59	N. ALBANY S.D.	AREA 2A	STP	069401	3		10/86	358					C 196.27
60	SHERIDAN	SOUTH SIDE	SEWER REHAB	050603	3		10/86	35					C 193.91
61	CRESWELL	CITY	INTERCEPTOR	051302	3		10/86	65					C 193.69
62	CORVALLIS	CITY	CSO	066801	3		10/86	1,906					C 192.66
63	N. ALBANY S.D.	AREA 2A	INT	069402	3		10/86	198					C 192.27
64	SHERIDAN	SOUTH SIDE	II CORRECTION	050604	3		10/86	103					C 191.91
65	CARLTON	CITY	I/I CORR	061503	3		10/86	81					C 189.93
66	ENTERPRISE	CITY	STP IMP	055402	3		10/86	101					C 181.27
67	EAGLE POINT	CITY	INTERCEPTOR	042902	3		10/86	413					C 180.86
68	ENTERPRISE	CITY	II CORRECTION	055403	3		10/86	52					C 178.27
69	OAKRIDGE	CITY	STP IMP	051402	3		10/86	560					C 178.00
70	LOWELL	CITY	STP IMP	057302	3		10/86	138					C 176.42
71	LOWELL	CITY	II CORRECTION	057303	3		10/86	109					C 175.42
72	OAKRIDGE	CITY	II CORRECTION	051403	3		10/86	72					C 175.00
73	ESTACADA	CITY	STP IMP	059402	3		10/86	536					C 174.61

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STATE OF OREGON
DEPARTMENT OF ENVIRONMENTAL QUALITY
CONSTRUCTION GRANTS FINAL PRIORITY LIST

RANK	COMMUNITY	AREA	COMPONENT	PROJECT NUMBER	STEP	READY TO PROCEED	TARGET CERT.	GENERAL FUND	SMALL COMM. FUND	ALT. TECH. FUND	INNOV TECH. FUND	STEP1&2 ADVANCE	PRIORITY POINTS
74	KLAMATH FALLS	REGIONAL	STP EXPANSION	051604	3		10/86	411					C 174.52
75	STANFIELD	CITY	STP IMP	056502	3		10/86	259					C 173.75
76	STANFIELD	CITY	SEWER REHAB	056504	3		10/86	6					C 172.75
77	ESTACADA	CITY	II CORRECTION	059403	3		10/86	74					C 171.61
78	KLAMATH FALLS	REGIONAL	II CORRECTION	051605	3		10/86	264					C 171.52
79	STANFIELD	CITY	II CORRECTION	056503	3		10/86	6					C 170.75
80	DALLAS	CITY	II CORRECTION	059202	3		10/86	150					C 168.82
81	MADRAS	FRINGE AREA	INTERCEPTOR COLLECTION	057902 057903	3 3		10/86 10/86	297 1,380					C 168.40 C 163.40
82	KLAMATH FALLS	PELICAN CITY	INTERCEPTOR	051606	3		10/86	374					C 167.70
83	GRANTS PASS	CITY	SEWER REHAB	066101	3		10/86	337					C 166.70
84	PHILOMATH	CITY	STP IMP	062001	3		10/86	424					C 166.12
85	GRANTS PASS	CITY	II CORRECTION	066102	3		10/86	11					C 164.70
86	TANGENT	CITY	SYSTEM	047101	3		10/86	825					C 162.54
87	BENTON COUNTY	AREA	SYSTEM	070001	3		10/86	83					C 161.78
88	MONROE	CITY	STP IMP	056904	3	FY 81	10/86	108					C 160.32
89	FLORENCE	CITY	STP IMP	053302	3		10/86	1,419					C 159.48

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STATE OF OREGON
DEPARTMENT OF ENVIRONMENTAL QUALITY
CONSTRUCTION GRANTS FINAL PRIORITY LIST

RANK	COMMUNITY	AREA	COMPONENT	PROJECT NUMBER	STEP	READY TO PROCEED	TARGET CERT.	GENERAL FUND	SMALL COMM. FUND	ALT. TECH. FUND	INNOV TECH. FUND	STEP1&2 ADVANCE	PRIORITY POINTS
90	PORTLAND	CITY	SLUDGE GAS UTIL	055705	3		10/86	2,720*		363			C 159.40
91	PORTLAND	CITY	SLUDGE DISPOSAL	055706	3		10/87	7,268*		969			C 159.40
92	FLORENCE	CITY	SEWER REHAB	053304	3		10/87	154					C 158.48
93	GRESHAM	CITY	STP IMP	069501	3		10/87	3,850					C 157.07
94	FLORENCE	CITY	II CORRECTION	053303	3		10/87	101					C 156.48
95	HOOD RIVER	WESTSIDE	INTERCEPTOR	057702	3		10/87	110					C 156.40
96	SCIO	CITY	STP IMP	051502	3		10/87	211					C 155.80
97	SCIO	SOUTHSIDE	PUMP STATION	051504	3		10/87	57					C 153.80
98	FLORENCE	HECETA BEACH	INTERCEPTOR COLLECTION	053305 053306	3 3		10/84 10/84	138	382	25 69			C 153.31 C 148.31
99	SCIO	CITY	II CORRECTION	051503	3		10/87	30					C 152.80
100	USA	BANKS	INTERCEPTOR	057602	3		10/87	960					C 151.31
101	OAKLAND	CITY	STP IMP	061702	3		10/87	222					C 149.90
102	BROOKINGS	CITY	STP IMP	067201	3		10/87	358					C 147.09
103	RUFUS	CITY	STP IMP	068501	3		10/84		37	7			C 147.06
104	DRAIN	NORTH	INTERCEPTOR	062902	3		10/87	89					C 146.00
105	KNOXTOWN S.D.	SAN DISTRICT	STP IMP	068701	3		10/84		220	40			C 145.15

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CONSTRUCTION GRANTS FINAL PRIORITY LIST

RANK	COMMUNITY	AREA	COMPONENT	PROJECT NUMBER	STEP	READY TO PROCEED	TARGET CERT.	GENERAL FUND	SMALL COMM. FUND	ALT. TECH. FUND	INNOV TECH. FUND	STEP1&2 ADVANCE	PRIORITY POINTS
106	ST HELENS	CITY	II CORRECTION	053902	3		10/87	750					C 142.97
107	BROOKINGS	CITY	II CORRECTION	067202	3		10/87	200					C 144.09
108	ST HELENS	CITY	P. S. 1	053903	3		10/87	84					C 142.00
109	WARRENTON	CITY	II CORRECTION	069201	3		10/87	120					C 141.96
110	RAINIER	CITY	II CORRECTION	058602	3		10/87	584					C 141.61
111	HEPPNER	CITY	STP IMP	064801	3		10/87	737					C 140.48
112	LINCOLN CITY	CITY	INTERCEPTOR P2	055904	3	FY 80	10/87	250*					C 140.15
113	NEWPORT	CITY	STP IMP	061802	3		10/87	880					C 139.84
114	KLAMATH CO	MODOC POINT	SYSTEM	046901	3		10/87	314					C 139.40
115	NEWPORT	CITY	II CORRECTION	061803	3		10/87	124					C 136.84
116	DUFUR	CITY	STP IMP	047302	3		10/87	183					C 135.56
117	JOSEPH	CITY	STP IMP	051902	3		10/87	231					C 133.96
118	ONTARIO	CITY	STP IMP	051801	3		10/87	481					C 133.90
119	DUFUR	CITY	II CORRECTION	047303	3		10/87	24					C 132.56
120	FOSSIL	CITY	STP IMP	065101	3		10/87	693					C 125.63
121	MILTON-FREEWATE CITY		STP IMP	058902	3		10/87	715					C 125.33
			INTERCEPTOR	058903	3		10/87	281					C 121.33

NOTE: 1) AN ASTERISK AFTER THE FUND AMOUNT INDICATES 75% FUNDING

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STATE OF OREGON
DEPARTMENT OF ENVIRONMENTAL QUALITY
CONSTRUCTION GRANTS FINAL PRIORITY LIST

RANK	COMMUNITY	AREA	COMPONENT	PROJECT NUMBER	STEP	READY TO PROCEED	TARGET CERT.	GENERAL FUND	SMALL COMM. FUND	ALT. TECH. FUND	INNOV. TECH. FUND	STEP1&2 ADVANCE	PRIORITY POINTS
122	IONE	CORE AREA	SYSTEM	058302	3		10/84	33	22	4			C 124.00
123	HALSEY	CITY	STP IMP	059501	3		10/87	636					C 113.72
124	ATHENA	CITY	STP IMP	063501	3		10/87	440					C 100.00
125	IRRIGON	CITY	SYSTEM	058202	3		10/84	561	374	68			D 196.09
126	TRI CITY S.D.	MYRTLE CREEK	STP IMP	067001	3		10/87	490					D 184.89
127	TRI CITY S.D.	MYRTLE CREEK	II CORRECTION	067002	3		10/87	100*					D 181.89
128	BORING	AREA	SYSTEM	067401	3		10/87	275					D 173.85
129	WESTFIR	CITY	II CORRECTION	069701	3		10/87	550					D 172.70
130	USA	DURHAM	SLUDGE	037102	3		10/88	6,300*					D 165.89
131	SODAVILLE	CITY	SYSTEM	066201	3		10/88	371					D 161.65
132	NORTH POWDER	CITY	STP IMP	056402	3		10/88	59					D 154.29
133	WALLOWA	CITY	STP IMP	067501	3		10/88	330					D 150.66
134	YONCALLA	CITY	STP IMP	059701	3		10/88	421					D 149.86
135	YONCALLA	CITY	SEWER REHAB	059702	3		10/88	11					D 148.86
136	DOUGLAS CO	CAMAS VALLEY	SYSTEM	066601	3		10/88	440					D 148.35
137	SISTERS	CITY	SYSTEM	054102	3		10/85	550	770	140			D 147.81

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138	YONCALLA	CITY	II CORRECTION	059703	3		10/88	17					D 146.86
139	SEASIDE	CITY	P.S. IMP	068105	3		10/88	55					D 145.70
140	OAKLAND	UNION GAP	INTERCEPTOR	061703	3		10/88	94					D 144.35
141	NESKOWIN	SAN AUTHORITY	SYSTEM	060201	3		10/86	1,320	1,320	240			D 142.80
142	MILL CITY	CITY	SYSTEM	044701	3		10/88	512					D 141.73
143	JOSEPHINE CO	MERLIN/COL. V.	SYSTEM	045601	3		10/88	510					D 126.71
144	BURNS	CITY	STP IMP	065001	3		10/86		220	40			D 116.44
145	TURNER	CITY	INTERCEPTOR	044302	3		10/87	481					D 103.30
146	PILOT ROCK	CITY	STP IMP	067101	3		10/87	660					D 100.50
147	PRINEVILLE	CITY	STP IMP	064501	3		10/88	413					D 97.06
148	HUNTINGTON	CITY	CSO	069601	3		10/88	259					D 94.98
149	LANE CO	MAPLETON	SYSTEM	044201	3		10/88	523					D 67.83
150	N. ALBANY S.D.	AREA 1	INT	069403	3		10/88	550					E 223.13
151	USA	HILLSBORO	EFF DISPOSAL	068201	3		10/88	1,775*		237			E 203.73
152	CRESWELL	CITY	STP IMP	051303	3		10/86	636					E 197.69
153	NEWBERG	CITY	HESS CRK P.S.	049405	3		10/88	115					E 197.68

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154	NEWBERG	CITY	8TH ST.P.S.	049406	3		10/88	67					E 196.95
155	N. ALBANY S.D.	AREA 2B	INT	069404	3		10/88	352					E 192.73
156	USA	HILLSBORO	CORNELIUS INT.	068202	3		10/88	455					E 191.73
157	REDMOND	CITY	STP EXPANSION	068401	3		10/87		183	33			E 174.63
158	DALLAS	CITY	STP EXPANSION	059204	3		10/88	1,053					E 171.82
159	VENETA	CITY	STP EXPANSION	066001	3		10/88	376					E 161.42
160	CORVALLIS	AIRPORT	STP EXPANSION	045801	3		10/88	330					E 153.09
161	ST HELENS	CITY	STP IMP	053904	3		10/88	95		5			E 145.97
162	WARRENTON	CITY	STP EXPANSION	069202	3		10/88	257					E 144.96
163	CARMEL-FOULWEA	SAN DISTRICT	SYSTEM	054202	3		10/88	496					E 144.00
164	OAKLAND	DRIVERS VALLEY	INTERCEPTOR	061704	3		10/88	28					E 143.75
165	TWIN ROCKS	SAN DISTRICT	STP EXPANSION	064701	3		10/88	220					E 143.63
166	SEASIDE	N WAHENA RD	FORCE MAIN	068104	3		10/88	231					E 143.39
167	SEASIDE	S WAHENA RD	FORCE MAIN	068103	3		10/84	384					E 143.19
168	WARRENTON	HARBOR & ENSIGN	FORCE MAIN	069203	3		10/88	25					E 136.05
169	WARRENTON	MERLIN & SECOND	FORCE MAIN	069204	3		10/88	4					E 135.85

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170	WALLOWA LAKE	SAN AUTHORITY	SYSTEM	060101	3		10/88	330					E 110.67
171	ADAIR VILLAGE	CITY	STP IMP	067601	3		10/88	248					E 106.66
172	MARION CO	BROOKS	SYSTEM	063701	3		10/88	275					E 105.78
173	WEDDERBURN	SAN DISTRICT	STP EXPANSION	068601	3		10/88	73					E 105.12
174	N. ALBANY S.D.	AREA 4	INT	069405	3		10/88	550					E 103.49
175	N. ALBANY S.D.	AREA 3	INT	069406	3		10/88	550					E 103.01
176	ALBANY	N.E. KNOXBUTTE	INTERCEPTOR	046001	3		10/88	523					E 102.27
177	ODELL	SAN DISTRICT	STP EXPANSION	064401	3		10/88	495					E 96.16
178	MERRILL	CITY	STP EXPANSION	054001	3		10/88	495					E 91.91
179	LYONS-MEHAMA	REGIONAL	SYSTEM	067801	3		10/88	413					E 91.48
180	DETROIT	CITY	SYSTEM	047701	3		10/88	660					E 90.85
181	IDANHA	CITY	SYSTEM	067901	3		10/88	426					E 90.41
182	GATES	CITY	SYSTEM	068001	3		10/88	359					E 90.22
183	SANDY	CITY	STP EXPANSION	055101	3		10/88	693					E 85.36
184	SCAPPOOSE	CITY	STP EXPANSION	066301	3		10/88	561					E 65.00
185	CORNELIUS	CITY	INTERCEPTOR	069901	3		10/88	220					E 63.38

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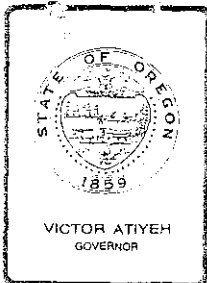
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186	CRESCENT	SAN DISTRICT	SYSTEM	054601	3		10/88	413					E 56.08
187	GOLD BEACH	MYRTLE ACRES	INTERCEPTOR	069801	3		10/88	125					E 50.00

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Environmental Quality Commission

Mailing Address: BOX 1760, PORTLAND, OR 97207

522 SOUTHWEST 5th AVENUE, PORTLAND, OR 97204 PHONE (503) 229-5696

To: Environmental Quality Commission

From: Director

Subject: Agenda Item No. G, August 19, 1983, EQC Meeting

Request For An Extension Of A Variance From OAR 340-25-315(1)(b)
Veneer Dryer Emission Limits, For Champion International Corporation,
Lebanon Plywood Division, Steam Heated Dryers 1 through 6.

Background and Problem Statement

Champion International Corporation, Building Products Division, owns and operates a plywood mill at Lebanon, Oregon, an area in compliance with all ambient air quality standards. The Company also operates a separate hard-board division at this same plant site.

Currently, Champion operates 6 steam heated veneer dryers and 1 direct wood fired veneer dryer at this mill. The steam dryers are controlled by routing dryer exhaust gases to the hogged fuel boilers for incineration of hydrocarbons (blue haze). The wood fired dryer is controlled by recycling a portion of the dryer exhaust back through the heat cell (i.e., the burning area) for incineration.

In 1981, Champion began experiencing difficulty in obtaining sufficient supplies of hogged fuel to operate the boilers at steaming rates high enough to adequately incinerate exhaust gases from all 6 steam dryers. The boilers needed less combustion air and thus would not swallow all the dryer exhaust gas. This resulted in notices of noncompliance from the Department and prompted the Company to request relief from the Department's 10% average, 20% maximum opacity rule for the steam dryers. In April, 1982, the Environmental Quality Commission granted a variance to Champion allowing them to abort up to 3 dryers directly to atmosphere (see Attachment 1). The variance expired July 1, 1983.

The Company is seeking a modification and extension of that variance.

It had been the Company's hope that market conditions would allow them to return to previous levels of production and boiler firing rates. However, due to the length and severity of the recession and the resultant changes in the make-up of the plywood industry, Champion now finds the Lebanon mill can no longer compete in the general construction grade plywood market. Therefore, management has made the decision to increase production of "specialty" plywood, which the mill can more economically produce. This change in product emphasis means that the onsite production of hogged fuel will not provide enough fuel to fire the boilers at steaming rates adequate to control all steam dryers.

In identifying this long term inability to adequately control dryer emissions, Champion has proposed modifying the boiler incineration system to allow an additional increment of dryer exhaust to be incinerated. They have requested an extension of the expired variance (with a reduction in the number of aborted dryers from 3 to 1-1/2) until September 1, 1984, on the basis that strict compliance would result in substantial curtailment or closing down of the plant.

The Commission is authorized by ORS 468.345 to grant variances from the Department rules if it finds strict compliance is inappropriate for one of the reasons specified in the statute, including "(c) strict compliance would result in substantial curtailment or closing down of a business, plant or operation."

Alternatives and Evaluation

For the past year, Champion has operated the steam heated dryers under provisions of the April, 1982, variance. Quarterly reports submitted as part of the variance indicate that the boilers have not steamed at levels sufficient to adequately control the steam dryers (see Attachment 2). Champion has managed to minimize the impact of uncontrolled emissions by limiting the number of aborted dryers to 1 (generally No. 4) plus the green end stack from dryer 5 (which is not connected to the incineration system at this time).

In order to fire the boilers at rates high enough to accommodate all steam dryer emissions, the Company must operate their electrical generating turbines in addition to supplying steam to the plywood mill and hardboard plant. Currently, reductions in industrial and residential power demand and forecast electrical power surpluses over the next 10 years makes the onsite generation of power uneconomical. To date, the cost of purchasing additional hogged fuel for power generation far exceeds the cost of purchasing power.

Champion has proposed to upgrade the boiler incineration system to eliminate the need to abort uncontrolled dryer emissions to atmosphere at current reduced firing rates.

This would be accomplished by modifying 2 Coen Sanderdust burners firing into the hogged fuel boilers. The proposal would replace ambient air with dryer exhaust gases, thus allowing an additional 18,000 to 20,000 actual cubic feet per minute of dryer emissions to be incinerated. In addition, the Company would process all redry veneer (veneer not completely dried during the first pass through a dryer) in a single dryer. Redry temperatures are well below that required to drive off hydrocarbons or blue haze and most volatile hydrocarbons would have already been driven off during the first pass. Therefore, these emissions should be within the 10% average, 20% maximum opacity limits. Champion plans to discharge these emissions directly to atmosphere, further reducing the amount of dryer emission load and exhaust air volume on the incineration system during the 16 hours a day of redry operation. During the remaining 8 hours, the dryer would be vented to the incineration system.

Champion has committed to complete modification of the burners and connect the No. 5 dryer green end stack to the control system by August 1, 1984.

Over the period of the original variance, Regional staff have monitored the operation of the plywood mill and have reviewed quarterly reports. The Company has worked within the conditions of the variance and has been very cooperative in responding to the Department's requests. There have been no citizen complaints resulting from the authorized bypassing of up to three dryers.

Headquarters and Regional staff have met with Champion to discuss this proposal and conclude that it is reasonable and should result in compliance with the opacity limits of the Department.

As to the Company's contention that strict compliance would result in substantial curtailment, we note the following:

1. The mill is best suited to production of specialty plywood, and cannot compete with mills producing construction grades of plywood unless a capital intensive mill modification is undertaken.
2. In April of this year, the mill (largest employer in Linn County) shut down for a period of 3 weeks due to poor market conditions. This was a period when construction grade plywood was experiencing an upswing in orders. The shutdown placed 560 people out of work. Upon restart, only 460 workers were rehired, in an effort to reduce losses. It is unknown when the remaining 100 workers will be rehired.

Three variance alternatives are identified:

1. Grant the variance with increments of progress as outlined by the Company, with a final compliance date of September 1, 1984.

The Company and DEQ staff feel that this is a realistic schedule.

2. Implement the schedule of alternative 1 above, and require the Company to initiate changes in dryer operation to reduce visible emissions from the aborted dryers until the proposed modifications are complete and compliance is achieved. These changes may be reduced dryer temperatures and increased dryer times.

The Department feels that this alternative is impractical and would place further economic hardship on the Company and reduce the availability of funds for solving the problem.

3. Deny the variance extension and proceed with enforcement action

(civil penalties) for violations of the opacity limits in Champion's Air Contaminant Discharge Permit.

The Department feels that this alternative is also impractical because there is no immediate remedy to achieve compliance that would not result in substantial curtailment or closure of the plant. Further, the proposed 14-month extension appears to be the minimum time needed to fund, design and complete the projects.

As with the original variance, staff does not look forward to an additional 14 months of bypassing uncontrolled veneer dryer gases. However, this proposal will provide a solution to dryer emissions if future downturns in the plywood industry occur, and will result in a more reliable control system than now exists. Therefore, the Department concurs with Champion's request for an extension of the April, 1982 variance.

Summation

1. Champion International Corporation has requested a modification and extension of their April, 1982 variance from compliance with the Department's opacity rule for up to 3 steam heated veneer dryers.
2. The need for the original variance and this extension resulted from changing fuel supplies and market conditions which limit the capability of the boiler incineration system controlling the six steam dryers.
3. The Company has operated within the conditions of the original variance, which expired July 1, 1983. During the variance period, no citizen complaints were received.
4. The Company has proposed modifying the sanderdust burner portion of the hogged fuel boiler system to allow additional veneer dryer gas incineration at currently reduced boiler steaming rates. This proposal should result in continuous compliance even during future market downturns.
5. The Company shut down this mill in April due to poor market conditions, putting 560 employees out of work. Even though the mill is now operational, 100 employees remain out of work indefinitely.
6. It is believed that imposition of variance conditions limiting dryer temperature and increasing drying time will substantially reduce the Company's ability to remain operating.
7. The Commission is authorized by ORS 468.345 to grant variances from Department rules if it finds that strict compliance would result in substantial curtailment or closing down of a business, plant or operation.

8. The Commission should find that strict compliance would result in substantial curtailment or closing down of Champion International Corp., Building Products Division's Lebanon Plywood Mill.

Director's Recommendation

Based on the Summation, it is recommended that the Commission grant an extension to Champion International Corporation, Lebanon Plywood Division's April, 1982, variance from OAR 340-25-315(1)(b), Veneer Dryer Emission Limits, with final compliance and increments of progress as follows:

1. Complete engineering and obtain funding to modify the Coen sanderdust burners and install necessary ducting and related equipment by March 1, 1984.
2. Issue purchase orders for equipment and contracts for construction and installation of the burner modifications by April 15, 1984.
3. Complete burner modifications and ductwork installation (including ducting of the No. 5 dryer green end stack to the boilers) by August 1, 1984.
4. Demonstrate compliance with the Department's opacity limits by September 1, 1984.

In addition, the variance should be modified to limit the number of aborted steam heated dryers to 1 plus the green end stack of the No. 5 dryer during the period of the variance extension. The quarterly reporting requirement should be modified to replace the forecasting of future supplies of hogged fuel with quarterly progress reports on achieving compliance. All other reporting requirements remain in effect.

Bill

William H. Young

WHY:JEB:dsw

Attachments:

1. Commission Report, April, 1982.
2. Quarterly Reports.
3. Request for Variance Extension dated July 29, 1983.



Environmental Quality Commission

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522 SOUTHWEST 5th AVENUE, PORTLAND, OR 97204 PHONE (503) 229-5696

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State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
SALEM, OFFICE

MEMORANDUM

To: Environmental Quality Commission
From: Director
Subject: Agenda Item No. K, April 16, 1982, EQC Meeting

Request For Variance From OAR 340-25-315(1)(b) Veneer
Dryer Emission Limits, For Champion International
Corporation, Lebanon Plywood Division, Steam Heated
Dryers 1-6

Background and Problem Statement

Champion International Corporation owns and operates a plywood manufacturing mill at Lebanon, Oregon (Lebanon Plywood Division), an area in compliance with all ambient air quality standards. The Company also operates a hardboard plant at the site, (Lebanon Hardboard Division).

The Company produces plywood from raw logs processed on site and from green veneer produced at other Champion mills in the northwest. There are six steam heated dryers and one wood-fired veneer dryer on site. Emissions from the wood-fired dryer are currently being controlled by recycle and incineration. Emissions from the steam heated dryers are collected and incinerated in the Company's two hogged fuel boilers which supply heat for the hardboard plant and the plywood mill.

Due to an industry-wide shortage of hogged fuel, the Company is unable to operate the boilers at sufficient rates to adequately control emissions from all six steam dryers. At the present firing rates, the volume of exhaust gases from the six dryers exceeds the combustion air requirement of the boilers.

Under normal operating conditions, the hogged fuel boilers steam at a rate of 130,000 lbs/hr. Due to the current fuel shortage, the steaming rate average varies between 85,000 and 105,000 lbs/hr depending on the quantity and quality of fuel available. The Company indicates a minimum of 125,000 lbs/hr is needed to adequately control emissions from all six steam heated dryers.

Champion has requested a variance to allow diverting the emissions from a minimum of one and a maximum of three steam heated dryers to the atmosphere in lieu of routing them through the hogged fuel boiler control system. Accordingly, Champion also requested permission to operate the same dryers in violation of the Department's veneer dryer opacity emission limits for a period of eighteen months. This is the minimum time period anticipated by Champion for recovery of the forest products industry. (See Attachments 1 and 2).

The Commission is authorized by ORS 468.345 to grant variances from Department Rules if it finds strict compliance is inappropriate for one of the reasons specified in the Statute, including (a) conditions exist that are beyond the control of the persons granted such variance; and (b) strict compliance would result in substantial curtailment or closing down of a business, plant or operation.

Alternatives and Evaluation

Department rule OAR 340-25-315(1) established April 1, 1980 as the final compliance date for meeting the 20% maximum, 10% average opacity limits for steam heated veneer dryers (this corresponds to the deadlines set under the Clean Air Act Amendments of 1977). The boiler incineration system at Lebanon was approved by the Department and installation completed in 1977, well in advance of the deadline.

Subsequent Department inspections verified compliance with the 10% average, 20% maximum opacity limits up until February, 1981, when uncontrolled emissions from the number five dryer were observed. In a letter dated March 2, 1981, Champion indicated hogged fuel shortages forced them to abort the number five dryer to atmosphere. At that time, the Company indicated they were trying to purchase outside fuel to supplement hogged fuel, sanderdust, and ply trim produced on site and thus increase steam production and improve operation of the incineration system.

Since that time, the following steps have been taken to secure additional fuel:

1. Fuel is purchased on the open market whenever possible. To date, hogged fuel has been brought in from as far away as Klamath Falls and St. Helens, Oregon.
2. Chips and other material used for raw material (furnish) at the hardboard mill are sometimes diverted to the boilers for fuel, on an emergency basis, to maintain fire in the boilers (a minimum of 85,000 lbs/hr steaming rate is needed to operate the hardboard dryers and plywood plant).
3. Logs stored in the mill pond were pulled, bark removed for use as fuel, and the logs returned to the pond for storage.

4. Spoils (bark mixed with dirt) removed during log pond dredging have been burned as fuel. This practice had to be discontinued due to operational problems with the boiler (grates plugging, etc.).
5. Partially decomposed woodwaste (with questionable heat value) is being dug up from a landfill and hauled in from St. Helens for fuel.

DEQ staff have contacted several companies who use hogged fuel and two suppliers of fuel. In all cases, these contacts indicate that there is a shortage of fuel with supplies of outside open market material available only on an intermittent basis. Prices vary from \$20 to \$40/wet unit (\$40 to \$80/bone dry unit), plus shipping expenses.

Fuel dealers indicate that they are having a difficult time securing supplies of hogged fuel to sell.

Even with the above steps, the Company has been unable to meet plant steam requirements, and has had to take several actions to reduce the steam demand on the boilers. These actions have unfortunately also decreased the boiler's capability to handle dryer gases:

1. All steam operated pumps and motors which could have been switched to electricity (increasing overall power cost) have been switched.
2. The steam turbine powered electrical generators have been shut down (increasing overall power cost).
3. Building space heating (steam) has been cut back to the minimum acceptable to the labor unions.
4. Natural gas booster burners in the hardboard plant furnish dryers are set at maximum to make up for lost heat from the boiler heat exchanger system.

These steps serve to underscore the magnitude of the fuel shortage at Lebanon.

Regional staff have discussed several alternatives to dryer bypasses with the Company. Champion indicates the following probable effects should these alternatives be implemented:

1. Curtail veneer drying to the number of dryers which could be efficiently controlled by the boiler incineration system.

Effect: Layoffs of operations personnel of the affected dryers would be the result. With curtailment of veneer drying, plywood production would be substantially cut back for lack of dry veneer. The Lebanon Plywood Division has been marginally

profitable during the current economic slump, and such a cut back would likely place the Division in a submarginal profit status, possibly causing shutdown of the Division.

Other ripple effects would likely be (depending on the number of dryers shut down) closing of one or more Company owned veneer mills in Idanha and Mapleton, Oregon; Morton, Washington; and Redding, California. All these mills supply green veneer for processing at Lebanon.

2. Curtail production at the hardboard mill and divert raw material (chips, etc.) to the boilers for fuel.

Effect: Any substantial cut back in production would limit this Division's ability to operate efficiently (i.e., raw material used for boiler fuel would leave insufficient material for production). If such were the case, shutdown of hardboard is likely. Layoffs of plant personnel would be likely in any curtailment.

3. Install separate (additional) emission controls to handle the dryer gases which cannot be incinerated in the boilers.

Effects: Large expenditure of funds (\$0.5 to \$1.0 million at 15-20% interest) to design, construct and operate a control system. This would likely intensify the already marginal economic status of the Plywood Division, with shutdown likely.

The system would be energy intensive (medium efficiency scrubber). Lead time for design, construction and installation would likely take 12-18 months.

While the Department does not look forward to a reversal of air quality gains at Champion, Lebanon, staff must agree that the circumstances and conditions which exist are neither the fault of nor under the control of the Company. It would seem unreasonable to require substantial curtailment or shutdown of the Plywood mill given the current unemployment picture in the east Linn County area. It appears unreasonable to require installation of additional controls on any bypassed dryers at this time due to the high capital costs and extended installation time involved.

Therefore, the Department concurs with Champion's contention that they are unable to comply with the Department's veneer dryer emission limits due to conditions beyond their control, and that strict compliance would result in substantial curtailment or closing down of their mill. With recovery of the wood products industry, the problem should be resolved.

The Department supports this variance request for a period of approximately 1 year because of the Company's past efforts to alleviate the fuel shortage and their commitment to continue to pursue an adequate source of fuel. If the hogged fuel situation does not improve within this time frame, the

Company should consider either alternate controls or fuel types or sources.

Bypassing of one or more of the dryers will result in distinct visible plumes (as before implementation of controls). If three of the dryers are bypassed, the estimated annual increase in emissions would be 19 tons of particulate and 0.7 tons of organics. Total annual plywood plant emissions are estimated at 298 tons particulate and 40 tons organics. However, staff does not expect resultant health impacts or public nuisance conditions to exist during the period of this variance.

If granted, the variance should be subject to the following conditions:

1. Operation of the existing boiler incineration system at the maximum efficiency to accommodate the most dryers possible.
2. Submission of quarterly reports detailing fuel availability, steaming rates, number of dryers aborted and forecast for the next quarter.
3. If the Department determines that the veneer dryer emissions cause significant adverse impact on the airshed, this variance may be revised or revoked.

Summation

1. Since 1977, Champion International Corporation has operated a control system for six steam heated veneer dryers. The system is based upon incineration of dryer gases in two hogged fuel boilers. Department inspections have shown compliance with opacity limits (20% maximum, 10% average) up until February, 1981, when fuel shortages began to affect the ability of the incineration system to adequately control emissions from all dryers. Emissions from one veneer dryer were diverted directly to atmosphere, resulting in violation of the opacity limits.
2. Champion has taken steps to supplement fuel supplies, including purchase of outside fuel when available, burning of pond dredgings and partially decomposed woodwaste from landfills, in an effort to keep the incineration system at maximum efficiency in order to meet opacity limits. These steps have proven unsuccessful, and additional dryers must now be periodically bypassed.
3. Champion has requested a variance to operate from one to three steam heated veneer dryers in violation of the Department's 20% maximum, 10% average opacity limits for a period of 18 months.
4. Alternatives to bypassing dryer emissions (shut down affected dryers; use chips from Hardboard Division for fuel; and installation of a scrubber for bypassed dryers) are considered unacceptable to the Company and would likely cause curtailment or shutdown of the plywood mill.

5. The Department concurs with Champion that their inability to maintain continuous compliance is caused by factors beyond their control and that strict compliance would likely result in curtailment or shutdown of the plywood mill.
6. The Department realizes that emissions will increase with granting of this request, but expects that no health impact or public nuisance will be caused during the period of the variance. The estimated annual increase in emissions with three dryers uncontrolled is 19 tons of particulate and 0.7 tons of organics. Total plant emissions are estimated at 298 tons of particulate and 40 tons of organics.

Director's Recommendations

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

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

Bill

William H. Young

- Attachments: 1. Variance request dated February 25, 1982
2. Variance request addendum dated March 18, 1982

AA1976 (1)
F.A. Skirvin:a
229-6414
March 24, 1982

ATTACHMENT !



February 25, 1982

Mr. Dale Wulffenstein
State of Oregon
Department of Environmental Quality
895 Summer Street, N.E.
Salem, OR 97319

RE: Boiler Incineration - Veneer Dryer Emission Control (6-Steam Heated)
Lebanon, Oregon

Dear Mr. Wulffenstein:

As previously discussed, frequent upset conditions in recent months have been experienced at Lebanon's veneer dryer incineration system for dryers 1 through 6. Regretfully, this situation reflects the current economic trend; however, it is viewed by us as temporary in nature.

The present non-compliance status is a function of the boilers' inability to accept the veneer gases from all six dryers because of the boilers' reduced operating levels. The reduced levels are caused by the following:

1. Reduced fuel availability; thereby, requiring lower boiler firing rates.
2. Reduced fuel quality (higher moisture and ash) causing lower combustion temperatures and subsequently less tolerance to moisture laden gases.

Fuel production at Lebanon has reduced by approximately one-third because of the curtailment of one shift in the plant's green end. To the extent possible, fuel is being purchased to make up this deficit. This purchased fuel is difficult to obtain, is variable in quality, appears to have a higher ash content, and averages about 10 percent wetter than the fuel we generate.

Combining these factors, management was forced to discontinue operating the turbine generators and other miscellaneous steam-driven equipment wherever possible. Experience indicates that this resulted in lowering the average boiler steaming rates from approximately 16,000 to 24,000 pph below normal to remain consistent with fuel availability.

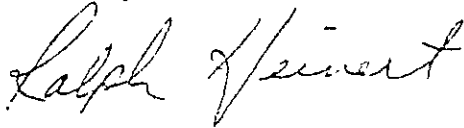
Mr. Dale Wulffenstein
February 25, 1982
Page 2

The ultimate result of a lower steaming rate and wetter fuel is an unstable firing condition in the boilers if the total veneer gas volume is utilized. This occurs primarily because the wet veneer gases increase the overall heat load to a point beyond that which the boilers can handle and still maintain required combustion temperatures. Consequently, fugitives increase and venting occurs.

Therefore, it is now necessary that we request a variance to Lebanon's Air Discharge Permit #22-5196 as related to the veneer gas incineration system. It is requested on the basis that: a) Conditions exist that are beyond our control, and b) strict compliance would result in substantial curtailment of production. Since it is extremely difficult to predict a specific date for resuming compliance on a routine basis, no expiration date can be given; however, we would continue to incinerate to the extent possible. Conditions relating to the variance could be reviewed on a quarterly basis or some other time frame consistent with the Department's requirements.

If you have any questions or need additional information, please contact myself or Jack Hayes at Lebanon.

Sincerely,



Ralph Heinert
Assistant Manager
Western Environmental Affairs

RH/se

cc Al Smith - Eugene
Rod Bradley - Lebanon
Jack Hayes - Lebanon
Ed Clem - Stamford
Harry Bartels/File

P.O. Box 10228,
1600 Valley River Drive
Eugene, Oregon 97446
503 687-4629

ATTACHMENT 2



March 18, 1982

Mr. Dale Wulffenstein
State of Oregon
Department of Environmental Quality
Willamette Valley Region
895 Summer Street, N.E.
Salem, OR 97310

RE: AQ-Champion Building Products
Lebanon Plywood Division
ACDP 22-5196; Linn County
Request for Variance

Dear Mr. Wulffenstein:

This will respond to your letter of March 12, 1982 and our phone conversations concerning our request for a variance for the veneer dryer/boiler incineration system at Lebanon.

Under the present economic conditions of manufacturing and the availability of boiler fuel, we are unable to comply with the Oregon opacity regulations. Due to boiler fuel deficiencies, in both quantity and quality, we are unable to meet consistently a 20% maximum opacity per stack and with a 10% average opacity from all stacks from the six steam dryers.

We must continue to operate in our presently curtailed mode of operation, but wish, at the same time, to avoid any citation and possible subsequent cease and desist order for any violation that might occur.

Manufacturing at our Lebanon mill is complex even under our present curtailed production scheduling. Additional economic problems would be created if we were to attempt to manufacture with only a portion of our steam dryers in operation. At present, we have curtailed our green end manufacturing to, essentially, a one-shift operation in order to produce nine- to twelve-foot veneers for long length panels. Very few mills in the industry are capable of producing such panels. The curtailment of the veneer peeling operations has, of course, affected our fuel supply for the steam boilers and is, in a large measure, responsible for our need for a variance.

Mr. Dale Wulffenstein
March 18, 1982
Page 2

We have been purchasing fuel wherever we can, but fuel is in short supply. In recent times we have obtained fuel from as far away as Beaver Marsh (between Chemult and Klamath Falls) and St. Helens, Oregon for delivered high prices of \$75.00 and \$85.00 per bone dry unit. Our separate hardboard operation utilizes wood chips, shavings and sawdust as raw material for their manufacturing, and is dependent on the central boiler plant for steam and fiber dryer energy. Hardboard's raw material costs are currently averaging \$57.00 per bone dry ton which converts to \$68.00 per bone dry unit. This, as you can see, is less than our current long-haul hog fuel costs, but hardboard raw materials are also in short supply. Robbing hardboard of raw materials for fuel could be expected to curtail that operation very seriously.

We have also considered converting our peeler cores to hog fuel rather than selling them for re-manufacturing into 2" x 4" studs. The economics, at present, are favorable; however, the mechanics of such a conversion are not good. The lack of a transfer system plus suitable equipment for reducing the cores to fuel would raise our conversion costs considerably from solid wood unit cost to that of fuel. Also, the volume of the cores produced under today's conditions is not large enough to justify further consideration.

At the present time, we are receiving, at Lebanon, veneer from three company mills, plus veneer purchased on the open market. Economics is the reason why we curtailed our veneer operation at Lebanon and closed our green veneer mill at Idanha. We must purchase or transfer veneer at the lowest possible price in order to keep the Lebanon mill open.

The complexity of the proper flow of materials through the Lebanon plant makes it impractical to curtail segments of the manufacturing, such as drying, without a serious cost effect on the balance of the operation. This, plus costs, is the reason why we cannot dry veneer on overtime and use fewer dryers in an attempt to maintain productivity and compliance. The green end section of the plant can, however, be curtailed when it is better economics to purchase veneer on the open market.

Any curtailment of plywood production at Lebanon, however, is always reflected in the volume of veneer obtained from our other mills and in that purchased from other sources.

The economics of our Lebanon mill is a part of the Corporation's financial position as reported in the quarterly and annual reports. We wish it reflected a brighter picture. We have been advised that the Corporation's freeze on capital expenditures can be expected to continue through 1983. We respectfully request, then, that a variance be granted for that period.

Sincerely,

H. Bartels

Harry Bartels
Manager
Western Environmental Affairs
HB/se

cc Rod Bradley-Lebanon
Phil Grayson-Lebanon
Jack Hayes-Lebanon
Al Smith-Eugene
Ralph Heinert/File



October 22, 1982

Mr. Dale Wulffenstein
Environmental Consultant
Department of Environmental Quality
Willamette Valley Region
895 Summer Street, N.E.
Salem, OR 97310

SUBJECT: Quarterly Report RE: Variance Requirements - Lebanon

Dear Mr. Wulffenstein:

The enclosed material is submitted for your review as required by the variance granted Champion's Lebanon facilities on April 16, 1982.

Included are the following:

1. Daily Boiler Steaming Rates.
2. The number of veneer dryers operating and those operating on abort.
3. A statement on fuel availability, costs and a forecast for the 4th Quarter of this year.

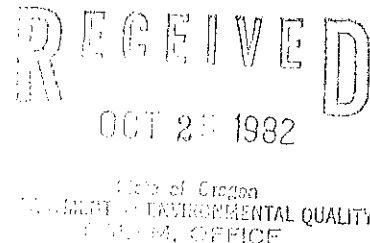
If you have any questions, please contact me. Also, please accept an apology for the tardiness of the first quarter report; it shouldn't occur again.

Sincerely,

A handwritten signature in cursive script that reads 'Ralph Heinert'.

Ralph Heinert
Manager
Western Environmental Affairs

RH/se
Enclosures
cc Bob Brewer/Rod Bradley-Lebanon
Phil Grayson-Lebanon
Jack Hayes-Lebanon



CHAMPION INTERNATIONAL - BANON

BOILERS & DRYER OPERATING REPORT

	Initials	Date
Prepared By		
Approved By		

	(1)	(2)	(3)	(4)	(5)	
	DATE	COMMENTS	BOILER STEAM RATE P.P.H	Minimum of 125,000 #/hr required to take all 6 dryers.	No. DRYERS OPERATING	DRYERS ON ABORT by DRYER No.
1	19		89850	DSW	6	1&4 - 3 shifts
2	20		92200		6	" "
3	21		92840		6	" "
4	22		38620		-0-	
5	23		11400		-0-	
6	24		99140		6	1&4 - 3 shifts
7	25		96310		6	" "
8	26	Boiler Chart MISSING			6	" "
9	27	SHIFT RECORDS MISSING				
10	28		92160		6	1&4 - 3 shifts
11	29		96210		6	1&2 - 3 shifts
12	30		42200		0	
13						
14						
15						
16						
17						
18						
19						
20						
21						
22						
23						
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Form H555 Buff - Form G555 Green
 Form H555 Buff - Form G555 Green

CHAMPION INTERNATIONAL - LEBANON

BOILERS & DRYER OPERATING REPORT

	Initials	Date
Prepared By		
Approved By		

	(1)	(2)	(3)	(4)	(5)
	DATE MAY	COMMENTS	BOILER STEAM. RATE P.P.H	No. DRYERS OPERATING	DRYERS ON ABORT by DRYER No.
1	1	BOILER	-	-0-	
2	2	CHARTS	-	0-	
3	3	MISSING	-	6	#4-3 shifts #1-2 shifts #1/24-3 shifts
4	4		106000	6	" "
5	5		94800	6	" "
6	6		93700	6	" "
7	7		52300	-0-	
8	8		30000	-0-	
9	9	BOILER Chart MISSING	-	-0-	
10	10		98750	6	#1/24-3 shifts
11	11		93250	6	" "
12	12		94800	6	" "
13	13		53130	6	" "
14	14		32000	-0-	
15	15	BOILER CHARTS	-	-0-	
16	16	MISSING	-	-0-	
17	17		98130	6	#1/24-3 shifts
18	18		96040	6	" "
19	19		93830	6	" "
20	20		92080	6	" "
21	21		42290	-0-	
22	22		29380	-0-	
23	23		29290	-0-	
24	24		93600	6	#1/24-3 shifts
25	25		92960	6	" "
26	26		93710	6	" "
27	27		93250	6	" "
28	28		49170	0	
29	29		55125	0	
30	30	BOILER CHARTS	-	0	
31	31	MISSING	-	0	
32					
33					
34					
35					
36					
37					
38					
39					
40					

Form H555 Buff - Form G555 Green

CHAMPION INTERNATIONAL - LEBANON

BOILERS & DRYER OPERATING REPORT

	Initials	Date
Prepared By		
Approved By		

	DATE	COMMENTS	BOILER STEAM. RATE P.P.H	(1)	(2)	(3) No. DRYERS OPERATING	(4)	(5) DRYERS ON ABORT by DRYER No.
1	1		95380			6		#124-3 shifts
2	2		89580			6		#14-3 shifts
3	3		93250			6		#1-2 shifts
4	4		85540			6		#324-3 shifts
5	5		28000			-0-		#2-1 shift
6	6		29330			-0-		
7	7		95290			6		#324-3 shifts
8	8		97790			6		" "
9	9		100380			6		" "
10	10		98330			6		" "
11	11		43080			-0-		
12	12		41880			-0-		
13	13		36670			-0-		
14	14		101920			6		#324-3 shifts
15	15		96960			6		" "
16	16		92790			6		" "
17	17		91800			6		" "
18	18		46600			-0-		
19	19		40540			-0-		
20	20		35960			-0-		
21	21		97960			6		#324-3 shifts
22	22		95550			6		" "
23	23		95080			6		" "
24	24		93880			6		" "
25	25		65500			-0-		
26	26		36380			-0-		
27	27		34940			-0-		
28	28		98000			6		#324-3 shifts
29	29		97080			6		" "
30	30		92290			6		#324-3 shifts
31								#6-1 shift
32								
33								
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- Not sure from Records -

CHAMMON INTERNATIONAL - LAGANON

BOILERS & DRYER OPERATING

REPORT

	Initials	Date
Prepared By		
Approved By		

	DATE	COMMENTS	BOILER STEAM. RATE P.P.H	NO. DRYERS OPERATING	DRYERS ON ABORT by DRYER No.	
1	1		91380	6	#3, 4, 6-3shifts	
2	2		30000	0		
3	3	MAINTENANCE SHUTDOWN				
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17	18					
18	19		90130	6	#4-3shifts	
19	20		89920	6	" "	
20	21		92630	6	" "	
21	22		93210	6	" "	
22	23	1 shift veneer GAS FAN FAILURE	52000	6	#4-2shifts #1, 2, 4-6	
23	24		30790	0		
24	25		29960	0		
25	26	FAN REPAIRS NOT COMPLETE UNTIL 3 rd shift	95750	6	#1-6-2shifts #4-1shift	
26	27		91830	6	#4-1shift	
27	28		88630	6	" "	
28	29		88080	6	" "	
29	30		37010	0		
30	31		33090	0		
31						
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Form H555 Buff - Form G555 Green

CHAMPION INTERNATIONAL - LEBANON

BOILERS & DRYER OPERATING REPORT

	Initials	Date
Prepared By		
Approved By		

	DATE	COMMENTS	BOILER STEAM. RATE P.P.H	NO. DRYERS OPERATING	DRYERS ON ABORT by DRYER NO.
1	1		29300	-0-	—
2	2		92900	6	#6-3shifts
3	3		97080	6	" "
4	4		95080	6	" "
5	5		94710	6	" "
6	6		96100	6	" "
7	7		34940	-0-	—
8	8		36900	-0-	—
9	9		95550	6	#4-3shifts
10	10		97960	6	" "
11	11		101080	6	" "
12	12		94900	6	" "
13	13		32100	-0-	—
14	14		34095	-0-	—
15	15		32645	-0-	—
16	16		100340	6	#4-3shifts
17	17		96085	6	" "
18	18		94900	6	" "
19	19		96840	6	" "
20	20		33000	-0-	—
21	21		31600	-0-	—
22	22		28280	-0-	—
23	23		95650	6	#4-3shifts
24	24		96400	6	" "
25	25		95460	6	" "
26	26	Boiler Charts		6	" "
27	27	Missing for		6	" "
28	28	These Days.		-0-	—
29	29	↓		-0-	—
30	30			6	#4-3shifts
31	31			6	" "
32					
33					
34					
35					
36					
37					
38					
39					
40					

OMAHA STEAM
 Form H555 Buff - Form G555 Green

CHAMMON INTERNATIONAL - MANON

BOILERS & DRYER OPERATING REPORT

Prepared By	Initials	Date
Approved By		

DATE	COMMENTS	BOILER STEAM. RATE P.P.H	(1)		(2)		(3)		(4)		(5)	
1		94350					6					#4-3 shifts
2		87180					6					
3		28100					-0-					
4		29600					-0-					
5		29180					-0-					
6		21700					-0-					
7		102000					6					#4-3 shifts
8		98530					6					
9		96900					6					
10		95000					6					
11		31460					-0-					
12		28650					-0-					
13		101300					6					#4-3 shifts
14		96950					6					
15		97105					6					
16		101350					6					
17		38010					-0-					
18		29340					-0-					
19		28910					-0-					
20		99710					6					#4-3 shifts
21		98920					6					
22		97315					6					
23		99110					6					
24		43240					-0-					
25		34380					-0-					
26		29600					-0-					
27		104180					6					#4-3 shifts
28		96760					6					
29		98220					6					
30		97800					6					
31												
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Internal Use - Form H555 Buff - Form G555 Green

FUEL AVAILABILITY & FOURTH QUARTER FORECAST

CHAMPION INTERNATIONAL CORPORATION
BUILDING PRODUCTS DIVISION
LEBANON, OREGON

Hogged boiler fuel continues to be a scarce commodity because of the number of wood-processing plants that continue to not operate.

Champion's Idanha plant resumed operations on June 1 and one lathe shift was started back up at Lebanon on August 1. These operations helped to meet the summer fuel requirements; however, with winter approaching, additional fuel sources will no doubt have to be found. Fuel costs have been as high as \$90.00 per BDU.

Purchased fuel requirements totaled 5,781 bone dry tons for the first three quarters of 1982 (1st - 2,169 BDT; 2nd - 1,947 BDT; 3rd - 1,665 BDT). Fuel availability is not expected to improve during the fourth quarter. Therefore, it will be necessary to continue aborting a portion of the dryers.

The number of dryers required to be aborted during the fourth quarter will be a function of fuel availability and the overall average fuel moisture content. As the combustion air moisture content and fuel moisture content increases, the capabilities of the boiler to handle additional moisture laden veneer gases will decrease. However, the operating personnel at Lebanon will continue to handle as many dryer gas discharges as possible as operating conditions change.



January 19, 1983

Mr. Dale Wulffenstein
Environmental Consultant
Department of Environmental Quality
Willamette Valley Region
895 Summer Street, N.E.
Salem, OR 97310

SUBJECT: Fourth Quarter Report Regarding
Variance Reporting Requirements - Lebanon

Dear Mr. Wulffenstein:

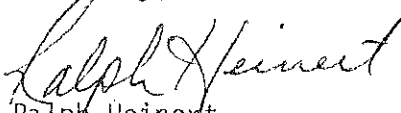
The enclosed information is submitted for your review as required by the variance to the Lebanon Plywood Air Quality Permit.

The information includes:

1. Daily boiler steaming rates.
2. The number of veneer dryers operating versus those operating on abort.
3. Fuel usage and availability.

If you have any questions, please contact myself or Jack Hayes.

Sincerely,


Ralph Heinert
Manager
Western Environmental Affairs

RH/se
Enclosures

cc Bob Brewer - Lebanon
Phil Grayson - Lebanon
Jack Hayes - Lebanon

RECEIVED
JAN 21 1983
State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
SALEM, OFFICE

CHAMBERLON INTERNATIONAL - CANON

BOILERS & DRYER OPERATING REPORT

	Initials	Date
Prepared By		
Approved By		

	DATE	COMMENTS	BOILER STEAM RATE P.P.H	(1)	(2)	(3) No. DRYERS OPERATING	(4)	(5) DRYERS ON ABORT by DRYER No.
	Oct							
1	F	No Charts	---			5		# 43 shift
2	S		65,670			3		- 0 - #
3	S		43,630			---		---
4	M		89,750			6		# 4 - "
5	T		102,540			6		# 4 - "
6	W		100,250			6		# 4 - "
7	T		98,380			6		# 4 - "
8	F		99,910			6		# 4 - "
9	S		66,740			3		---
10	S		---			---		---
11	M		84,330			6		# 4 - "
12	T		89,520			6		# 4 - "
13	W		97,700			6		# 4 - "
14	T		98,025			6		# 4 - "
15	F		55,005			3		---
16	S		41,030			---		---
17	S		---			---		---
18	M		101,300			6		# 4 - 3 Shift
19	T		96,500			6		" "
20	W		97,105			6		" "
21	T		101,350			6		---
22	F		38,010			---		---
23	S		50,820			2		---
24	S		---			---		---
25	M		99,710			6		# 4 - 3 Shift
26	T		98,420			6		" "
27	W		97,315			6		" "
28	T		99,110			6		" "
29	F		66,180			4		---
30	S		29,600			---		---
31	S		---			---		---
32								
33								
34								
35								
36								
37								
38								
39								
40								

In accordance with Form 1555 Buff - Form 6555 Green

CHAMPION INTERNATIONAL - LEBANON

BOILERS & DRYER OPERATIONS REPORT

	Initials	Date
Prepared By		
Approved By		

DATE	COMMENTS	BOILER		No. DRYERS OPERATING	DRYERS ON ABORT by DRYER NO.
		STEAM RATE	P.P.H		
1 M		59 000		6	#4 - 2 Shifts
2 T		99 108		6	#4 - 3 Shifts
3 W		96 400		6	" "
4 T		95 840		6	" "
5 F		92 080		6	" "
6 S		29 380		—	—
7 S		—		—	—
8 M	Charts Missing	—		6	#4 - 2 Shifts
9 T		91 120		5	#6 - 3 Shifts
10 W		94 800		6	#4 - 3 Shifts
11 T		97 680		6	" "
12 F		81 020		4	—
13 S		32 150		—	—
14 S		—		—	—
15 M		51 600		6	#4 - 2 Shifts
16 T		102 101		6	#4 - 3 Shifts
17 W		99 208		6	" "
18 T		97 303		6	" "
19 F		50 680		—	—
20 S		—		—	—
21 S		—		—	—
22 M		47 720		6	#4 - 2 Shifts
23 T		102 100		6	" 3 "
24 W		95 650		6	" " "
25 T		97 340		6	" " "
26 F	No Charts	—		6	" " "
27 S		28 900		—	—
28 S		—		—	—
29 M	No Charts	—		6	#4 - 2 Shifts
30 T		99 860		6	#4 - 3 Shifts
31					
32					
33					
34					
35					
36					
37					
38					
39					
40					

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CHAMPION INTERNATIONAL - LEBANON

BOILERS & DRYER OPERATIONS REPORT

	Initials	Date
Prepared By		
Approved By		

DATE	COMMENTS	BOILER STEAM RATE P.P.H.		No. DRYERS OPERATING		DRYERS ON ABORT by DRYER No.
		(1)	(2)	(3)	(4)	
1 W		102	100	6		#4 - 3 Shifts
2 T		95	910	6		#4 - 3 Shifts
3 F		82	000	4		
4 S		47	650			
5 S						
6 M		58	510	6		#4 - 2 Shifts
7 T		104	400	6		#4 - 3 Shifts
8 W		93	240	6		" "
9 T		101	200	6		" "
10 F		94	860	6		" "
11 S		96	250	5		#4 - 3 Shifts
12 S						
13 M		56	750	6		#4 - 2 Shifts
14 T		98	300	6		" 3 Shifts
15 W		104	200	6		" "
16 T		104	107	6		" "
17 F		100	000	5		
18 S		75	000	3		
19 S						
20 M		54	170	6		#4 - 2 Shifts
21 T		95	000	6		#4 - 3 Shifts
22 W		99	780	6		" "
23 T		94	620	6		" "
24 F						
25 S						
26 S						
27 M						
28 T		48	160	1		
29 W		66	670	1		
30 T		89	800	1		
31 F						
32 S						
33 S						
34 M						
35 T						
36 W						
37 T						
38 F						
39 S						
40 S						

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FUEL AVAILABILITY AND FIRST QUARTER FORECAST
CHAMPION INTERNATIONAL CORPORATION
BUILDING PRODUCTS DIVISION
LEBANON, OREGON

Although the number of mills operating appears to be increasing, boiler hogged-fuel continues to be in short supply. It is not anticipated that these conditions will change by any great extent during this operating quarter.

Operating conditions did allow the Lebanon facility to normally operate with one dryer aborted from the veneer gas system. This is not expected to change during the first quarter of the year.

The Lebanon facility purchased 2,440 BDT during the fourth quarter of 1982.

January 19, 1983



April 25, 1983

Mr. Dale Wulffenstein
Department of Environmental Quality
Willamette Valley Region
895 Summer Street, N.E.
Salem, OR 97310

SUBJECT: 1983 First Quarter Report
RE: Variance Reporting Requirements - Lebanon

Dear Mr. Wulffenstein:

The enclosed information is submitted for your review as required by the variance to the Lebanon Air Quality Permit #22-5196.

The information includes:

1. Daily boiler steaming rates.
2. Number of veneer dryers operating versus those on abort.
3. Fuel usage and availability.

If you have any questions, please contact myself or Jack Hayes.

Sincerely,

A handwritten signature in cursive script that reads 'Ralph Heinert'.

Ralph Heinert
Manager
Western Environmental Affairs

RH/se

cc Bob Brewer - Lebanon
Phil Grayson - Lebanon
Jack Hayes - Lebanon

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APR 26 1983

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
SALEM, OFFICE

CHAMPION INTERNATIONAL - LEBANON

BOILERS & DRYER OPERATIONS
REPORT January, 1983

Prepared By	Initials	Date
Approved By		

DATE	COMMENTS	BOILER		No. DRYERS OPERATING	DRYERS ON ABORT by DRYER No.
		STEAM. RATE	P.P.H		
1 Jan 83		48	750	- 0 -	
2		50	420	- 0 -	
3		109	170	6	#4
4		110	000	6	#4
5		105	170	6	#4
6		106	080	6	#4
7		56	420	- 0 -	
8		40	130	- 0 -	
9		110	330	6	#4
10		110	130	6	#4
11		109	920	6	#4
12		111	710	6	#4
13				6	#4
14		67	330		
15		41	000	- 0 -	
16	Sunday			- 0 -	
17		112	470	- 6 -	#4
18		108	300	6	#4
19		109	130	6	#4
20		106	380	6	#4
21		51	140		
22		10	120	- 0 -	
23	Sunday			- 0 -	
24		101	460	6	#4
25		106	300	6	#4
26		105	480	6	#4
27		102	221	6	#4
28		44	540	- 0 -	
29		46	910	- 0 -	
30					
31		110	330	6	#4
32					
33					
34					
35					
36					
37					
38					
39					
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CHAMPION INTERNATIONAL - LEBANON

BOILERS & DRYER OPERATIONS REPORT *February, 1983*

	Initials	Date
Prepared By		
Approved By		

DATE	COMMENTS	BOILER STEAM RATE P.P.H	(1)	(2)	(3) No. DRYERS OPERATING	(4)	(5) DRYERS ON ABORT by DRYER No.
1 Feb 83	Tuesday	108 540			6		#4
2		107 500			6		#4
3		108 500			6		#4
4		70 500			2		—
5	Hardboard Sealing Only	10 130			—		—
6	Sunday	—			—		—
7		109 290			6		#4
8		106 870			6		#4
9		108 300			6		#4
10		108 110			6		#4
11		68 130			2		—
12		36 630			—		—
13	Sunday	28 460			—		—
14		102 830			6		#4
15		102 170			6		#4
16		104 810			6		#4
17		101 330			6		#4
18		54 960			2		—
19		37 380			—		—
20	Sunday	41 040			—		—
21		106 420			6		#4
22		105 190			6		#4
23		104 440			6		#4
24		106 110			6		#4
25		57 500			2		—
26		43 210			—		—
27	Sunday	36 920			—		—
28		105 920			6		#4
29							
30							
31							
32							
33							
34							
35							
36							
37							
38							
39							
40							

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CHAMPION INTERNATIONAL - LEBANON

BOILERS & DRYER OPERATIONS REPORT *Maccuh 1983*

Prepared By	Initials	Date
Approved By		

	DATE	COMMENTS	BOILER STEAM. RATE P.P.H	(2)	(3) No. DRYERS OPERATING	(4)	(5) DRYERS ON ABORT by DRYER No.
1	Mar 83	Tues	107 630		6		# 4
2			104 510		6		# 4
3			106 310		6		# 4
4			49 580		0		
5			45 710		—		
6		Sunday	40 750		—		
7			101 170		6		# 4
8			100 420		6		# 4
9			102 310		6		# 4
10			103 100		6		# 4
11			72 250		2		
12			44 880		—		
13		Sunday	45 880		—		
14			117 960		6		# 4
15			107 460		6		# 4
16			106 180		6		# 4
17			108 100		6		# 4
18			54 290		1		
19			34 080		—		
20			42 000		—		
21			107 000		6		# 4
22			106 700		6		# 4
23			105 340		6		# 4
24		Thursday	40 210		—		
25			32 010		—		
26			—		—		
27		Sunday	30 380		—		
28			106 420		6		# 4
29			108 120		6		# 4
30			109 840		6		# 4
31			102 540		6		# 4
32							
33							
34							
35							
36							
37							
38							
39							
40							

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
FUEL AVAILABILITY AND FIRST QUARTER FORECAST

CHAMPION INTERNATIONAL CORPORATION
BUILDING PRODUCTS DIVISION
LEBANON, OREGON

Purchased hogged-fuel did increase for the 1st quarter of 1983. It is anticipated that if operations at the Lebanon facility resume during the 2nd quarter of 1983, fuel would be purchased at approximately the same rate.

Again, conditions were such that the facility was able to operate with only one veneer dryer exhaust system aborted to atmosphere. At present, however, it is uncertain what the production schedule will be when production does resume.

The Lebanon facility purchased 3,598 bone dry tons during the 1st quarter of 1983 and came from seven different sources.


Ralph Heinert
April 25, 1983

P.O. Box 10228
1600 Valley River Drive
Eugene, Oregon 97440
503 687-4729, 503 687-4643

ATTACHMENT 3
State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
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AIR QUALITY CONTROL



July 29, 1983

Mr. Dale Wulffenstein
Regional Engineer
Department of Environmental Quality
Willamette Valley Region
895 Summer Street, N.E.
Salem, OR 97310

SUBJECT: Lebanon Plywood - Air Quality Permit #22-5196
Permit Variance - Steam Heated Dryers

Dear Mr. Wulffenstein:

This letter is to address air quality permit #22-5196 for the Lebanon facility and the operating variance to that permit which expired on July 1, 1983.

The variance which was approved in 1982 permitting up to three veneer dryers to be aborted from the veneer gas incineration system was required because of the inability of the boilers to accept the total quantity of gases generated at the dryers. This was caused because fuel availability and cost necessitated operating the boilers at lower steaming rates by taking auxiliary steam users off-line.

As can be seen by the quarterly reports that have been submitted as a condition of the variance, the situation necessitating the variance still persists and although improvements in fuel costs and availability are beginning to occur, recent developments at Lebanon relating to production and market conditions have necessitated that the lower boiler operating levels be continued. Champion has been able to operate the gas incineration system with a maximum of 1½ dryers aborted instead of three and has done so for the past nine months. Realizing that the present operating conditions are likely to continue for some time and that reoccurrences of these same conditions are possible in the future, system modifications will be necessary to allow the gas incineration system to function properly on a full-time basis.

Because the problem relates to the upper limit of excess air and gas that the boilers can accept at a given firing rate, modifications would involve ducting and metering changes to allow replacement of ambient air supplied to the boilers (by way of the Coen dust burners) with

Mr. Dale Wulffenstein
July 29, 1983
Page 2

veneer gases from the dryers. This change would result in a reduction of total air to each boiler of up to 10,000 cfm, and allow the veneer gases presently bypassed to be accepted for incineration and place the excess air and gas in a manageable firing range necessary for the reduced boiler operating rates presently being experienced.

To further insure that excessive veneer gases do not become a problem, it would be advantageous to obtain a permit modification which would allow dryers operating on redry to be aborted from the system. Experience indicates that this can be done because the majority of high and low temperature volatiles have already been released in the previous drying process. Redry dryers will typically operate at temperatures from 225 degrees F. to 275 degrees F. and, therefore, temperatures should be sufficiently low enough to not create opacity standards exceedances.

PROPOSED COMPLIANCE PLAN AND SCHEDULE

In order to accomplish the above-proposed modifications, the following schedule is submitted for your review and approval.

Stage 1:

1. Obtain permit modification to allow redryer exhaust to bypass veneer gas incineration system. (By September 1, 1983)
2. Complete engineering and obtain funding to install ducting and related equipment to allow veneer gas to replace ambient air being supplied by Coen burners. (By March 1, 1984)
3. Issue purchase orders for equipment and contracts for construction. (By April 15, 1984)
4. Complete construction and installation during normally scheduled plant shutdown in July. (By July 31, 1984)
5. Start-up, debug systems and demonstrate compliance. (By September 1, 1984)

In order to institute the above compliance schedule, it will be necessary to obtain approval from your Department and the Environmental Quality Commission to extend the present variance allowing a percentage of veneer gases to bypass the incineration system. The variance could be modified to allow a maximum of one dryer and one stack to be aborted instead of the original maximum of three dryers.

The variance to operate is being requested on the basis that strict compliance would result in substantial curtailment or shutdown of the

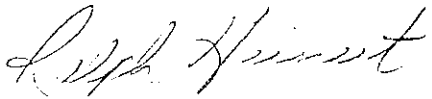
Mr. Dale Wulffenstein
July 29, 1983
Page 3

facilities at Lebanon. Since Champion's fiscal year runs from January to January, allocable funding has already been committed for the year 1983 and the present economic conditions have rendered emergency funds non-available.

I personally apologize for the tardiness of the proposed plan and requests; however, the recent closure of the Lebanon facility somewhat altered various priorities at that location.

If you have any questions or desire additional information relating to the enclosed plans and proposals, please contact me at 687-4643.

Sincerely,

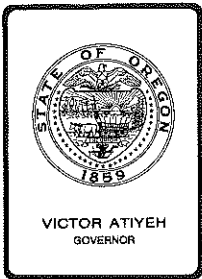


Ralph Heinert
Manager
Western Environmental Affairs

RH/se

Enclosures

cc R. Brewer - Champion/Lebanon
J. Hayes - Champion/Lebanon
J. Deacon - Champion/Eugene
Lloyd Kostow - DEQ



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, August 19, 1983, EQC Meeting

Public Hearing to Consider Approval of the Portland
International Airport Noise Abatement Program (Pursuant to
OAR 340-35-045)

Background and Problem Statement

On September 8, 1981, the Oregon Environmental Council (OEC) requested the Department to initiate the process of requiring the Port of Portland to develop a noise abatement program for Portland International Airport (PIA) under the procedures described in the Commission rule, Noise Control Regulations for Airports (OAR 340-35-045). OEC noted that aircraft "flights over Portland neighborhoods frequently interfere with communications, sleep, church services and other noise-sensitive activities." They also were concerned that some Northeast Portland residents were exposed to peak noise levels as high as 98 dBA that continued for several minutes. OEC concluded their request by noting that the Port of Portland and the Federal Aviation Administration had not been responsive to this problem when complaints were submitted. Thus, OEC believed the Department should require that an abatement plan be prepared.

The Department has received numerous complaints of excessive noise due to PIA operations since the noise control program was formed. Several changes in PIA operations also increased noise impacts that resulted in increased complaints. Commercial operations have increased and the federal de-regulation of the airlines has produced an influx of some operators with older, and thus louder, jet aircraft. De-regulation has also provided more demand for commuter operations. Some commuter aircraft are noisy, fly at low altitudes, and/or operate on the most noise-sensitive runway (RW 2/20). The Oregon Air National Guard has also been responsible for noise complaints. In 1980, the 142nd Fighter Interceptor Group based at PIA replaced their F-101 aircraft with F-4 aircraft. The F-4 aircraft has been responsible for an increased number of complaints about military operations due to its noise level and unusual tonal characteristics.

Upon receipt of the OEC letter, the Director, pursuant to Section 5 of the airport noise control rules, scheduled a meeting between all affected parties in an effort to resolve informally the noise problem prior to issuing a notification to begin a formal abatement program. As a result of these meetings, the Port of Portland (Port) agreed that PIA noise impacts warranted the development of a formal noise abatement program in accordance with the Commission's regulations. The Port agreed to initiate the study by June 1982 and have a proposed plan completed within twelve months. On March 5, 1982, the Commission was informed of the Port's proposal at which time the Commission concurred with the process and schedule to develop the plan.

The goal of an airport noise abatement program is to reduce noise impacts, prevent the creation of new impacts, or the expansion of existing impacts. This goal is to be achieved through the development of aircraft operational controls and noise-compatible land-use controls.

The regulations require the airport proprietor to consider sixteen aircraft/airport operational control options and eleven land-use control options during development of the abatement program. Each practicable operational control option is to be incorporated into the abatement program. Likewise, recommended land use and development control options included in the plan must be pursued with the responsible governmental body by the airport proprietor.

On June 8, 1983, the Port of Portland Commission approved the proposed noise abatement plan for PIA. On June 30 the plan was submitted to the Department for review. Pursuant to the noise control regulation (Section (4)(d)) the proposed plan must be submitted for Commission approval. The Commission shall base its approval or disapproval upon:

- (a) The completeness of the information submitted;
- (b) The comprehensiveness and reasonableness of the proprietor's evaluation of the operational plan elements;
- (c) The presence of an implementation schedule for the operational plan;
- (d) The comprehensiveness and reasonableness of the proprietor's evaluation of land use and development plan elements;
- (e) Evidence of good faith efforts to adopt the land use and development plan, or obtain its adoption by the responsible governmental body;
- (f) The nature and magnitude of existing and potential noise impacts;
- (g) Testimony of interested and affected persons; and
- (h) Any other relevant factors.

Upon approval of a plan, the abatement program shall have the force and effect of an order of the Commission. The Commission may also direct the Department to undertake such activity necessary to ensure compliance with the terms of its order.

Evaluation of the Proposed Abatement Program

The PIA noise abatement program was developed by the Port of Portland with the assistance of a "planning advisory committee" over a twelve-month period. The plan addresses most issues raised by concerned citizens and interest groups and follows the procedures specified in the noise control regulations.

The rules require the airport proprietor to study impacts within the Ldn = 55 dBA noise contour. This contour is an equal-noise "footprint" that circumscribes the area impacted by the operation of the airport. Figure 1 shows the 1982 baseline noise contours for PIA. The 55 dBA contour describes the study area for the abatement plan while the higher contours are used for control measures appropriate to the extent of the noise impact. The population within the 1982 baseline 55 dBA contour is 177,700 and covers an area of 127.8 square miles.

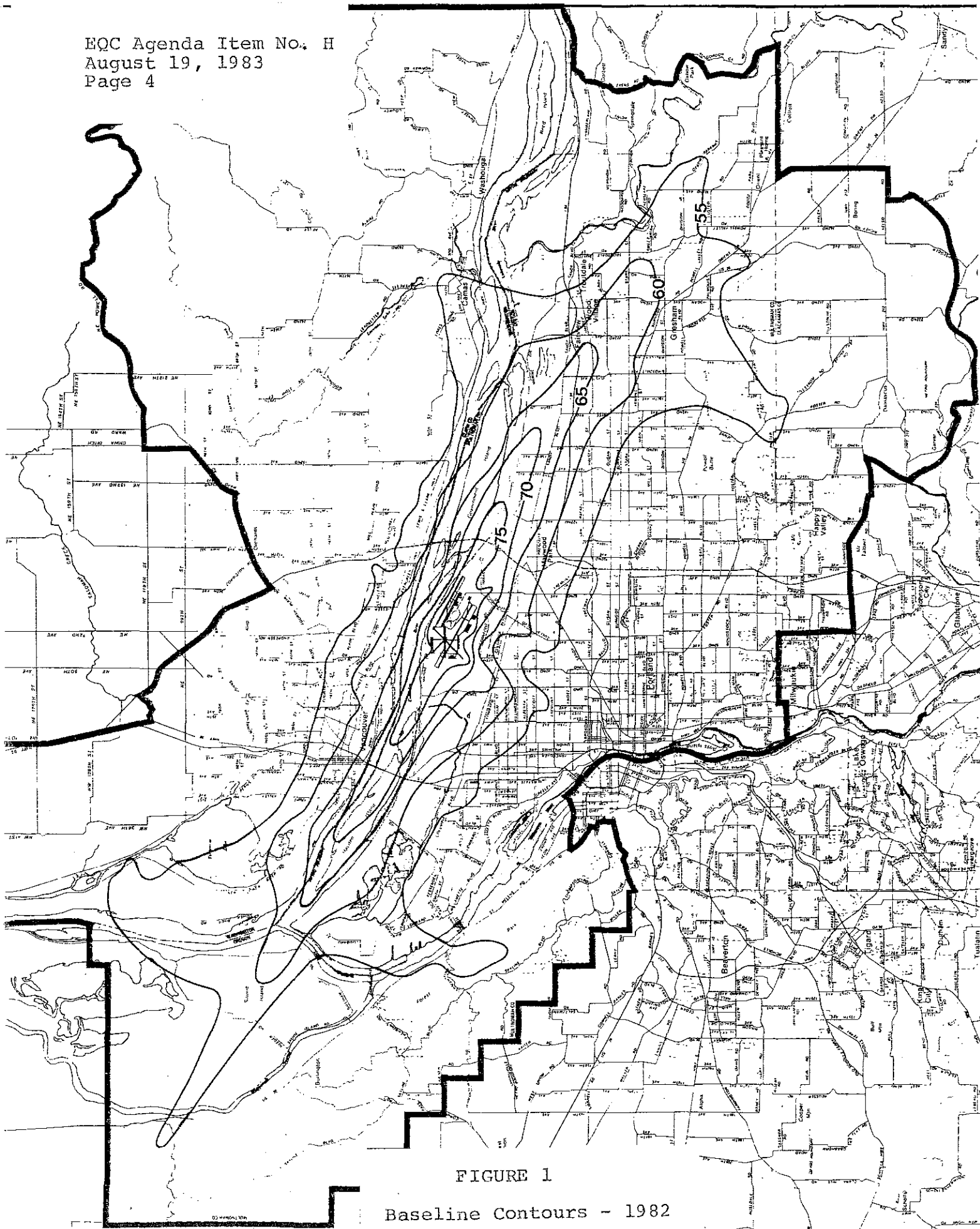


FIGURE 1

Baseline Contours - 1982

OPERATIONAL CONTROL PROGRAM

The proposed plan contains the following airport operational controls designed to reduce the size of the noise contours or to shift the contours to compatible land uses:

- (a) The north-south crosswind runway (Runway 2/20) would not be used by any aircraft unless dictated by weather or field conditions. Use of this runway has been the source of many complaints as arriving and departing aircraft pass directly over densely populated areas of north and northeast Portland as well as portions of Clark County, Washington. Some commuter airlines have used this runway on a regular basis because of its convenience. This restriction would, therefore, have some cost impact on these airlines.
- (b) All air carrier, military F-4 fighters, and business jets would comply with the following procedures:
 - (1) When departing toward the east (RW 10R/10L), a 20-degree left turn would be made after takeoff to head the aircraft up the Columbia River. This course (080 degrees magnetic) is followed for 10 nautical miles before turning toward a destination heading.
 - (2) When departing toward the west (RW 28R/28L), aircraft would maintain the runway heading (280 degrees) for a distance of 8 nautical miles or to an altitude of 6,000 feet before turning on course.
 - (3) Under strong south winds and the crosswind runway is dictated, departures toward the south on Runway 20 would circle to the right and head northeast for a distance of 8 miles before turning on course.
 - (4) When landing to the east (RW 10R/10L), aircraft would follow a straight-in path on the runway heading from a point 8 miles from the airport.
 - (5) When landing to the west (RW 28R/28L) under good weather conditions, the river would be followed until approximately 4 miles from the airport at which time the aircraft would follow the runway alignment. Under poor weather conditions aircraft would follow a direct straight-in approach from a point 8 miles from the airport.
- (c) All large commuter aircraft and the military T-33 trainers would:
 - (1) Fly all departure procedures as designated for the large aircraft except they would turn at 3,000 feet altitude rather than the required 8 and 10 miles, or 6,000 feet altitude, points.

- (2) Fly the same arrival procedures specified for the large aircraft.
- (d) The smaller, mostly general aviation aircraft would not fly the specific procedures described above except for the prohibitions on the crosswind runway. These aircraft would be turned on course as soon as practicable after departures.
- (e) In order to implement and enhance the procedures outlined above, two navigational aids would be added to the airport. A Very High Frequency Omnidirectional Range station and Distance Measuring Equipment (VOR/DME) navigational aid would be added to allow more precise use of the flight track procedures outlined above. In the future, a Microwave Landing System (MLS) would be added for approaches from the east. The MLS would not be helpful until after 1990 when more air carrier aircraft will have the necessary on-board equipment to use this precision landing system.
- (f) In order to mitigate noise impacts caused by the Oregon Air National Guard (OANG), the Port of Portland would negotiate a formal agreement. This agreement would work to limit flying activity during nighttime hours. In addition, the OANG has agreed to suspend the overhead landing approach pattern procedure for the F-4 fighter aircraft but retain this procedure for the T-33 trainer aircraft.

LAND USE MANAGEMENT PROGRAM

In order to assist the maintenance of reduced noise impacts achieved from the operational controls, the following land use management controls are included in the PIA noise abatement plan:

- (a) No new residences should be allowed within the 65 dBA contour unless currently permitted under existing residential zoning. This control measure is established in Portland at 68 dBA and thus needs amending. Multnomah County would initiate this control by amending its County Framework Plan to establish the necessary policy decision.
- (b) Sound insulation should be required for all new residential structures within the 65 dBA contour. The Portland ordinance already requires this recommendation. However, Multnomah County must develop the appropriate ordinance.
- (c) Sound insulation should be required for all new or reconstructed non-residential, noise-sensitive uses within the 65 dBA contour. Such ordinances must be approved in Portland and Multnomah County.
- (d) All new residential construction within the 65 dBA contour should dedicate a noise easement to the Port of Portland. Such an ordinance is approved for Portland. Multnomah County would need to adopt a policy and an ordinance to require such easements.

- (e) A noise disclosure to all prospective purchasers or tenants is recommended within the 65 dBA contour. The Port of Portland will pursue this concept though the State Legislature and the local Board of Realtors.
- (f) Urbanization of noise-sensitive uses within the 55 dBA contour and outside Urban Growth Boundries should be discouraged. The Port of Portland will petition METRO and Multnomah County to adopt policies to manage noise-sensitive growth within the area impacted by PIA.
- (g) Existing noise-sensitive uses (properties) within the 75 dBA contour should be acquired. It is projected that only the Lemon Island Moorage would be exposed to 75 dBA by the year 2003. This area now contains approximately 59 houseboats and 125 residents. The Port of Portland owns this moorage. The Port would investigate options to resolve these incompatible uses with the goal of removal of these uses from within the 75 dBA contour.
- (h) If federal funds are available, a sound insulation program for existing homes within the 70 dBA contour would be established. It is projected that aproximately 230 homes would be eligible for this program.
- (i) The Port of Portland would pursue a tax relief program for installation of sound insulation for approximately 925 existing dwellings within the 65 dBA contour. Such a program would be pursued by the Port of Portland during the 1985 Legislative session.
- (j) Sound insulation controls recommended for noise-senstive uses within the 65 dBA contour would be enhanced by amendments to the State Building Code to require sound insulation within high-impact areas. The Port of Portland would pursue these amendments to the building code at the state level.

PROGRAM IMPACT

The impact of the proposed PIA noise abatement program is a significant reduction of exposure to people and some reduction in the amount of exposed land area. The initial operational controls would reduce the population exposed to aircraft noise levels exceeding Ldn 55 dBA by 39 percent and 69,000 people. The area within this contour would be reduced by 6 percent. Most of this reduction is achieved by shifting the noise to less sensitive areas, primarily over the Columbia River.

The following Table provides projections of population and area exposure at baseline (1982), initial implementation (1983), five years (1988), ten years (1993), and twenty years (2003).

Table 1

	Baseline	1983	1988	1993	2003
Population within 55 dBA (000's)	177.7	108.7	104.5	116.0	114.4
60 dBA (000's)	52.7	26.9	25.1	26.6	28.3
65 dBA (000's)	8.9	3.4	3.0	3.0	3.3
70 dBA (000's)	0.4	0.5	0.6	0.6	0.4
75 dba (000's)	0.2	0.1	0.0	0.0	0.0
Total Area within 55 dBA (sq.mi)	127.8	120.2	109.9	106.3	94.5
60 dBA (sq.mi)	56.6	60.0	55.0	52.7	45.6
65 dBA (sq.mi)	31.9	26.6	24.6	23.7	20.4
70 dBA (sq.mi)	12.3	10.8	10.1	9.6	8.1
75 dBA (sq.mi)	5.2	4.6	4.2	4.0	3.2

Future changes in exposure are primarily affected by changes in aircraft noise emission levels and changes in residential development. New generation, quieter aircraft are now being brought into service (B-757, B-767, and DC 9-80) and will continue until the year 2000 at which time it is expected that the air carrier fleet will consist almost entirely of quieter aircraft. However, during this period it is projected that the commuter aircraft fleet will continue to expand. The trend in commuters is toward larger aircraft (30 - 50 seats) and they, therefore, may become a more significant portion of the noise problem at PIA depending upon the numbers and noise emissions of replacement aircraft.

Figure 2 shows the 1983 noise abatement contours for PIA and displays existing areas of noise-sensitive use. Comparison of this figure with Figure 1 shows the narrowing of the contour achieved through the extension of approach and departure tracks from approximately 3 miles to 8 miles on the west side and from 3 miles to 10 miles on the east side of the airport. In addition, the east side contour has been shifted north, over the Columbia River, thus reducing impacts in east Multnomah County. The remaining tail on Figure 2 south of Wood Village reflects the straight-in arrival procedure that would be used during poor weather conditions when the visual river approach is not recommended.

▲ Parks
● Schools
Residential Areas

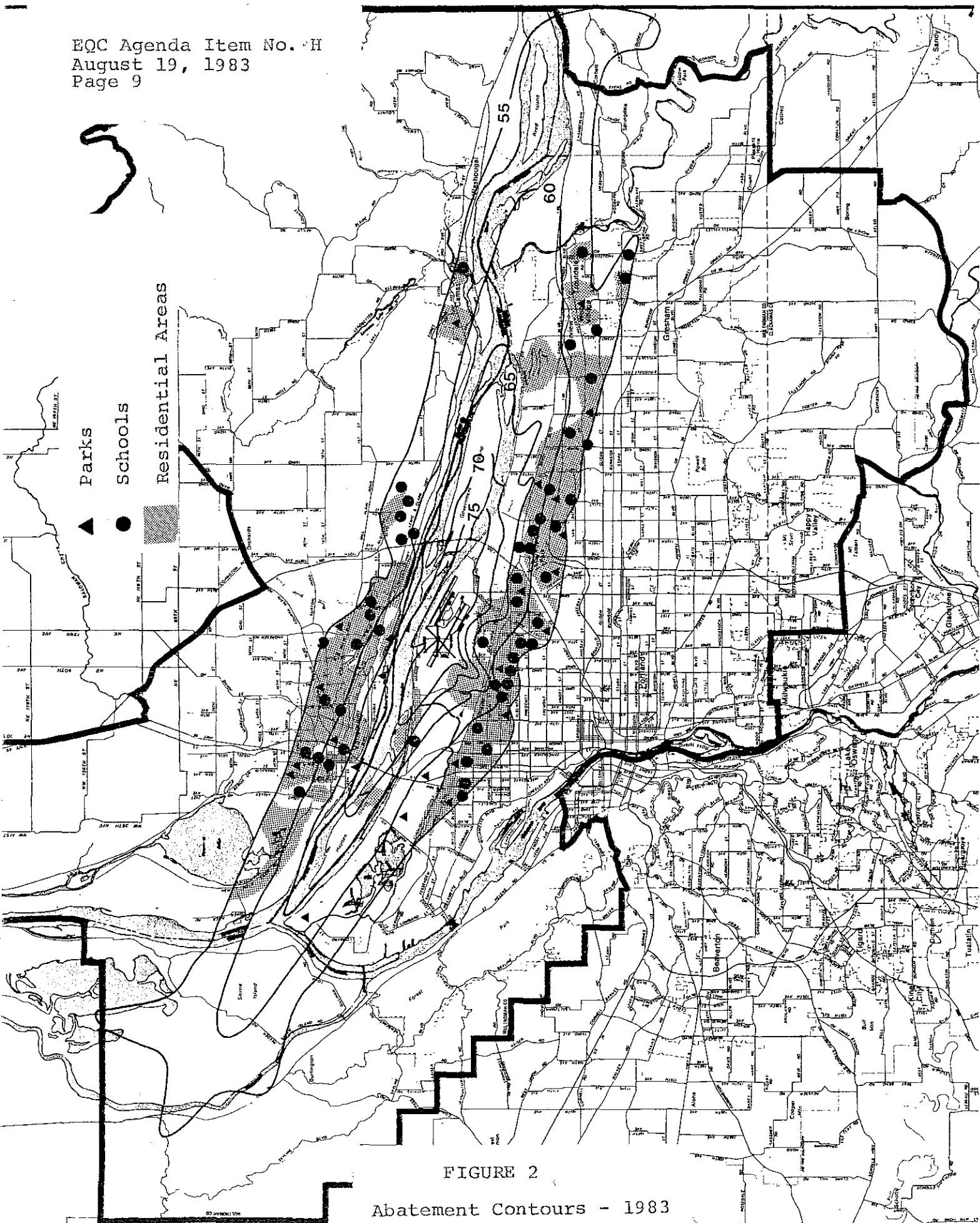


FIGURE 2

Abatement Contours - 1983

IMPLEMENTATION

Table 2 outlines the proposed schedule to implement the various elements of the proposed PIA noise abatement plan. A number of the flight procedure changes are being reviewed by the Federal Aviation Administration (FAA) for their approval. Additionally, the acquisition of the VOR/DME navigational aid is being pursued through a FAA grant from monies available for noise abatement or under general enplanement allocations.

Many of the land-use elements may take a longer period of time to implement. Some of these items need statutory authority through the Oregon Legislature while others need the development and adoption of implementing ordinances by various local governments.

Several members of the Port's advisory committee have raised concerns over this implementation schedule. Most are anxious to see the plan fully implemented as soon as possible. However, some of the operational controls cannot be fully implemented until the VOR/DME navigational aid is installed. Also, some controls can only be partially implemented until some air traffic control problems are resolved.

The Port also proposes to establish a Noise Abatement Advisory Committee to assist and advise the Port on the implementation of the abatement program. In addition, the Port's noise abatement staff will have the daily responsibility to ensure the program is implemented. The Port staff will investigate noise complaints and determine whether aircraft are following the noise abatement flight procedures.

Staff believes the implementation of this plan must be closely monitored. The Port's advisory committee will most likely review implementation and recommend changes to the abatement plan. It is recommended that DEQ staff review the status of the plan in approximately one year and report to the Commission.

Recommendation	1983												1984												1985 and Beyond
	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12						
Port Approval	*																								
Rwy 10 Departure	A						B						C												
Rwy 28 Departure	A						B						C												
Rwy 2-20 Restriction	A						C																		
Rwy 20 Departures	A						B						C												
Limit Downwind Approaches	A=C																								
River Arrival to Rwy 28	A						B						C												
Acquire VOR/DME	A												B												C
OANG Use Agreement	A=C																								
Noise Overlay Zone Portland	A						B						C												
Multnomah Co.	A						B						C												
Disclosure Statement State Realtors	A						B												C						
UBC Amendment																				A					
State Tax Relief																				A					
UBG Policy	A						B						C												
Ldn 75 Acquisition	A						B						C												
Sound Insulation							A						B=C												

A = Initiate Action
 B = Earliest or partial implementation
 C = Latest or total implementation

Table 2

REMAINING ISSUES

A number of issues still remain that are of interest to Department staff and others. The Port agrees that some issues should be the subject for their advisory committee as a continuing review and evaluation function. Remaining issues that should be addressed in the future are listed below:

(a) Commuter Departure Procedure.

The recommended procedure for departures of commuter-type aircraft allows turns at 3,000 feet altitude, approximately 3 miles from the airport, instead of the air carrier procedure which would require distances of 8 and 10 miles from the airport prior to turning. Thus, these aircraft will continue to pass over major population areas but with reduced impact due to the new procedure. The decision to provide the commuter aircraft a less circuitous departure route was primarily based on the economic impact to these airlines. Impacts under the new procedure should be evaluated after implementation.

(b) Single-Event Impacts.

Although the proposed flight track changes would require higher altitudes before turning over populated areas, some aircraft overflights will most likely continue to cause unwanted noise impacts.

The most serious impacts would occur during departures toward the west (RW 28R/29L) with destinations south and east of Portland such as San Francisco and Denver. These flights would pass over large population centers in Washington County and southwest and southeast Portland. One option that has been suggested is to turn all eastbound traffic north and around Clark County population centers, when departing toward the west. The Port agrees this option should be evaluated in the future. The Port however, has made no suggestions to resolve single-event impacts due to southbound departures toward the west.

(c) Helicopters.

Military and civilian helicopters operating from PIA have generated substantial numbers of noise complaints. The Port and the Air Guard have worked to develop flight procedures to reduce these impacts. It appears, however, that further refinements are necessary.

(d) Military Overflights.

Operations of the F-4 fighter aircraft over population areas continues to generate complaints. These aircraft conform to no noise emission standard and are a source of higher than normal emissions. These aircraft should, therefore, conform strictly to established flight procedures. Also, F-4 overflights of populated areas while arriving and departing PIA, or at any other time, should be prohibited.

Summation

The following facts and conclusions are offered:

1. The Port of Portland has prepared a proposed airport noise abatement program for Portland International Airport in accordance with the Noise Control Regulations for Airports, OAR 340-35-045.
2. The recommended operational controls would keep arriving and departing air carrier and military fighter aircraft over the Columbia River to a reasonable extent.
3. Commuter aircraft would operate under the same arrival procedures as the air carriers; however, their departure procedure would allow a turn on destination course at approximately one-half the altitude as the air carriers due primarily to economic impacts.
4. Operations on the north-south crosswind runway would be restricted for all aircraft unless wind conditions dictate its use.
5. Implementation of the operational controls would reduce the number of people living in the noise impact boundary (Ldn 55 dBA contour) by 69,000 people, a 39 percent reduction.
6. Recommended land use management plans would provide mitigation for existing noise sensitive uses and control development of new noise sensitive uses impacted by PIA noise.
7. New residences within the 65 dBA contour would be limited to existing residential zones and sound insulation; noise disclosure and easements would be required.
8. Sound insulation of existing residential uses would be provided within the 70 dBA contour (230 dwelling units) and insulation would be encouraged through tax credits for those between the 65 and 70 dBA contours (925 dwelling units).
9. Existing residences within the 75 dBA contour (59 houseboats) would be removed.
10. Future urban growth of noise-sensitive uses within the 55 dBA contour would be discouraged outside the Urban Growth Boundary.
11. Complete implementation of the abatement program would not occur until 1985 and later although all operational controls should be implemented by mid-1984.

12. A number of issues remain that should be addressed in the future:
 - a) The commuter departure procedure may not be found to be acceptable;
 - b) Single-event impacts, primarily due to south- and east-bound flights departing toward the west, may need attention;
 - c) Helicopter operational controls may need further refinements; and
 - d) A comprehensive noise abatement plan for military fighter aircraft may be necessary to control times and locations of operations.

13. The Department believes the proposed noise abatement program meets the approval criteria specified in subsection (4)(d) of this rule, specifically:
 - a) The information provided is complete;
 - b) The operational plan elements are comprehensive and reasonable;
 - c) The implementation scheme for the operational plan is acceptable;
 - d) The land-use and development plan elements are comprehensive and reasonable;
 - e) It appears that the implementation scheme for the land use plan is acceptable; and
 - f) A reduction of exposed people of 39 percent in 1983 and maintaining a 37 percent reduction in 2003 demonstrates the immediate effect of the program and the long-term controls accomplished through operational and land-use development measures.

Director's Recommendation

Based on the Summation, it is recommended that the Commission approve the proposed Portland International Airport Noise Abatement Program outlined in this report and Attachment B with the following conditions:

1. All operational controls shall be implemented within the schedule shown in Table 2.
2. All land use controls shall be pursued as scheduled, to the extent feasible, by the Port of Portland.

3. Prior to January 1, 1985, the Department shall submit an informational report on the status of this abatement program, an evaluation of implementation progress, and the need to amend the program.
4. Approval of this program and these conditions is an order of the Commission and is enforceable pursuant to OAR 340-12-052.

Bill

William H. Young

AZ289

Attachments

- A. Transmittal Letter from Port of Portland
- B. Portland International Airport Noise Abatement Plan
Summary Report - June 1983 (available at DEQ headquarters)

JMHector:ahe
229-5989
July 29, 1983



Port of Portland

Box 3529 Portland, Oregon 97208
503/231-5000
TWX: 910-464-6151

June 30, 1983

Bill Young, Director
Department of Environmental Quality
P.O. Box 1760
Portland, OR 97207

Dear Bill:

On June 8, the Port of Portland Commission approved the Portland International Airport Noise Abatement Plan and directed staff to submit the plan to the Environmental Quality Commission for review. This action was the culmination of an 11-month study conducted by Port staff and our consultant with the valuable assistance of a 28-member Planning Advisory Committee. We are very proud of the results of the study, both in terms of the magnitude of the plan's noise reduction, and in terms of the vast improvement in trust and communication that developed among Port, Federal Aviation Administration (FAA), airline, and neighborhood representatives.

Therefore, consistent with DEQ Airport Noise Control Regulations, we are submitting three copies of the Portland International Airport Noise Abatement Plan Technical Report as documentation of our Airport Noise Abatement Program for Portland International Airport (PIA). Implementation of the plan is expected to reduce the population residing within the Noise Impact Boundary by 69,000 people, a 39 percent reduction. Other noise-sensitive properties within the Noise Impact Boundary will also be similarly reduced: schools, 22 percent reduction; parks, 35 percent reduction; churches, 41 percent reduction; hospitals, 33 percent reduction.

The plan consists of three closely related programs:

- o An Aviation Noise Abatement Program, which identifies changes in aircraft operational procedures and proposals for facility improvements at PIA.
- o A Land Use Management Program, which proposes land use compatibility improvements in the vicinity of the airport and mitigation measures for existing noise-sensitive land uses.
- o A Review and Monitoring Program, which describes procedures for monitoring changes in airport usage, aircraft equipment and operation, land use, and citizen complaints so that the plan may be continually updated.

Bill Young
Page 2
June 30, 1983

Implementation of all three programs has begun. We expect to have interim aircraft operational procedures implemented by the FAA early in July, which should achieve the majority of the expected noise reductions. Complete implementation of aircraft noise abatement procedures is dependent on the installation of an important navigational aid and may take one year to accomplish.

Airport noise abatement planning is a complex, time-consuming task requiring the concerted action of many groups and agencies. Although all aircraft noise impacts in the Portland area will not be completely eliminated, the PIA Noise Abatement Plan establishes programs that will result in significant noise reduction. The Port of Portland is committed to the implementation of the plan and to the continuing process of noise abatement.

We look forward to your favorable review. If you or your staff have any questions, please contact Bill Supak or Jay Buechler.

Sincerely,



Lloyd Anderson
Executive Director

cc: John Hector
Planning Advisory Committee

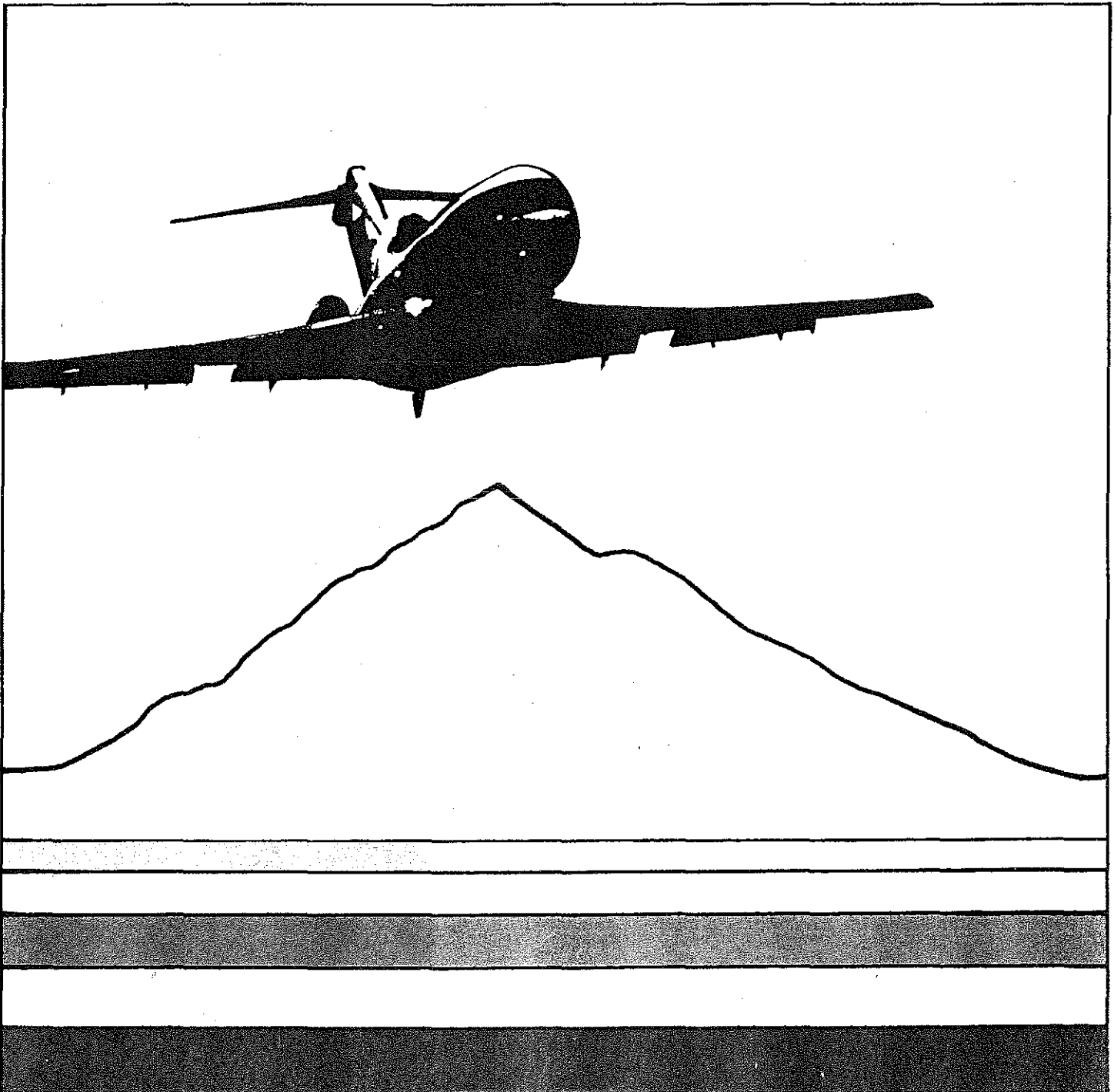
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PORTLAND INTERNATIONAL AIRPORT

NOISE ABATEMENT PLAN

 Port of Portland **SUMMARY REPORT**

JUNE 1983



**PORTLAND INTERNATIONAL AIRPORT
NOISE ABATEMENT PLAN
SUMMARY REPORT**

JUNE, 1983

**Prepared For The Port Of Portland
By
Coffman Associates, Inc.**

PLANNING ADVISORY COMMITTEE

PAUL DEBONNY Clark County Regional Planning Council
KAREN PERKINS Vancouver Neighborhoods Association
PAUL BURKET Oregon State Aeronautics Division
ARNOLD STORHAUG Cascade Park Neighborhood Association
COLONEL WILL UNVERRICHT Oregon Air National Guard
GUNTER GARBE North Portland Citizens Committee
CHUCK SEARS Federal Aviation Administration
GEORGE WALKER Rose City Park Citizens Association
MARK BEISSE Federal Aviation Administration
CAPTAIN RICHARD DEEDS Air Line Pilot's Association
CAPTAIN DICK KENNAN United Airlines
STEVE LOCKWOOD Oregon Environmental Council
CORKY KRONSHAGE Air Transport Association
JOHN HECTOR Oregon Department of Environmental Quality
JERRY DILLING Flightcraft
LINORE ALLISON Northeast Coalition of Neighborhoods
BILL BUGGE Portland Chamber of Commerce
DALE RAWLS Southwest Neighborhood Information, Inc.
BOB DEGROAT Alaska Airlines
DEBORAH CRONISE East County Citizens Organization
STEVE GERBER City of Portland
HAROLD POLLIN Airport Sheraton
STEVE MCCALL Multnomah County
JIM DAVIS Horizon Airlines
TOM GIESE Neighborhoods West/Northwest
ROGER PARSONS Highwood Homeowners Association
NANCY CHAPMAN Portland Noise Review Board
BILL SUPAK Port of Portland

NOISE ABATEMENT PLAN SUMMARY REPORT

The primary objective of the Portland International Airport (PIA) Noise Abatement Study was to minimize the conflict of aircraft noise with the surrounding community. With the help of a 28 member Planning Advisory Committee, representing community groups, the FAA, the airlines, pilots, and local and state governments, a plan has emerged that, when implemented, is expected to reduce noise to 69,000 Oregon and Washington residents. Further, because aircraft engines will become quieter in the future, the number of persons exposed to aircraft noise should remain about the same over the next 20 years, even with continued population growth in the metropolitan area. This 39 percent reduction in noise impacts will be achieved through changes in aircraft operational procedures, land use management, and noise monitoring programs.

Specifically, the plan consists of 3 closely related programs.

- The **Aviation Noise Abatement Program**, which addresses changes in aircraft operational procedures and proposals for facility improvements at PIA, during both the long and short terms. Included among these recommendations are:
 - New departure procedures to the east, west, and south that take advantage of the Columbia River as a compatible land use.
 - New aircraft arrival routes from the east that take advantage of the Columbia River.
 - Prohibition of commuter and general aviation operations on Runway 2-20 unless dictated by wind conditions.
 - Installation of a VOR/DME navigational aid on the airport which enables aircraft to more precisely fly the proposed noise abatement procedures.

- **A Land Use Management Program**, which addresses future land use development in the airport environs and mitigation measures for existing noise-sensitive land uses. This program includes:
 - Extension of a Noise Overlay Zone to Multnomah County.
 - Consideration of property acquisition within a very high noise impact area (Ldn 75).
 - Consideration of a sound insulation assistance program.
 - Pursuit of statewide legislation related to tax relief for sound insulation, fair disclosure of noise levels, and building code amendments in areas of high noise impact.

- **A Review and Monitoring Program**, which describes the procedures for monitoring the developments and changes in airport usage, aircraft equipment and operations, land use, and citizen complaints so that the program may be continually updated and kept effective. Elements of this program include:
 - Formation of a continuing noise abatement advisory committee.
 - Continuing noise monitoring program.
 - Suggested public information actions.

The estimated annual cost to the airlines to fly the recommended procedures is \$2,250,000. Total capital costs are estimated to be \$1.9 million, not including the possible costs of property acquisition or relocation.

This report summarizes the PIA Noise Abatement Plan. The next section presents a brief background on how the study was conducted. The remainder of the report describes the specific plan recommendations. A detailed description of the plan is available in **PIA Noise Abatement Plan, Technical Report**, June, 1983.

BACKGROUND

In early 1982, the Port of Portland staff met with representatives of the State Department of Environmental Quality (DEQ), Federal Aviation Administration (FAA), and the community about increasing noise impacts from PIA. It was concluded that there were no short-term solutions to this complex problem. The best approach was to prepare a comprehensive noise abatement plan for the airport based on a study involving all of the agencies responsible for the management of aircraft noise.

In July, 1982, the Port Commission authorized an expenditure of \$280,000 for a noise abatement study to find workable solutions that would reduce noise impacts. The consulting firm of Coffman Associates from Kansas City, Missouri, in association with 2 local subcontractors, Wilsey & Ham and Seton, Johnson and Odell, was retained to provide technical assistance throughout the planning process.

Realizing that effective noise reduction can only be achieved through the cooperative efforts of affected citizens and the agencies involved in the management of aircraft noise, the Port provided 2 important elements in the study to allow direct involvement of all parties who may be affected by the results. First, a Planning Advisory Committee (PAC) was assembled which consisted of representatives of the Port, FAA, local and state governments, the airlines, the military, pilots, airport users, and the general public. This committee met frequently to provide and review information throughout the study, and to participate in the development of alternative solutions.

Secondly, public workshops were conducted throughout the process. These provided opportunities for the general public to learn about the study's goals and objectives and the existing noise situation, as well as to participate in developing alternatives for noise reduction and recommendations included in the final plan. Individuals who were on record as having complained about noise or expressed an interest in the study were specifically invited, by letter, to attend these sessions, while additional announcements were made in local newspapers.

The objective of the noise abatement planning process for PIA has been to achieve maximum compatibility between aircraft operations and noise-sensitive land uses within the airport environs. During the course of the study, an inventory of existing airport facilities--such as runways, taxiways, and navigational aids available--was conducted to help in the evaluation of the effectiveness of facility changes in reducing noise. At the same time, a land use and zoning inventory was also completed.

Following this work, 1982 baseline noise contours were developed using the FAA's Integrated Noise Model (INM) and information obtained from 40 hours of radar flight tracking, aircraft noise measurements and current data on the number of annual operations and the types of aircraft using PIA.

Once the contours were generated, both existing and future land uses in the study area were evaluated to determine incompatible locations.

After this, a total of 76 separate aircraft operational and airport development alternatives suggested for noise abatement were screened for applicability at PIA. Alternatives considered most beneficial were analyzed to determine not only their noise abatement potential, but also their impacts on air transportation and safety. Since the ultimate concern was the effect of noise on people, the minimization of the numbers of persons impacted was a key factor in the selection of those alternatives recommended for implementation.

Additionally, 34 different land use management techniques (alternatives) were evaluated for their applicability to noise impacted areas. This assessment included the determination by local land use planning agencies of the acceptability of the various techniques, their effectiveness in reducing noise impacts and the determination of the costs associated with their implementation.

As a result of these analyses of aviation alternatives and land use management techniques, the recommended Noise Abatement Plan was derived.

AVIATION NOISE ABATEMENT PROGRAM

The recommended aviation noise abatement plan for PIA consists of several elements designed to direct the major portion of local aircraft operations over the areas most compatible with the noise generated by those aircraft. These elements may be separated into 3 categories: runway use, flight track changes, and capital improvements to the airport.

Runway Use

The specific measure recommended for implementation which falls within the runway utilization category is:

- Restrict operations on Runway 2-20 by all aircraft unless its use is dictated by weather or field conditions.

Under this measure, the use of the runway would be limited to those few periods of the year when wind is from the south (between 180 and 220 degrees) and in excess of safe crosswind standards for use of the parallel runways. This wind demanded use would occur approximately 1 1/2 percent of the year for large aircraft and approximately 3 percent of the year for smaller aircraft.

Flight Track Changes

The second group of aviation elements includes those from which the greatest noise relief benefits may be derived--changes to flight track locations and their use. These have been subcategorized by aircraft type and are indicated, in comparison with current flight tracks, on Exhibit A for departures and Exhibit B for arrivals.

For all air carrier, military fighter/attack, and business jet aircraft, these measures are:

- If departing on Runway 10R or 10L (take-off to the east), turn left as soon as practical to 080 degrees and fly that course for a distance of 10 miles before turning on course.

This measure will take aircraft 6 miles further east than what is currently being flown.

- If departing on Runway 28R or 28L (take-off to the west), maintain the initial runway heading for a distance of 8 miles or until reaching an altitude of 6,000 feet, whichever occurs first, before turning on course.

This measure will take aircraft approximately 4 miles further west and 3,000 feet higher than what is currently being flown.

- If departing on Runway 20 (take-off to the south) and east or northbound, turn right as soon as practical to a heading of 310 degrees and fly 8 miles from the airport before turning on course.

By turning soon after takeoff, populated areas south of the airport could be avoided.

- If departing on Runway 20 and east or southbound, turn right as soon as practical to a heading of 290 degrees and fly 8 miles from the airport before turning on course.

This procedure will also result in aircraft turning before reaching densely populated areas.

- If arriving on Runway 10R or 10L (landing to the east), establish final approach beyond 8 miles from the airport. Air Traffic Control will limit the use of downwind approaches to the greatest extent practical by vectoring arrivals directly to the final approach fix.

This measure will minimize the use of current flight tracks which overfly heavily populated areas.

- If arriving on Runway 28R or 28L (landing to the west) under generally good weather conditions, use an approach path over the river until approximately 4 miles from the airport.

Aircraft presently land "straight-in" to the west, over populated portions of east Multnomah County. This procedure will keep aircraft over the Columbia River for a longer period of time.

- If arriving on Runway 28R or 28L when the preceding procedure is not possible, Air Traffic Control will limit the use of downwind approaches to the greatest extent practical by vectoring arrivals directly to the final approach point 8 miles from the airport.

For all propeller aircraft heavier than 12,500 pounds, Metroliners and military T-33 aircraft, the measures are:

- Fly all departure courses designated above for air carrier, military fighter/attack, and business jet aircraft to an altitude of 3,000 feet before turning on course.
- Fly all arrival courses designated above for large aircraft.

To maintain the efficient use of the airspace and prevent an unacceptable deterioration of airport capacity, piston engine aircraft weighing less than 12,500 pounds (most general aviation aircraft) should be turned on course as soon as practical after departure. These aircraft should be sequenced into the arrival stream in accordance with safe operating criteria.

Capital Improvements

Those recommendations calling for significant capital improvements to the airport are:

- Expedite the installation of a VOR/DME navigational aid on the airport to allow the more precise use of the flight track procedures previously outlined.

- Install, when technology and practicality warrant, a microwave landing system (MLS) for approaches from the east. This measure will have little utility until on-board equipment for air carrier aircraft has been developed and installed on the majority of the fleet. It is not anticipated that this will occur until after 1990.

Use Agreement

In addition to these 3 groups of aviation noise abatement recommendations, 2 additional measures are recommended to limit activity which has been the subject of noise complaints. These measures are:

- Establish a formal agreement between the airport and the Oregon Air National Guard to limit their flying activity during nighttime hours to only emergencies or those special occasions when required by the United States Air Force. Included in this agreement should be procedures for notification of the public whenever special exercises are planned which will extend into the nighttime hours.
- Suspend the overhead approach procedure by F-4 military aircraft subject to further evaluation, but allow formation approach procedures. Retain overhead approaches by T-33 aircraft.

The combination of the preceding 17 measures form the recommended aviation noise abatement program for PIA. The anticipated results of its implementation are discussed in the following paragraphs.

Abatement Plan Noise Exposure

To project the anticipated noise exposure associated with the plan, forecast operational levels were computer modeled to provide Ldn 55, 60, 65, 70, and 75 noise contours for the years 1983, 1988, 1993, and 2003.

The data used in the computer modeling of forecast aircraft noise includes small and large aircraft flight tracks, altitude and distance profiles, time of day percentages, fleet mix, FAR Part 36 compliance levels, and runway utilization. Table A presents the fleet mix and operational levels used for the projection of the abatement plan noise contours.

FAR, Part 36 Compliance

The Federal Aviation Administration, under FAR, Part 36, has set guidelines requiring decreases in the level of noise produced by large air carrier aircraft by 1988. Most air carriers have initiated a program of either retrofitting, reengining, or replacing aircraft which do not meet the new lower noise standards. The percent of aircraft at PIA in compliance with FAR Part 36 is given on Table B.

Table A
FLEET MIX FORECASTS

	<u>1983</u>	<u>1988</u>	<u>1993</u>	<u>2003</u>
Air Carrier				
Class III (91-125 Seats)				
BAC-111	6,180	0	0	0
BAE-146	0	6,240	6,860	7,460
737-200	7,480	7,340	5,660	1,440
DC-9-30	4,050	5,180	3,420	830
727-100	2,920	2,680	1,710	420
Class IV (126-185 Seats)				
727-200	45,400	40,100	34,720	18,610
757	440	2,200	6,690	20,220
DC-9-50/80	3,060	5,310	10,290	21,240
737-300	0	1,250	3,990	13,200
Class V (186-240 Seats)				
DC-8-63/71	2,230	1,300	900	0
767	1,640	3,500	4,250	9,500
A300	1,500	1,600	2,650	4,130
Class VI (241-360 Seats)				
DC-10	1,420	1,440	1,440	3,000
L-1011	2,040	1,430	1,200	0
747	200	350	550	1,050
	78,560	79,920	84,330	101,100
Commuter				
20 Seat (Metro, C99, EMB 110F2)	22,970	27,720	23,360	11,000
30-40 Seat (S330, Dash 8, S340)	520	2,600	8,030	26,330
50+ Seat (F-27, 748, Dash 7)	3,200	4,700	11,670	25,930
	26,690	35,020	43,060	63,260
Cargo				
Two-Engine (DC-9)	Incl.	930	1,160	1,670
Three-Engine (727)	in	1,150	1,430	2,080
Four-Engine (DC-8)	above	530	670	950
		2,610	3,330	4,700
General Aviation				
Single-Engine Piston	61,880	56,540	55,500	55,600
Twin-Engine Piston	33,660	29,300	30,800	33,300
Turboprop	12,450	17,000	18,300	20,300
Rotorcraft	2,000	2,200	2,300	2,400
Business Jet	7,020	7,050	7,080	7,140
	117,010	112,090	113,980	118,740
Military				
F4	7,000	7,000	7,000	7,000
T33	1,750	1,750	1,750	1,750
UH-1H	8,125	8,125	8,125	8,125
UH-1N	8,125	8,125	8,125	8,125
	25,000	25,000	25,000	25,000
TOTALS:	<u>247,260</u>	<u>254,640</u>	<u>269,700</u>	<u>312,800</u>

Table B**FAR PART 36 COMPLIANCE****PORTLAND INTERNATIONAL AIRPORT**

<u>Carrier</u>	<u>Aircraft</u>	<u>Percent In Compliance</u>	<u>Percent Not In Compliance</u>
Airborne	DC-9-10/30	0	100
AirCal	DC-9-80	100	0
	B737	7	93
Alaska	B727	100	0
	B737	100	0
	DC-9-80	100	0
American	B727	100	0
Continental	B727	100	0
Delta	B727	100	0
	L1011	100	0
Eastern	B727	100	0
	A300	100	0
	L1011	100	0
Emery	B727	0	100
Evergreen	DC-9-10/30	0	100
Federal Express	B727	100	0
Frontier	B737	57	43
	DC-9-80	100	0
Northwest	B727	100	0
	DC-10	100	0
Orion	B727	67	33
Pacific Express	B-111	0	100
PSA	DC-9-80	100	0
	B727	100	0
Republic	DC-9-10	0	100
	DC-9-50/80	100	0
	B727	100	0
TWA	DC-9-80	100	0
United	B727	100	0
	B737	45	55
	B767	100	0
	DC-8	38	62
	DC-10	100	0
Western	B727	100	0
Wien Air	B737	100	0

Note: Horizon, Cascade and Arcata are not listed because turboprop aircraft are not subject to FAR Part 36, Stage II restrictions.

Taken in total, the fleet compliance level for Portland International Airport is 81.6 percent under May, 1983 conditions..

Source: Air Transport Association of America and FAA, Department of Energy and Environment.

1983 Noise Abatement Plan Contours

Exhibit C compares the 1982 baseline noise contours with noise contours which may be expected for 1983 traffic levels with the implementation of the noise abatement plan. Several features become obvious when these contours are compared. First, several populated areas will experience significantly reduced noise with the implementation of the recommended flight procedures. West of the airport, the large bulges associated with turning movements are reduced considerably in size over Sauvie Island and disappear completely over Northwest Portland and Lake Vancouver. South of the airport, the contours are slightly reduced in size by virtue of right turns on departure from Runway 20. While this reduction is not great in area, the number of persons affected by the reduction is substantial.

The greatest benefits from the implementation of the abatement plan procedures are realized east of the airport. Noise levels are reduced over virtually all of eastern Multnomah County. The city of Gresham is completely removed from within the 55 Ldn contour, while Wood Village, Fairview, and unincorporated portions of the county will all be exposed to lower average noise levels. Table C indicates the various impacts associated with the 1983 noise abatement plan contours. Most notable among these are a 39 percent reduction in the number of persons exposed to noise of 55 Ldn or more and a reduction of 62 percent in the number of persons within the 65 Ldn contour.

The area over the Columbia River east of PIA is exposed to greater levels of noise than under baseline conditions. This is the result of departing aircraft turning to a heading of 080 degrees for a distance of 10 miles before turning on course. The implementation of a visual approach procedure over the river is also reflected in this contour change. Fortunately, the great majority of the area exposed to increased noise is now in compatible use and expected to remain so in the future. West of the airport, noise may be expected to increase over portions of Sauvie Island as a result of aircraft maintaining their initial runway heading for 8 miles (or until reaching 6,000 feet) prior to turning on course.

Those areas of noise-sensitive use subject to increased noise between 55 and 65 Ldn are generally located along the sidelines of the primary flight tracks to and from PIA and include a portion of eastern Clark County, including part of the Cascade Park Subdivision south of McGillivray Blvd. and small portions of Camas and Washougal. Also, slightly increased noise may be expected over a small area of widely scattered homes in the Corbett area. Increases west of the airport appear to be entirely over compatible areas. In no case is noise above 65 Ldn extended over populated areas not previously impacted. The areas of noise-sensitive use remaining after implementation of the plan are shown on Exhibit D.

Table C
1983 NOISE ABATEMENT PLAN
IMPACTS AND INCOMPATIBILITIES

	1982 Baseline	1983 Abatement Plan	Percent Change
Population within 55 Ldn (000's)	177.7	108.7	- 39
60 Ldn (000's)	52.7	26.9	- 49
65 Ldn (000's)	8.9	3.4	- 62
70 Ldn (000's)	0.4	0.5	+ 25
75 Ldn (000's)	0.2	0.1	- 50
Level Weighted Population (000's)	37.7	21.4	- 43
Total area within 55 Ldn (sq. mi.)	127.8	120.3	- 6
60 Ldn (sq. mi.)	56.6	60.0	+ 6
65 Ldn (sq. mi.)	31.9	26.6	- 17
70 Ldn (sq. mi.)	12.3	10.8	- 12
75 Ldn (sq. mi.)	5.2	4.6	- 12
Residential area within 55 Ldn (acres)	20,107	15,737	- 22
Residential area within 65 Ldn (acres)	1,901	1,096	- 42
Schools within 55 Ldn	68	53	- 22
65 Ldn	1	1	0
Parks within 55 Ldn	37	24	- 35
65 Ldn	2	2	0
Churches within 55 Ldn	99	58	- 41
65 Ldn	2	1	- 50
Hospitals within 55 Ldn	6	4	- 33
65 Ldn	0	0	0

Noise Abatement Plan Contours for 1988, 1993, and 2003

Noise contour projections for 3 future periods - 1988, 1993, and 2003 - were also prepared.

In 1988, there should be a general reduction in the size of the contours in the study area due to the anticipated compliance of all aircraft with FAR Part 36 noise requirements.

In 1993, the reduction in size will continue, due to a quieter aircraft fleet and the anticipated effects of the installation of a microwave landing system for approaches from the east. However, development of residential areas in eastern Multnomah and Clark Counties within the 55 to 65 Ldn could create a slight increase in overall population impacts.

In the year 2003, the maximum tested reduction in contour size compared to 1982 baseline conditions will be achieved, primarily as a result of greater use of new generation aircraft. Even with forecast population growth, there will be only 114,000 people residing within the year 2003 Ldn 55 contour.

Program Costs

The costs of implementing this program consist of 2 separate categories of expenditure. The first is those capital improvements which are required for the implementation of specific elements of the plan. The second is anticipated aircraft operating costs associated with the recommended procedures.

The major anticipated capital costs related to the plan recommendations are the acquisition of a VOR/DME navigational aid for installation on the airport and the eventual purchase and installation of a Microwave Landing System approach from the east. The VOR/DME is expected to cost approximately \$200,000. A microwave landing system is expected to cost in excess of \$1,000,000 when it is installed after 1990.

The estimated cost to the air carrier fleet in following the river departure and arrival routes is projected to be an additional \$2,000,000 for 1983 and gradually increasing to slightly higher levels over the next 20 years. Costs to the commuter carriers are expected to be an additional \$250,000 with the crosswind runway restriction and climbs to 3,000 feet prior to turns on course.

Implementation Approach

Implementation of the aviation noise abatement program should be through an agreement between the Port of Portland and the Air Traffic Control Tower. The agreement should incorporate each of the recommended actions.

The implementation of the noise control program should include a written statement describing the noise abatement measures which will be in effect, distributed for the use of pilots and aircraft operators and for the information of the public.

LAND USE MANAGEMENT PROGRAM

A Land Use Management Program, which addresses development in the airport environs and mitigation measures for existing noise-sensitive land uses, was developed for PIA. Each of the measures has been discussed with affected jurisdictions. The individual recommendations of the land use management program are:

- That no new residential construction within the 65 Ldn contour be allowed unless currently permitted under existing residential zoning.
- That sound insulation be required for all new residential structures within the 65 Ldn contour. Interior noise reduction an average interior level of 45 Ldn is the objective.
- That sound insulation be required for all new or reconstructed nonresidential, noise-sensitive uses within the 65 Ldn contour.
- That within the 65 Ldn contour, all new residential construction be required to dedicate a noise easement to the Port of Portland.
- That within the 65 Ldn contour, a disclosure statement be required for all new residential structures.
- That urbanization outside the Urban Growth or Services Boundary, within 55 Ldn, be managed to control the growth of noise-sensitive uses.
- That the Port of Portland consider acquiring property with existing noise-sensitive uses within the 75 Ldn contour.
- That the Port of Portland establish a sound insulation assistance program, if FAA funding is available, for existing homes located within the 1988 Ldn 70 contour.
- That tax relief for sound insulation be sought for homeowners within the 65 Ldn contour.
- That legislative amendments be sought that revise the State Uniform Building Code and establish fair disclosure.

The implementation of these recommendations will assist the maintenance of reduced noise impacts resulting from implementation of the **Aviation Noise Abatement Program** discussed in the previous section.

Program Implementation

In the following paragraphs, a more detailed description and the implementation mechanism for each of the recommended techniques is discussed.

Noise Overlay Zone

Provision of a Noise Overlay Zone would serve to regulate all noise sensitive land uses within the 65 Ldn contour, assuring that all new construction includes adequate protection from noise impacts.

The following paragraphs outline the process necessary to create the noise overlay zone within each affected jurisdiction.

City of Vancouver and Clark County

The 65 Ldn contour includes only a very small portion of southern Vancouver and a majority of this area is industrial land. While population projections for this area show an increase between 1983 and 2003, this increase is expected to be the result of downtown re-development rather than conventional residential expansion. Consequently there would be minimal benefit to the City in establishing an overlay zone at this time. Therefore the extension of the noise impact zone into the Vancouver portion of the 65 Ldn contour is not recommended.

Multnomah County

There could be substantial benefit to Multnomah County from the creation of a noise impact zone. It is recommended that appropriate language be added to the County Framework Plan, and that an ordinance similar to Portland's ordinance be adopted by the County Board.

The first step in implementing this recommendation is a revision to the existing Policy 13 of the County Framework Plan (Air, Noise and Water Quality). This revision should be a statement of County policy to pursue the creation of a noise overlay zone.

After the policy to create a noise impact zone is adopted into the Framework Plan, an ordinance creating the zone and the associated regulations must be drafted. The last step in the creation of a noise impact zone in Multnomah County is the addition of the zone to the County Zoning Map.

City of Portland

The City of Portland's noise ordinance is already in effect. The Noise Ordinance requires an update of the boundary every 5 years with the first revision due in September of 1983. Consequently a timetable for revision and update of the ordinance is already established. It is recommended that the ordinance be amended so that references to 1977 Ldn 68 and Ldn 65 be changed to the 1983 Ldn 65 contour. This will require that existing prohibitions on residential development presently tied to the 1977 Ldn 68 contour be revised to the 1983 Ldn 65 contour. This would make the city ordinance consistent with the ordinance proposed for Multnomah County and consistent with accepted federal guidelines for land use compatibility. It is also recommended that the noise easement references to 1977 noise levels be deleted.

Noise Easement Dedication

The Portland Noise Impact Ordinance, calls for the dedication of a noise easement to the Port of Portland for all new residential construction within the 65 Ldn contour. The Port currently holds several such easements. The proposed noise ordinance for Multnomah County should also include an easement.

Disclosure Statements

One element of the recommended noise overlay zone is a requirement for the provision of a disclosure statement to all prospective purchasers or tenants within the 65 Ldn contour. This statement is meant to inform the prospective buyer or tenant of existing noise impacts on the subject property. Fair disclosure is difficult for the local jurisdiction to enforce, but provides some degree of benefit when it is applied. It is recommended that the Port pursue the concept of noise level disclosure through the State Legislature and with local Boards of Realtors.

Amendments to the State Building Code

A principal element of the proposed noise overlay zone is a requirement for sound insulation in new noise-sensitive development within the 65 Ldn contour. The most effective tool for implementation of such a requirement is the local building code. Because building codes in Oregon are regulated at the state level, and the code is uniform statewide, it is recommended that the Port pursue amendments to the building code at the state level to require sound insulation within high noise impact areas.

Urban Growth Management

The intention of the urban growth management recommendations is to discourage the conversion of those areas which are not now urbanized to noise-sensitive urban land uses.

It is recommended that the Port of Portland petition Clark County, Multnomah County and METRO to adopt land use policies which will manage the growth of noise-sensitive uses for those areas outside existing urban growth boundaries and within the 1983 Ldn 55 noise contour.

Acquisition Within 75 Ldn

Due to the high level of noise impact in the immediate vicinity of the airport, it is recommended that the Port consider the acquisition of all residential structures within the 75 Ldn. Identification of targeted structures should be based upon 2003 contours, so that dwellings currently within the 75 Ldn, but outside the contour by 2003 are not purchased unnecessarily. The only existing residences within the year 2003 Ldn 75 contour are in the Lemon Island Houseboat Moorage. This moorage, which includes approximately 59 houseboats and 125 residents, is located directly north of the east end of Runway 10L-28R.

The Port of Portland should investigate the options for the future of the Lemon Island Moorage. These include closing the moorage completely, relocating the moorage to a new less noise-sensitive location, or leaving it as is. The Port of Portland Commission should establish a policy of acquiring control of all noise sensitive property within the year 2003 Ldn 75 contour. This policy could be implemented by first directing Port staff to work with the moorage residents over the next 3 to 6 months to develop a solution.

Sound Insulation Program

If FAA funding is available, it is recommended that the Port of Portland establish and administer a sound insulation assistance program for homes located within the 1988 Ldn 70 contour.

The program could best be administered in a manner similar to that of existing weatherization programs. Services provided within the Program Boundary could include: an acoustical audit, provision of a guaranteed loan or grant and inspection services. Upon request by the property owner and verification that the property lies within the Program Boundary, the Port could arrange for an acoustical audit of the residence. Noise measurements would be taken and the general effectiveness of building construction, existing insulation, etc. in reducing exterior to interior noise would be measured. The end product of the audit would be a recommended package of measures which would reduce the average interior noise level to 45 Ldn.

In order to assure that program monies are spent properly, all participating homes should be inspected on completion of the work. Participating homeowners would also grant a noise easement to the Port of Portland.

Sound Insulation For Schools

According to federal noise control guidelines, the threshold level for average interior noise in schools is 45 dBA. School buildings are estimated to reduce noise from exterior to interior by approximately 20 Ldn. Consequently, in the outer noise contours (55-65 Ldn) no additional insulation is required to bring average interior noise down to the threshold level.

There is only one existing school within the 65 Ldn contour, Columbia School on Marine Drive. Columbia School is a public middle school within the Portland School District and is currently in its last year of full-time operation. The District plans to use the facility as a holding school (used for temporary relocation caused by displacement during remodeling of other schools) over the next 2 years. Beyond that time period, it is unlikely that the building will be used for regular classroom space. As a result, it is not recommended that Columbia School be insulated to reduce noise. The Port of Portland should monitor the situation through the continuing program, and if the District plans change, the possibility of insulation should be reconsidered and evaluated.

Tax Relief for Sound Insulation

The insulation of property against sound intrusion can be an expensive proposition. Therefore, it is recommended that the Port pursue with the Oregon Legislature an income tax deduction for those individuals who reside within the 65 Ldn contour and insulate their homes against noise. Such a program could be applied on a statewide basis.

Land Use Management Program Costs

Several of the recommended land use management strategies have little or no cost associated with their implementation, while others will require significant expenditure of public monies to accomplish their intent. The implementation of a noise overlay zone in Multnomah County and the revision of the existing zone within the City of Portland will require no major capital expenditure by public bodies, although some costs may accrue to private developers in meeting the specifications of the zone. Costs would be incurred for city, county and Port staff personnel time expended in administering the proposed overlay zone and providing staff review during the approval process.

The management of urbanization outside the Urban Growth of Services Boundary and within 55 Ldn will also require the commitment of staff time for coordination and support of the proposal by the Port, Clark County, Multnomah County and METRO.

A detailed analysis of the cost of acquisition of the Lemon Island Moorage should be conducted over the next 3 to 6 months as staff and moorage residents examine relocation options.

Beyond the acquisition of property within the 75 Ldn contour, the primary costs associated with the land use management program will be incurred in the implementation of a sound insulation program. Insulation of 230 dwelling units within the 70 to 75 Ldn contours will cost approximately \$610,000. In addition to the insulation costs, the Port would incur administrative costs for audit and inspection services. If it is assumed that all homes within the 70 Ldn contour are insulated over a 3-year period, administration costs would be approximately \$15,300 per year. Finally, design and publication of an information brochure is anticipated to cost approximately \$10,000 in staff time and distribution. The costs associated with the recommended program are outlined in Table D.

Table D

**ESTIMATED INSULATION PROGRAM COSTS
PROPOSED PROGRAM**

<u>Contour Interval</u>	<u>Estimated Cost</u>	<u>Funding Participation</u>	
		<u>FAA (90 Percent)</u>	<u>Port (10 Percent)</u>
70 - 75 Ldn	\$ 666,000	\$ 599,400	\$ 66,600
Annualized over 3 years	\$ 222,000	\$ 199,800	\$ 22,200

REVIEW AND MONITORING PROGRAM

The implementation of the PIA Noise Abatement Plan cannot be accomplished and then forgotten if the programs are to provide continuing noise relief to the community. The noise abatement plan must be flexible to achieve its intended goals. Therefore, a continuing process of noise abatement assessment is recommended to monitor compliance with both the aviation noise abatement program at PIA and the land use management program in the adjacent communities. Table E provides a flowchart showing the timing of implementation of the recommendations of the noise abatement plan.

Noise Abatement Advisory Committee

It is recommended that a Noise Abatement Advisory Committee be established. It is further recommended that the existing Planning Advisory Committee that served during the course of the study, serve as the proposed Noise Abatement Advisory Committee for the first year following adoption of the plan. At the end of the year, membership and representation could be evaluated to determine if adjustments were necessary. The committee should meet bimonthly or quarterly for the first year. In subsequent years, the Committee may find it adequate to meet less frequently.

The Committee is envisioned as having 2 principal areas of concern in the continuing process of noise abatement. The first of these is review of the implementation of the Aviation Noise Abatement Program. The following are potential functions of the Noise Abatement Advisory Committee:

- Review of reports from the Port Noise Abatement Office with regard to complaints and compliance with the noise abatement program and reports from the FAA Air Traffic Manager on the use of the prescribed abatement procedures. The committee would analyze complaints filed with the Noise Abatement Office, review the records of compliance and noncompliance and the actions taken by the noise abatement staff to follow up multiple violations, if they occur.
- Review and comment on proposals for changes to aircraft operating procedures relative to their impact on noise exposure and their effect on the operating efficiency of the noise abatement plan procedures. It is under this responsibility that the refinement of the noise abatement plan is accomplished by addressing issues specific to very limited needs and very localized areas.
- Review of periodic updates of the noise contour mapping for Portland International Airport prepared by Port staff. These contour map updates should be prepared annually in the first quarter of the calendar year and be based on the preceding year's annual activity levels. This process will allow a continuous evaluation of the effectiveness of the noise abatement plan and the early detection of significant deviations from its recommendations.

Table E
IMPLEMENTATION SCHEDULE
PIA NOISE ABATEMENT PLAN

Recommendation	1983												1984												1985 and Beyond											
	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12																	
Port Approval	#																																			
Rwy 10 Departure	A						B						C																							
Rwy 28 Departure	A		B										C																							
Rwy 2-20 Restriction	A		C																																	
Rwy 20 Departures	A						B						C																							
Limit Downwind Approaches	A=C																																			
River Arrival to Rwy 28	A						B						C																							
Acquire VOR/DME	A						B												C																	
OANG Use Agreement	A=C																																			
Noise Overlay Zone Portland	A						B						C																							
Multnomah Co.	A						B						C																							
Disclosure Statement State Realtors	A						B						C												A						B					
UBC Amendment	A																								B											
State Tax Relief	A																								B											
UBG Policy	A						B						C																							
Ldn 75 Acquisition	A						B						C																							
Sound Insulation													A						B=C																	

A = Initiate Action
 B = Earliest or partial implementation
 C = Latest or total implementation

The second principal role of the committee or individual committee members would be to monitor and assist the implementation of the recommendations of the Land Use Management Program. Among its specific functions could be:

- Receive reports concerning ongoing or upcoming development proposals and applications within noise impacted areas, evaluate each for its possible effect on compatible land use and suggest to the appropriate jurisdiction those changes they would suggest to prevent or limit adverse impacts.
- Support the implementation of the various Land Use Management Program recommendations by appearing before local or state legislative bodies when they are considered. Included here would be appearances before city and county commissions relative to implementation of noise overlay zones and before state legislative committees considering fair disclosure, building code modification and tax relief questions.
- Review the progress of those land use recommendations which lie within the ability of the Port to implement. These include land acquisition and sound insulation assistance programs.

Noise Abatement Staff Team

Duties of the Port's noise abatement staff team in implementing the recommendations of this plan would include the coordination of the Noise Abatement Advisory Committee function and daily continuation of the noise abatement program. The elements of the continuing program should include:

- An expanded noise monitoring program.
- Complaint and response functions.
- A procedural review and evaluation process.
- A land use planning assistance function.
- A public information and involvement function.

Noise Monitoring

The noise abatement program for Portland International Airport does not demand a continuous field monitoring program with control by ordinance and/or civil penalties. However, if situations arise in which extensive noise complaints are received from a particular area, the noise abatement staff should coordinate with the FAA to establish a procedure to conduct field measurement. Simultaneously, radar tracking should be conducted to identify aircraft single event noise levels for future comparisons and to identify the source of the complaint and request compliance if necessary.

It is recommended that periods of one-week be used for Ldn contour monitoring activity. Taking runway utilization, activity levels, fleet mix and weather conditions into account, these recorded noise levels (measured in Ldn) would be mapped and compared to previously calculated noise contours to identify any major discrepancy between what is actually occurring and what was predicted to occur. Comparison of the printed outputs from the recorders and airline and military flight schedules may make it possible to identify individual aircraft which create especially high noise levels. The noise abatement staff should then follow up this evaluation with the operator and request compliance if noncompliance is indicated.

In addition to the collection of noise measurements associated with complaint levels, measurement evaluations may be found useful in the assessment of noise conditions related to specific procedural changes and the committee and Port response to those changes. For example, a new standardized, reduced thrust noise abatement takeoff procedure has been discussed for some time. During the implementation of such procedures at a future date, if ever, measurements might be made to determine their impact on overall noise exposure. Work which has been recently accomplished on military formation procedures is an example of the utility of this measurement function.

Complaint Response

The complaint response function of the noise abatement staff refers to those activities now underway which record and analyze noise complaints. They include maintenance of the noise complaint hot line telephone circuits, initial response to those complaining, analysis of trends in complaints, follow up actions and evaluation of individual complaints where possible, and recurrent reports.

Procedural Review and Evaluation

A process should be established which provides for the continuing review and evaluation of refinements to the noise abatement plan. This process should include the following 6 steps:

- Initial review of suggested procedural changes by the Noise Abatement Office, including preparation of technical descriptions of the proposal and its feasibility and cost.
- When appropriate, review by the Noise Abatement Advisory Committee at its next regularly scheduled meeting.
- Review by the FAA to determine its feasibility and impact on the air traffic system.
- Review and written response by affected operators, including the number of operations impacted and its anticipated costs or savings.
- Development of a detailed technical report, including computer modeling, field testing, and impact and cost analyses as appropriate.
- Second review by the Noise Abatement Advisory Committee.
- Formal written response to the originator addressing the original suggestion with technical analysis, projected date of implementation or reasons it is unacceptable.

In some cases, the Port staff may find it helpful to develop noise contours to determine the significance of a change in aircraft fleet mix or major facility changes. This effort would be conducted on an as needed basis. Additionally, new noise contours should be developed on a periodic basis (annually is suggested) to reflect a current noise exposure condition. These contours should be based upon the most recent data available as collected from the Air Traffic Control Tower and the airport users.

In addition to the collection of detailed information on aircraft mix, it is recommended that the noise abatement team periodically conduct radar tracking of aircraft flight tracks on a random basis. Assurances should be made to collect these flight tracks under all operating conditions, including east flow, west flow, crosswind utilization, IFR and VFR weather. Additionally, radar tracking may become necessary to provide input to specialized evaluations (such as impacts associated with specific aircraft types) which may occur from time to time.

A number of items have been identified for evaluation under this continuing review and evaluation function. Planning Advisory Committee members have indicated the following as priorities for further investigation:

- Evaluate turns to the north for eastbound traffic departing to the west.
- Evaluation of a Runway 28R side-step approach procedure for landings by military aircraft.
- Evaluate the noise abatement characteristics of overhead approaches as compared to formation approaches.
- Evaluate refinements to helicopter operating procedures.
- Evaluate preferred general aviation routings.
- Evaluate the noise impacts of Metroliner reduced power procedures.
- Evaluate, when applicable, the benefits associated with installation of an MLS on Runway 28L rather than 28R.

Land Use Planning Assistance

The Land Use Management Program recommends a series of steps which may be taken by both local and regional agencies as well as the Port. In some cases it will be necessary to prepare testimony in support of the program for presentation before legislative committees, and to provide supportive information to and coordination with local land use planning agencies.

The administration of a sound insulation program is also a land use responsibility which would be met by the staff noise abatement team. The team would make initial investigations into the eligibility of specified properties for assistance, administer the scheduling of audits and inspections, and oversee the reimbursement of construction costs.

Public Information

Port staff should be responsible for the preparation of an annual report of the ongoing noise abatement program. This report should summarize the ongoing noise abatement efforts, provide updated noise exposure contours, and summary tables on noise complaints. Another public information activity could be the publication of periodic newsletters for distribution to individuals who have expressed an interest in the noise abatement program, who have complained about aircraft noise, or who have attended the various workshops held during the noise abatement planning process. Such newsletters should also be forwarded to all local neighborhood associations for distribution to their

membership. Port staff should also schedule neighborhood workshops, coffees, or presentations to regular neighborhood association meetings to describe the noise abatement plan and the continuing efforts at its refinement. Finally, the noise abatement team should be responsible for the preparation of news releases and media contacts concerning unusual noise generating events which may occur from time to time.

CONCLUSION

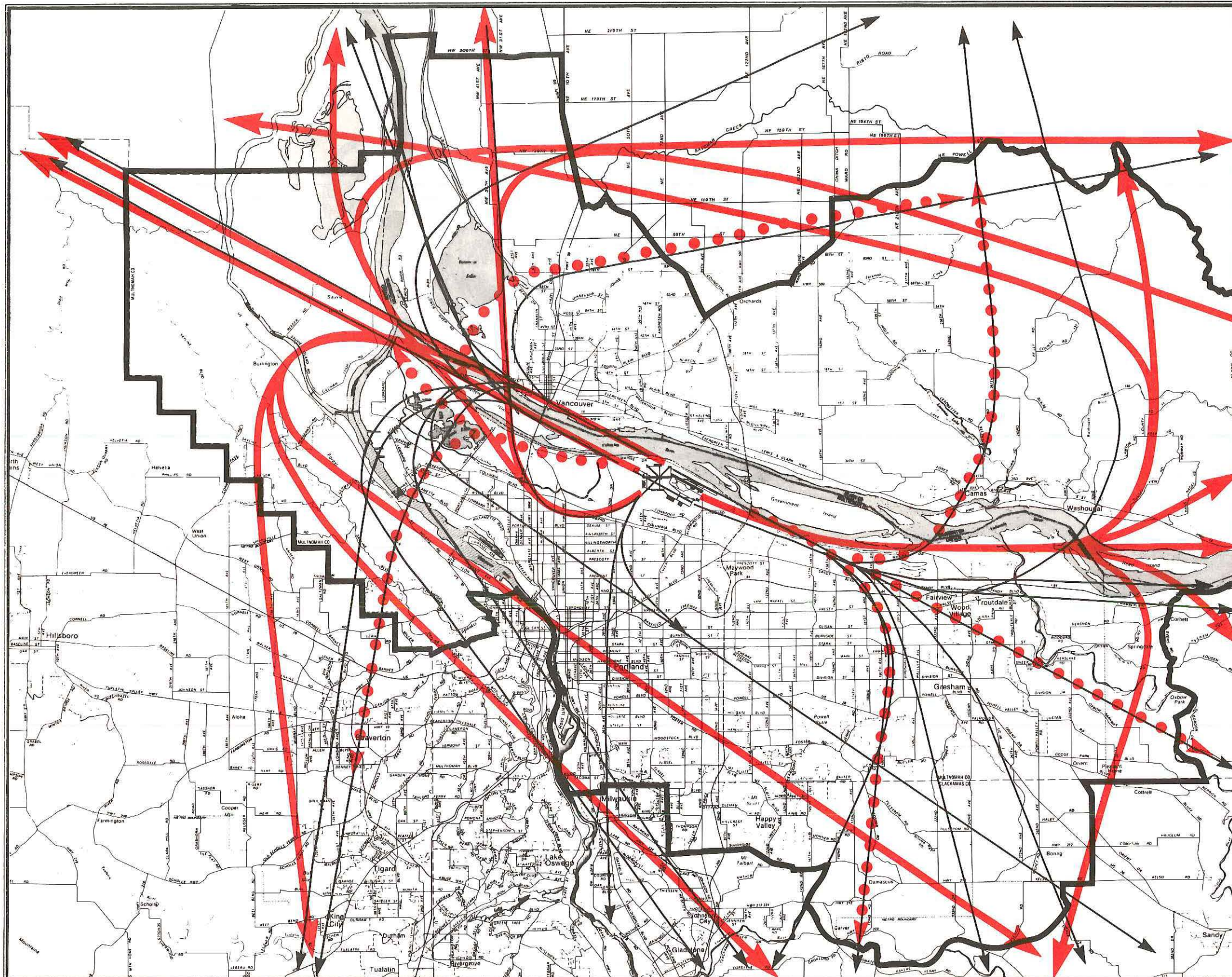
The preparation of this **Noise Abatement Plan** for Portland International Airport has been a lengthy and arduous process involving the efforts of not only the aviation and land use professionals in the community, but the general public as well. The dedication of the Planning Advisory Committee membership has resulted in the development of a series of recommendations which, while not eliminating aircraft noise from the community, will greatly reduce its impacts on the lives of the airport's neighbors.

It should be recognized that the plan includes all those recommendations which could be reasonably implemented and does not call for the development of major new airport facilities or mass land acquisition as has been necessary at other airports in the United States. Early in the study process members of the general public and public representatives of the Planning Advisory Committee called for the revision of flight tracks to move noise away from densely populated residential areas. This has been incorporated in the recommendations as the principal method of reducing noise impacts in the community.




Aircraft noise is, however, a problem which cannot be solved by airport management or airport users alone if the airport is to maintain a viable service function for the Portland region. The evaluation of land use management techniques in the aircraft noise abatement planning process has resulted in a set of land use recommendations affected jurisdictions can implement to control the development of incompatible uses in noise impacted areas.

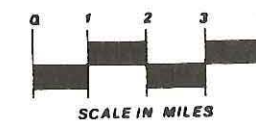
The **Noise Abatement Plan** does not, and cannot, provide all the answers to noise related issues. Therefore, the recommendation to continue the process on a local level has been made. This continuing program will also provide for a timely response to those conditions which may change over time and require a reevaluation of future noise conditions.

In conclusion, the recommendations presented here include the major measures which may be taken to reduce noise impacts, but it is now the responsibility of local agencies to take advantage of them through implementation.



LEGEND

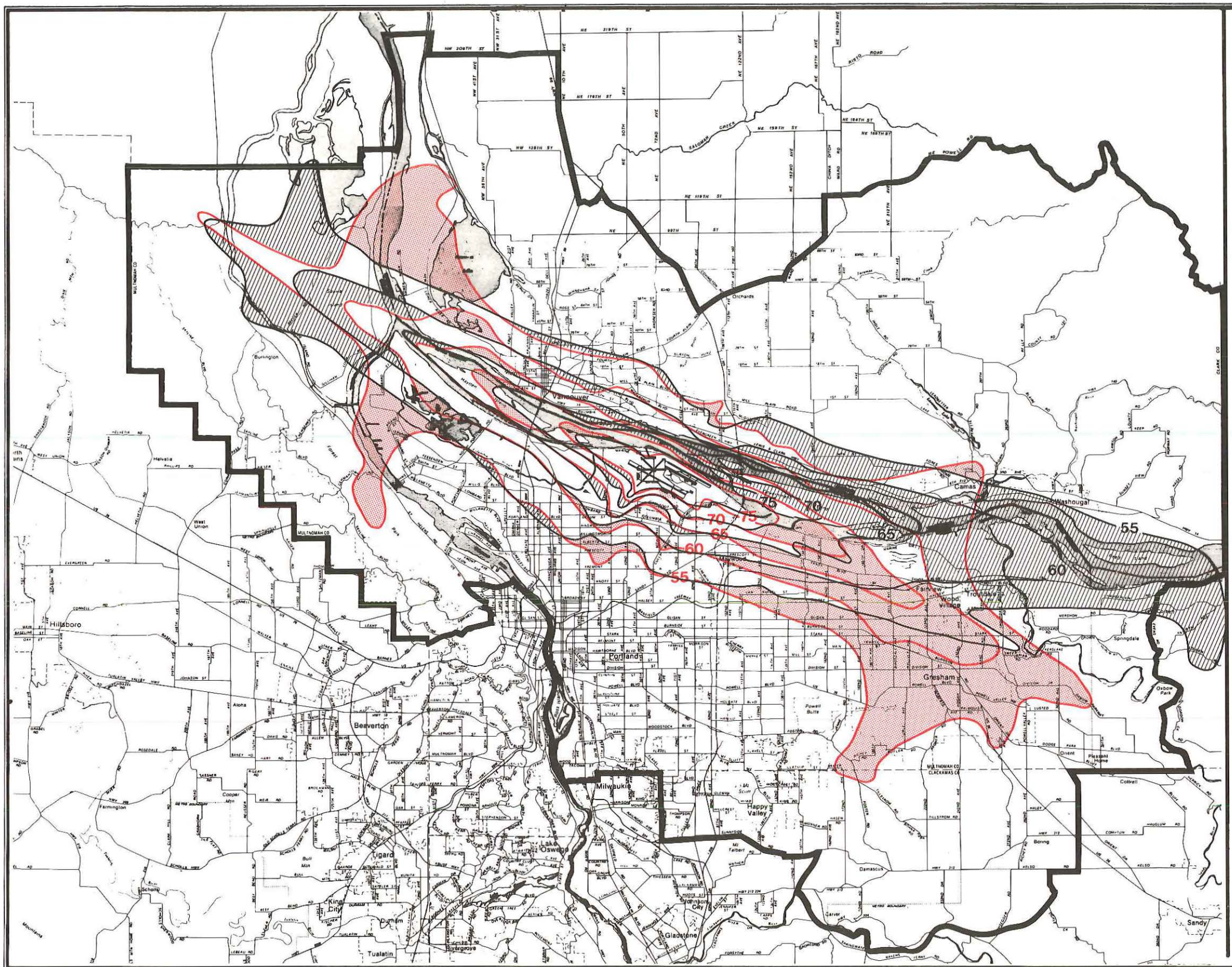
-  1982 Baseline Departure Track
-  Noise Abatement Plan Departure Track
-  Diverging Course Departure Track for Metroliners F 27 and T-33 Aircraft



Coffman Associates
Airport Consultants

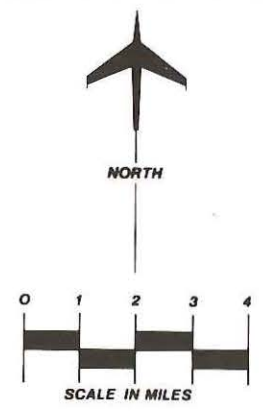
ABATEMENT PLAN DEPARTURE TRACKS-CIVILIAN AIRCRAFT, 12,500 POUNDS AND OVER

EXHIBIT A



LEGEND

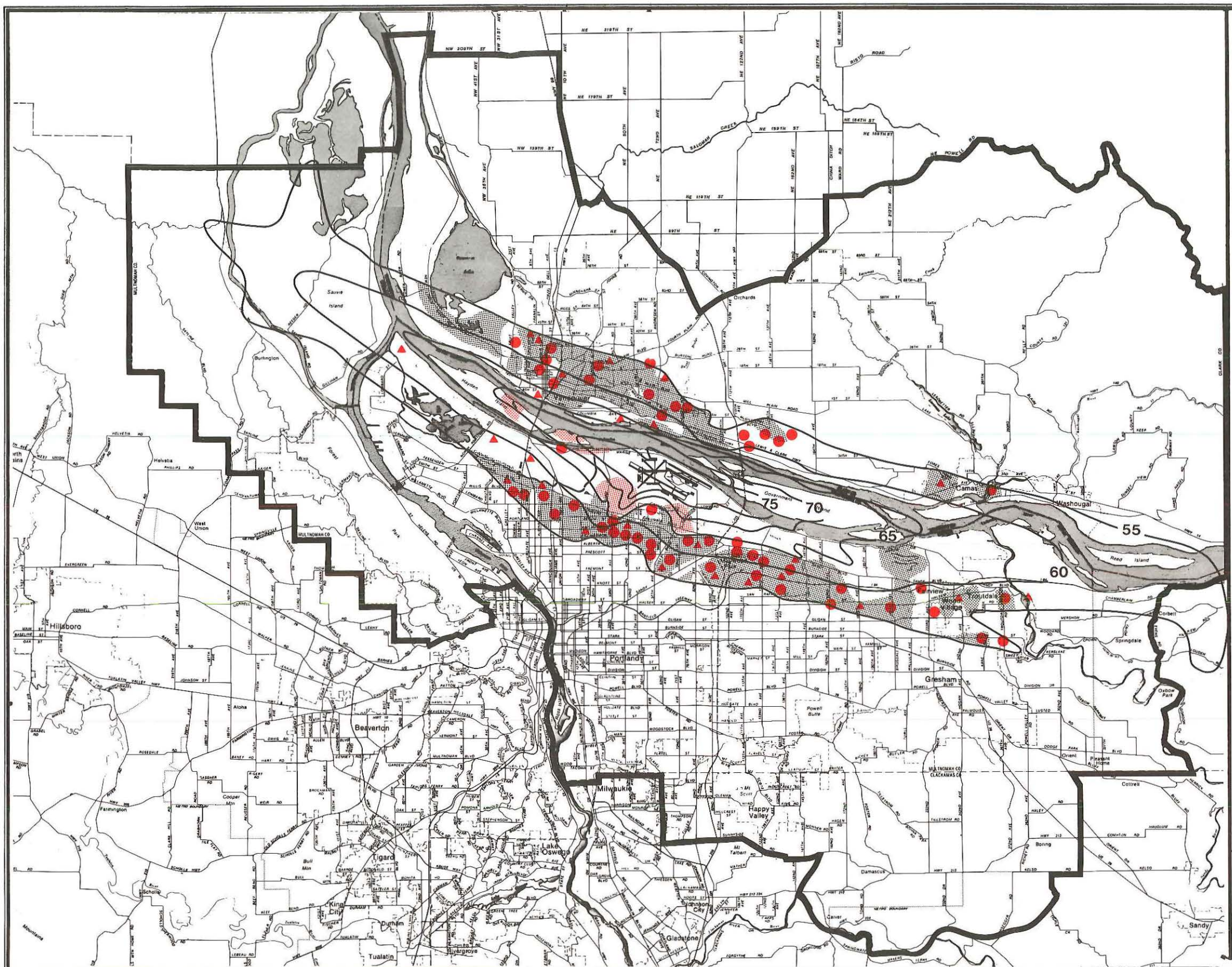
- 65 — 1982 Baseline Noise Contour
- 65 — 1983 Noise Abatement Plan Contour
- Area of Decreased Noise Exposure
- Area of Increased Noise Exposure



Coffman Associates
Airport Consultants

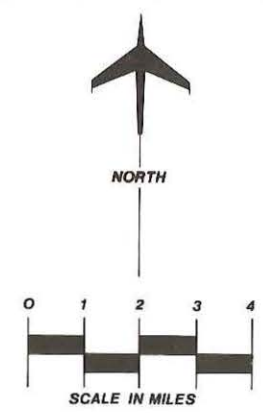
NOISE EXPOSURE CHANGES : 1982 BASELINE Vs. 1983 NOISE ABATEMENT PLAN

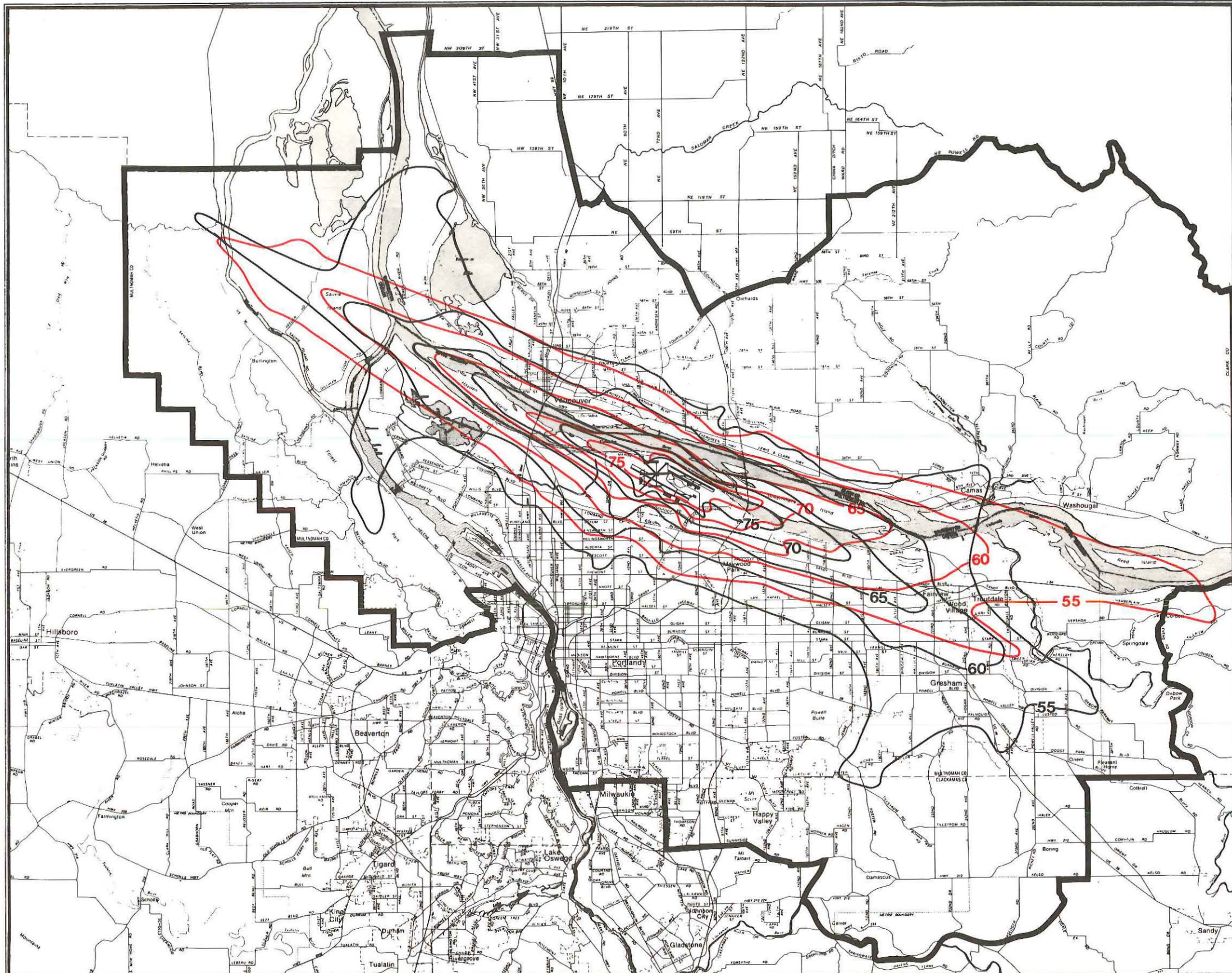
EXHIBIT C



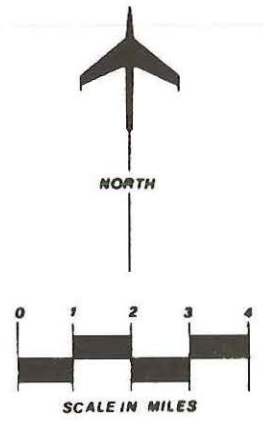
LEGEND

- 65 — 1983 Noise Abatement Plan Contour
- ▲ Park
- School
- [Hatched Box] Noise Sensitive - Moderate Impact
- [Red Box] Noise Sensitive - Significant Impact





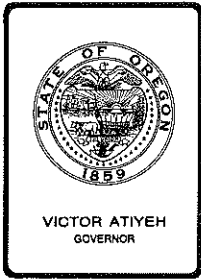
- LEGEND**
- 65 — 2003 Noise Abatement Plan Contour
 - 65 — 1982 Baseline Noise Contour



Coffman Associates
Airport Consultants

NOISE ABATEMENT PLAN CONTOURS - 2003

EXHIBIT E



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, August 19, 1983, EQC Meeting

Administrative Review of Agency-Issued Permits

Background

This matter originally came before the Commission when a public interest group petitioned the Environmental Quality Commission to amend its rules to expand access to administrative review of permits issued by the Department.⁽¹⁾ Permit applicants are entitled to a contested case hearing to challenge the terms or conditions of a permit or its denial.⁽²⁾ The proposed rule extended that right to "any person."

Department opposed the proposal. It argued that the public has adequate protection in (1) the opportunity for public participation prior to the issuance of permits; (2) the existence of alternate methods of reaching the Commission with concerns; and (3) the existence of a judicial review procedure. The need for an efficient method of processing the variety of permits issued by the agency in its normal operations outweighed the value of providing contested case hearings on demand.

The Commission declined to initiate rulemaking procedures on the specific rule change proposal. Instead, it directed staff to study and analyze the extent to which the Commission and non-applicants should be able to participate in the formation and review of permits. The Commission also directed staff to recommend procedures by which such participation might be undertaken effectively.

(1) Attached are the petition, staff report, response, and final order (Attachment 1).

(2) OAR 340-14-025(5). If the applicant is dissatisfied with the conditions or limitations of any permit issued by the Department, he may request a hearing before the Commission or its authorized representative. Such a request for hearing shall be made in writing to the Director within 20 days of the date of mailing of the notification of issuance of the permit. Any hearing held shall be conducted pursuant to the regulations of the Department.

Alternatives

The various options can be grouped under two categories. The first group employs a trial-type (contested case) procedure. The second contemplates a less structured forum for Commission involvement in the permit process. For reasons discussed below the contested case format is deemed unduly burdensome; a variation from the second option category is favored.

Contested Case Review

These alternatives all involve variations of a trial-type hearing at the instigation of a non-applicant to challenge permit terms.

One course of action, at the far end of the option range, is to offer to all comers the ability to request a full administrative hearing with all the formalities and procedures required by law in the conduct of an administrative trial. No one now seems to be advocating allowing non-applicants contested case review on demand, and it is this alternative that the Commission rejected as unwarranted in considering the rulemaking petition which prompted this examination.

The issue then narrows to whether the contested case format can be effectively employed subject to limitations designed to encourage potentially informative and productive examination of issues without unduly burdening the applicant and regulator. Some means are:

1. Limit the persons to whom Commission review is available. Persons to whom review rights are offered in other situations include those who can show they:
 - a. Are "adversely affected or aggrieved." (ORS 183.480 standard for establishing right to judicial review of agency orders.)
 - b. Have an interest in the outcome of the agency's proceeding or represent a public interest in such result (ORS 183.310(6)(c) standard for establishing right of access by intervention in a contested case).
 - c. Have an interest in the matter which is so direct and immediate that they will either gain or lose by the direct legal operation and effect of the decision - (Non-administrative intervention criteria, Union High Dist. No. 2 v. LaClair, 218 Or 493, 344 P2d 769 (1959).)

Or, the Commission can create its own qualification criteria.

2. Limit the types of issues appealable by non-applicants. This might involve limiting Commission review to policy issues, constitutional issues or jurisdictional issues, rather than technical issues requiring technical expertise; e.g. that a rule was misconstrued seems

a better claim on Commission involvement than that effluent measurements are inaccurate.

3. Limit the format, procedure, or circumstances under which review is available by appeal to the Commission:
 - a. Proceed by written presentations rather than by sworn witnesses, cross examination, etc.
 - b. "Certification of issues." Request Commission review by identifying areas of ostensible error and documenting error. EQC may consider whether the requester has made a persuasive case of possible error.
 - c. Make requests for review discretionary and reversible only for abuse of discretion, as in rulemaking and declaratory ruling requests.
4. Broadening access to the hearing process but require the posting of a bond.

There also are possible variations within the listed means.

Proponents of expanded use of the contested case process thoughtfully support their request. Administrative review can be both cheaper and less formal than court review. Typically, court review requires the use of attorneys, while administrative review more flexibly allows participation by informed laymen. The opportunity for court review sometimes becomes illusory if generous funding is not available. They say, too, that opening the process to a broader spectrum of participants enhances the prospect of a more complete and, presumably, better record for decision, possibly decreasing the need for court review. Proponents remind us that the permit process involves considerable discretion and, therefore, the potential for abuse, which is traditionally protected by the availability of administrative review. They argue that relatively few permits are appealed, and therefore the feared delays and costs would be infrequent and usually warranted. Finally, there exist possibilities which would expand public access without seriously interfering with either the business of the Department or permit applicants.

Opponents sensibly counter that delays engendered by contested cases make that option simply impractical. Applicants suffer with the passage of time. Delay provides a per se advantage to permit opponents. Delay is financially costly and deters facility siting. The permittee is made hostage to radical groups. Because permits require assurance of land use compatibility, the issues raised have been thoroughly debated in a land use forum. There is a fear that extensive Commission review would transform the nature of the permit process from technical to political by transferring responsibility from the technical body to the policy body.

Policy is established in the rulemaking process and the development of a permit is essentially ministerial, not requiring direct Commission participation. Finally, an expanded contested case process is simply not necessary. There is no fundamental unfairness in allowing an applicant rights that non-applicants do not have. Due process allows different procedures, depending on the interests of the parties; Oregon law authorizes the present procedure and it is presumed to be intended because the legislature could have expanded administrative review in this agency as it did for such agencies as State Lands, DLCD, and the Energy Facility Siting Council. Finally, reasonable alternatives are currently available: court review, pre-issuance public participation, informal access to the EQC for presentation of concerns and use of declaratory ruling and rulemaking proceedings.

Analysis of Contested Case Options

Use of any of these contested case alternatives exceeds the requirements of law. It is established law that in the absence of a particular statute or rule requiring it an agency need not offer a contested case (trial-type) hearing before issuing a permit.⁽³⁾ While proponents of expanded access to the system cite the need for "fundamental fairness," that fairness is not necessarily achieved by offering all persons perfect parity by congruent rights. The interest of applicants and non-applicants is not of the same nature or magnitude. Delay engendered by the right to command contested case review, whether exercised or not, is the major impediment to such review.

While non-party applicants represent important environmental interests, these interests are sufficiently recognized by providing for participation in setting of the standards (rules and regulations) employed in permits through rulemaking participation and other established public participation processes. Ultimately, the availability of judicial review is the safety net assuring that the considerable discretion exercised by the agency is not abused.

Under any of the alternatives, contested case hearings could be compelled more frequently than they are now. A permit applicant would have little assurance of the certainty of his project until the 30-day appeal deadline had passed uneventfully. Even an unsuccessful request for a hearing could extend the uncertainty weeks beyond the permit issuance date, while permit applicants and hearing applicants argued the issue of hearing entitlement.

⁽³⁾ N.W. Envr. Def. v. Air Poll. Auth., 16 Or App 638, 519 P2d 1271, Sup. Ct. review denied (1974).

Looking at the agency rules for appeals to the Commission, OAR 340-11-132, we see that an appellant has 30 days to file a notice of intent to appeal. Then, presumably, the agency must prepare a transcript. Twenty-one days seems a modest time for this activity. Another 30 days are required for preparation of appellant's brief and exceptions, with an additional 30 days for Respondent's exceptions. Appellant may use 20 days for reply before the matter is even ready for evaluation and decision, 131 days have elapsed. These time estimates are very conservative. There is an often used rule providing for extensions of time. All activity pursuant to a permit is in abeyance during the appeal period.

The costs of delay have been considered by the Southern Oregon Timber Industry Association (SOTIA) (Attachment 3). Noting that availability of a contested case would significantly increase the economic burden to the agency and create economic hardship for applicants, SOTIA believes that adding this burden to the already excessive Oregon permit environment could become a deterrent to businesses seeking to locate or expand in Oregon. Although costs are difficult to quantify, SOTIA developed a partial list of direct and indirect costs:

- (1) Increased salary, travel, and associated costs for agency personnel needed to conduct contested hearings;
- (2) Additional agency overhead costs necessary for management of increased staff workload;
- (3) Costs of personnel to research, rebut, and defend the agency decision;
- (4) Costs of industrial staffing necessary to defend the company's interests;
- (5) Increased costs of equipment and installation resulting from delays in purchase and placement;
- (6) Lost wages of company personnel who could be working much earlier if the process moved expeditiously;
- (7) Loss of tax revenue to the federal government and state from the company and the employes not employed during the delay;
- (8) The loss of business to other states which do not have convoluted permit processes;
- (9) Loss of profits to finance capital development and pay stock holders, with attendant loss of income tax revenues.

The list is not exhaustive.

Public Participation Hearings

These alternatives all involve variations of a hearing in which information is brought to the Commission and exchanged with other interested members of the public orally or in writing but without use of sworn testimony, cross examination, and other various procedures associated with administrative litigation. These types of hearings are commonly referred to as "public" hearings, although the term is broader than the range of the options being discussed.

Below is a selection of methods containing elements which can be combined in a wide range of ways to implement an information exchange between the Commission and the public on permits issued by the Department. The list attempts to display some ways the variables may be used.

- A. No Change. Department holds public hearings on controversial permits. A hearings officer prepares a report summarizing the offered testimony, while the technical person responsible for the facility prepares an analysis of the issues raised. The Director studies the reports before issuing or denying the permit and may or may not be influenced by information gleaned from the hearing. The Commission, having delegated that responsibility to the Director, does not influence his permit decision. However, since the permit applicant has a right to appeal the terms of that permit to the Commission, the Commission (itself or through its hearings officer) may hold a contested case hearing to review the Director's action. An applicant may also challenge the Commission's decision in a court appeal, while a non-applicant may only challenge the Director's action by a court appeal.
- B. Commission Review of Controversial Permits. As soon as the agency identifies a permit in which common sense would tell it there is potential interest of any substantial nature, the agency could publish notice and then hold a public hearing. Staff would then provide the Commission with a summary and analysis of information received and a proposed permit. The Commission could then advise the Director of its satisfaction with the draft permit or direct changes. A variation akin to this alternative is to have the Commission hold the hearing and issue the permit.
- C. Activity Report as a Basis for Commission Attention. Staff develops a list of permit applications which it could send to the Commission as an activity report, highlighting those permits in which significant public interest was expected. The Commission could then decide what increased level of attention those permits would be given, and the appropriate method of accomplishing that.
- D. Director's Report to the Commission.

Informally, perhaps in a general information memo from the Director, the Commission could be informed of significant permit activities and have identified permits likely to produce broad or sustained public interest, so the Commission could particularly monitor those permits and, on its own initiative or in response to public or agency request, guide decisions involving the permit.

Analysis of Public Hearing Options

There are advantages to greater Commission involvement in permit issuance outside the contested case format. Friends of the Earth/Oregon, which

filed the original rule change request, informed the Commission that it had never intended to request a contested case hearing; rather it wanted a chance to address the Commission and so be sure that the Commission knew directly of its objections and concerns.

The public usually finds it easier to deal with the public hearing process of simply submitted written or oral testimony, rather than the more formal contested case process where they may feel "on trial." In the public hearing one is not cut off from the decision-maker by legal formalities and conventions. While a contested case hearing can be more rigorous in examining the issues, agency resources are finite and the advantage is not necessarily worth the cost.

The timing of permits is crucial. A project can be killed solely by delay. Delay can be substantially avoided by using the public hearing process. Even before receipt of a permit application the agency usually knows of major upcoming projects and can predict with an extremely high degree of accuracy which permits will be controversial. These projects tend to be major in every sense, and it takes a long time to develop the information necessary to evaluate the permit applications. This pre-issuance time can be well managed for enriching the public participation process. Information gleaned from outside experts and the non-technical public are easiest to incorporate at an early stage in the permit development and thus are used to the greatest advantage.

While the opportunity for an information-type hearing appears to be the best of the available solutions, it will not satisfy everyone. One disadvantage is the absence of legal controls. The Commission has discretion whether to hold the hearing and whether to follow the information received from the public in formulating the permit terms. The agency's discretion is controlled, of course, first by its good faith, and further by the existence of opportunity for judicial review. Because the Commission is committed to hearing permit appeals, it may not wish to appear biased by comments made and positions taken in the permit development stage.

It is difficult to outline any structured process which will not adversely affect the agency's relatively expeditious processing of the vast portion of the permits it issues. The advantage of the public hearing system, and particularly alternative D, is that it is geared to providing Commission review when warranted by public interest or the controversial nature of the permit, without inappropriately interfering with the applicant's right to timely administrative action.

Director's Recommendation

It is recommended the Commission take note of this report and direct staff to use public hearing alternative "D" described on page 6.



William H. Young

Attachments (3)

1. Petition, staff report, response, and final order
2. Oregon Environmental Council letter of 6/27/83
3. Southern Oregon Timber Industries Association letter of 7/25/83

HK2113
LKZucker:k
229-5383
August 3, 1983

SEP 21 1982



FRIENDS OF THE EARTH / Oregon Branch

P.O. Box 1251 - Portland, OR 97207 - (503) 243-2806

OFFICE OF THE DIRECTOR

BEFORE THE DEPARTMENT OF ENVIRONMENTAL QUALITY

OF THE STATE OF OREGON

In the Matter of
Proposed Amendment
to OAR 340-14-025(5)
Relating to Issuance
of a Permit

)
)
)
)

FRIENDS OF THE EARTH
PETITION TO AMEND
OAR 340-14-125(5)

1. The Oregon Branch of Friends of the Earth (FOE/O) petitions to initiate a rule amendment. FOE/O offices are located at Suite 810, Dekum Building, 519 S.W. 3rd Ave., Portland, Or., 97204. Our mailing address is P.O. Box 1251, Portland, Or., 97207.

2. The Oregon Branch has approximately 1000 members within the State of Oregon. Many of the members live, work and recreate in the vicinity of facilities that may be constructed, installed, modified or operated as a result of the issuance of a permit by the DEQ. Further, FOE/O members eat food irrigated from rivers of the state of Oregon and breathe the air that may be affected by a permit to emit, discharge or dispose of wastes in accordance with specified limitations as determined by the Department. Friends of the Earth has a long-time commitment and involvement in issues involving air and water quality and the distribution of pollutants into the environment.

3. Petitioner asserts that the present rule does not adequately provide the public sufficient ability to address concerns about conditions or limitations of a permit issued by the Department.

4. Petitioner asserts that the present rule does not equally provide for the rights of all the people of the State of Oregon in that the existing rule allows a permit applicant the right to

PAGE 2 - PETITION TO AMEND OAR 340-14-025(5)

request a hearing before the Commission if the applicant is dissatisfied with the conditions or limitations of any permit issued by the Department. However, it DOES NOT provide the same right to any affected parties.

5. Petitioner asserts that the existing rule is prejudicial to the interests of the public in that the present rule does not provide an equal opportunity to both the applicant and affected parties to challenge conditions and limitations of a permit for which the public or applicant may be dissatisfied.

6. Petitioner asserts that the amended rule would more adequately provide for the interests of the people of the State of Oregon and petitions the Department of Environmental Quality to initiate a rulemaking proceeding to address this issue.

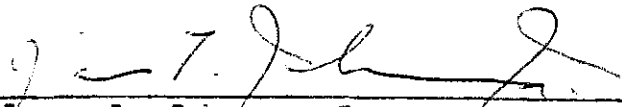
7. OAR 340-14-025(5) relating to Issuance of a Permit should read as follows:

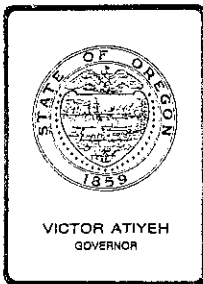
"(5) If (the applicant) any person is dissatisfied with the conditions or limitations of any permit issued by the Department, he may request a hearing before the Commission or its authorized representative. Such a request for hearing shall be made in writing to the Director within 20 days of the date of mailing of the notification of issuance of the permit. Any hearing held shall be conducted pursuant to the regulations of the Department."

8. Petitioner asserts that the issue of adequate and equal opportunity of the public to address concerns about conditions and limits attached to the issuance of permits by the Department is an issue of importance and interest to all Oregonians. FOE/O believes that all parties involved in applications for permits from DEQ have an interest in the outcome of the proposed rulemaking.

Wherefore, petitioner requests DEQ adopt the proposed amendment to OAR 340-14-025(5).

DATED: Sept 14, 1982


James L. Johnson, Jr. - State Chair.
FRIENDS OF THE EARTH/OREGON BRANCH



Environmental Quality Commission

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

MEMORANDUM

To: Environmental Quality Commission

From: Director

Subject: Agenda Item No. M, October 15, 1982, EQC Meeting
Petition to Amend OAR 340-14-025(5)

Background

Friends of the Earth/Oregon Branch (FOE/O), a citizen group, has petitioned the Commission to amend its rules to expand the scope of administrative review to allow any person dissatisfied with the conditions or limitations of a permit issued by the Department to obtain a contested case hearing before the Commission. A copy of the petition is attached.

Under the current rule, only a permit applicant may obtain Commission review. The rule provides:

OAR 340-14-025(5)

(5) If the applicant is dissatisfied with the conditions or limitations of any permit issued by the Department, he may request a hearing before the Commission or its authorized representative. Such a request for hearing shall be made in writing to the Director within 20 days of the date of mailing of the notification of issuance of the permit. Any hearing held shall be conducted pursuant to the regulations of the Department.

FOE/O would substitute "any person" in place of "the applicant" in the rule. *

At its October 15, 1982 meeting the Commission must either deny the petition or initiate rulemaking proceedings.

* This memorandum addresses only the specific rule proposal before the Commission for consideration.

Considerations

In analyzing the need for this rule change, the fundamental question is whether a proper balance is reached between the sometimes conflicting goals of assuring access to the system in order to protect the public interest, and the need for expeditious processing of the variety of permits issued by the agency in the regular course of its operations. The nature of the permitting process, the availability of alternate methods of gaining access to the Commission, the availability of judicial review, and the need for timely permit issuance, all suggest that the proposed rule would inhibit rather than achieve a reasonable balance.

The permit process involves the application of predetermined rules to a specific facility. The Department's authority to impose permit terms is fairly circumscribed by the rules and standards established by the Commission. Adoption of rules is always preceded by a public participation process in which citizen comment is elicited and addressed. The rules establish the parameters of each permit. In that sense, the drafting of a permit is a mechanical or ministerial process because the content of the permit is defined by preexisting standards. Policy decisions as to, for example, safe and allowable emission quantities, have already been made. And while not mandated by law, it is the practice of the Department to conduct informational hearings prior to issuing permits in which public interest has been expressed. At these hearings, interested persons have the opportunity to point out any perceived misapplication of the agency's rules and standards to the facility being regulated. These hearings are informational rather than "adversarial." They do not require sworn testimony, cross examination is not undertaken, and neither refined rules of pleading nor the rules of evidence are applied.

The rule change proponent would like to be able to enter the review process at the administrative level rather than employing the judicial review process. FOE/O "asserts that the present rule does not equally provide for the rights of all" and "is prejudicial to the interests of the public in that (it) does not provide an equal opportunity to both applicant and affected parties to challenge conditions and limitations of a permit for which (sic) the public or applicant may be dissatisfied."

While a member of the public cannot compel a trial-type proceeding at the administrative level, the public position does have its advocate. The agency's mission, as reflected in ORS 468.035, is to restore and preserve the quality and purity of the air and the waters of the state in accordance with the rules and standards established by the Commission. In developing and issuing permits, as in its other functions, the agency is the proponent and protector of the public interest. It is this public interest that the agency serves in applying statutes and regulations in development of a permit. The permit applicant stands in a different position than the public. In recognition of the particular interests of permit applicants,

EQC Agenda Item No. M
October 15, 1982
Page 3

the legislature granted dissatisfied applicants the right to advocate their position in a contested case before the agency. ORS 468.070(3); 183.310(2)(C). The legislature has not accorded this right to the public at large.

It is established law that in the absence of a particular statute or rule requiring it (and neither exists in this case) an agency need not offer a contested case (trial-type) hearing before issuing a permit. N. W. Envr. Def. v. Air Poll. Auth., 16 Or Ap 638, 519 P2d 1271, Sup. Ct. review denied (1974). However the public is not left without a remedy to correct any purported failure of the agency to apply correct standards or procedure in issuing a permit. Under ORS 183.480 "any individual adversely affected or aggrieved by an order" is entitled to judicial review. A permit is an order contemplated in this grant of access to the courts. ORS 183.310(5)(a). Thus, citizens favoring or opposing the issuance or terms of a permit have the right to test the agency's action by judicial review. ORS 183.484 confers jurisdiction for such review on the circuit court.

There are also other means of directing the Commission's attention to issues of public concern about permit conditions. The agency's interpretation of a rule or statute may be challenged by a petition for declaratory ruling. ORS 183.410. Just as the applicant in this case did, any interested person may petition the Commission to promulgate, amend or repeal a rule. ORS 183.390. With a minimum of formality, any member of the public may claim the Commission's attention with a presentation of concerns at the public forum which precedes Commission action on the scheduled agenda at each Commission meeting.

Adding administrative review to the review procedure already available could increase the cost and time needed to issue legitimate permits. House Bill 3305 (Oregon Laws 1982, First Special Session, Ch. 3), enacted this year, enjoins state agencies to act without undue delay in completing review of permit applications. It provides:

SECTION 1. (1) It is the policy of the State of Oregon that every state agency authorized or required to approve or to issue permits shall accomplish its review and make its decision expeditiously and without undue delay.

(2) Every state agency authorized or required to approve or to issue permits shall adopt rules establishing the timetable to be followed by the agency when issuing permits. Whenever possible, the period of time between receipt of the properly completed application and completion of the agency's review shall not exceed 60 days unless other law specifies a longer period of time.

(3) Whenever any person proposes a project and submits a properly completed application to the appropriate state agency for the necessary permit, the state agency shall promptly acknowledge receipt of the application. If the state agency contemplates it will be unable to complete action to approve or disapprove the application within 60 days of receipt of the application, the state agency shall submit to the applicant a procedural timetable for completion of the agency's review at the time it acknowledges receipt of the application.

(4) As used in this section:

- (a) "Permit" means any approval required from a state agency prior to construction or operation of a project.
- (b) "Project" means any public or private construction or expansion or addition that requires as a prerequisite to such construction, expansion or addition the approval of a state agency, excluding activities subject to ORS 469.570, 469.590 to 469.621 and 469.930.
- (c) "State agency" means "agency" as that term is defined in ORS 183.310.

Encumbering the permit application process with an additional hurdle can tie up agency resources in issues which are costly to litigate administratively (probably requiring the use of expert witnesses and undoubtedly requiring the counsel and representation of an attorney), but which do not escape judicial scrutiny. The Department issues 200 permits annually regulating air quality alone. Applicants for these permits for new or planned facilities could be confronted with serious delays. Significant contested cases before the agency typically involve trial to a hearings officer preceded or followed by motions, discovery, exchanges of legal memoranda, delays to accommodate attorney and witness schedules, transcription of a hearing record, and a detailed decision. Repetition of some of these elements occurs in appeals of the hearings officer's decision to the Commission. Unbridled by judicial rules of procedure and evidence, contested case participants have considerable latitude in the presentation of their cases. This lesser degree of formality can be helpful, but it tends to create a more diffuse and extensive proceeding record than is found in court trials. There are attendant costs, not the least of which is the dampener that protracted or cumulative litigation places on planned facility development. A further concern is that the proposed rule change, as drafted, allows anyone, however tenuous his interest in the permit, to become a party.

EQC Agenda Item No. M
October 15, 1982
Page 5

In short, the opportunity for public participation prior to the issuance of permits, alternate methods of reaching the Commission with concerns, the existence of a judicial review procedure, and the need for an expeditious method of permit processing all make the present system outweigh the advantage of providing contested case hearings on demand to the public.

Recommendation

I recommend that the rule not be changed as proposed.



William H. Young

Attachment (1) Petition to Amend OAR 340-14-025(5)

L. K. Zucker:k
229-5383
September 29, 1982
HK1288



FRIENDS OF THE EARTH / Oregon Branch
P.O. Box 1251 - Portland, OR 97207 - (503) 243-2806

OFFICE OF THE DIRECTOR

HAND DELIVERED

BEFORE THE DEPARTMENT OF ENVIRONMENTAL QUALITY
OF THE STATE OF OREGON

In the matter of)	
Proposed Amendment)	FRIENDS OF THE EARTH
to OAR 340-14-025(5))	RESPONSE TO DEQ STAFF
Relating to Issuance)	MEMORANDUM 9/29/82
of a Permit)	

The Oregon Branch of Friends of the Earth (FOE/O) received a copy of the DEQ staff memo recommending that the rule not be changed by going to the DEQ offices and obtaining a copy on October 5th. The memo was dated September 29th. The delay in making the memo available to FOE/O has made it difficult to respond to DEQ in a timely manner with a response that can be provided to the Environmental Quality Commission (EQC) prior to the October 15th meeting.

1. DEQ proposes there be no public hearing on FOE's petition to amend the rule. There has been no notice in the paper or notice given to interested public interest groups. FOE/O questions what good reasons DEQ offers for not permitting the public to have a hearing on FOE/O's request?
2. The DEQ staff has misinformed the EQC . The report falsely claimed that the legislature has only given the permit applicant the right to a contested case hearing. ORS 468.070(3) was cited, however there is no mention of applicants there. The procedure in this section is available to all. Only the EQC administrative rules limit it to the applicants. ORS 183.310(2)(c) is also cited, which is a definition section. The definitions also provide for other situations. The staff report ignored the (2)(b) and (2)(d) sections. The report says that the legislature has not accorded the right to the public at large. Staff is misreading and omitting part of the statute. It is the agency administrative rule that limits the case to ORS 183.310(2)(c).
3. DEQ has failed to provide sufficient reason why the DEQ is to be viewed as the sole "proponent and protector of the public interest." FOE/O offers to the Commission the suggestion that the staff perception of the agency is incorrect.
4. The staff report says that citizens have an alternative to the proposed appeal process and cites the opportunity to petition to amend a rule. This is unrealistic in that once a permit is issued, a rule change has no effect.

FOE/O is making the reasonable request that the public receive equal consideration in concerns about permit conditions. The staff memo sidesteps this issue and speaks of FOE/O efforts to add a procedure that could "increase the cost and time needed to issue legitimate permits." Making reference to HB 3305, the memo argues that giving the public equal appeal opportunity with the permit applicant would encumber the permit process.

FOE/O argues that the ability of ANY party to request a hearing to appeal permit conditions could cause delays in the issuance of permits. That ability to cause delays is afforded to permit applicants under DEQ rules regardless of the adequate nature of the permitting process, the availability of alternate methods of gaining access to the Commission, the availability of judicial review, and the need for timely permit issuance.

The right to equal avenues of appeal is not a more cumbersome process. The right to appeal in itself certainly is more cumbersome a process than a situation without it. Democracy also is a more cumbersome process than some other forms of government. Regardless, the staff memo failed to cite reasons why DEQ feels the permit applicant should have access to a process that the public is denied. For what reasons can it be assumed that the public would request a Commission hearing for tenuous reasons and that the applicant would not?


FOE/O is concerned also with the nature of the language in the staff memo that does not convey the intent of Friends of the Earth. The requested rule change would permit any person with objections to conditions of a permit to "request a hearing before the Commission". The staff report says that the proposed amendment would enable the public to "demand" a hearing. The wording in the DEQ rule reasonably expresses the intent of Friends of the Earth. Our question then is, does a "request" by a permit applicant or member of the public necessarily translate into the ability of a party to "demand" a hearing for ANY reason, be it spurious or sound? Is it not true that there are certain limits on the ability of any party to receive a hearing?

DEQ proposes to continue to relegate citizen's groups and cities to the courts. FOE/O requests the opportunity to have equal footing with the permit applicant before the agency. We do not feel that DEQ has adequately or accurately presented reasons sufficient to cause the Commission to deny our request to amend the rule.

FOE/O requests a proper hearing before the Commission so that we and other environmental organizations and concerned citizens can present our arguments in favor of the proposed rule change.

DATED: October 13, 1982

ENCL: (2)


James L. Johnson, Jr. - STATE CHAIRPERSON
FRIENDS OF THE EARTH/OREGON BRANCH

1 BEFORE THE ENVIRONMENTAL QUALITY COMMISSION
2 OF THE STATE OF OREGON

3 In the matter of FRIENDS OF THE)
4 EARTH/OREGON BRANCH)
5 Petition to Amend OAR 340-14-025(5)) FINAL ORDER
6 (Contested Case Hearings)
7 Regarding Permit Conditions))

8 This matter came before the Commission on October 15,
9 1982 pursuant to a petition by the Oregon Branch of Friends
10 of the Earth (petitioner) seeking an amendment of OAR 340-
11 14-025(5) regarding contested case hearings in permit matters.

12 Petitioner waived the statutory 30-day limit and submitted
13 written and oral argument in favor of its petition. Oregon
14 Environmental Council presented written and oral argument in
15 favor of amending the rule in another respect. The Department,
16 Associated Oregon Industries and Northwest Pulp and Paper
17 Association, Seattle, Washington, submitted written and oral
18 arguments in opposition to the petition.

19 Having read, heard and considered the arguments for and
20 against the petition, the Commission orally denied the petition
21 and now finds:

22 1. Petitioner proposes that the Commission amend
23 OAR 340-14-025(5) to read: "If [the applicant] any person
24 is dissatisfied with the conditions or limitations of any
25 permit . . . he may request a hearing" That proposal
26 could be interpreted to grant the right to every person includ-
ing individuals without even any remote interest in the permit,
to require a contested case hearing (i.e. including the right

1 to written notice, sworn testimony, cross-examination, and
2 written findings of fact, conclusions of law and final order
3 regarding the conditions or limitations of any permit with
4 which the person is dissatisfied. Such hearing procedures
5 would pose a serious potential of substantially extending
6 and delaying the final issuance of permits even though
7 applicants might find them acceptable and might be eager to
8 promptly operate under them. Such delays would not appear to
9 be in the public interest at this time. Consequently the
10 Commission should not commence a rulemaking proceeding propos-
11 ing to amend the rule as petitioned by petitioner.

12 2. The extent, if any, to which the Commission and
13 sufficiently interested members of the public should be able
14 to participate in the formation of the conditions and limi-
15 tations of permits, and in the review of conditions and limi-
16 tations of issued permits and the proceedings therefor needs
17 further study and analysis. Until such study and analysis
18 has been completed it would be premature to commence a rule-
19 making proceeding proposing to adopt any particular rule.
20 Consequently, the staff should conduct the study and analysis
21 and report to the Commission.

22 Therefore it is hereby


23 ORDERED that:

24 1. The petition is denied; and


25 2. The staff shall study and analyze the issue of the
26 extent, if any, to which the Commission and sufficiently

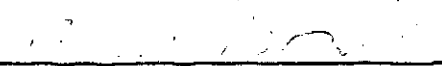
1 interested members of the public should be able to participate
2 in the formation of permit conditions and limitations, the
3 review thereof in issued permits, and the procedures therefor;
4 and report its findings to the Commission.


5 Dated this 7th day of December, 1982.

6 
7 _____
8 Joe B. Richards, Chairman
Environmental Quality Commission

6 
7 _____
8 Mary V. Bishop
Environmental Quality Commission

9 
10 _____
11 Fred J. Burgess, Vice Chairman
Environmental Quality Commission

9 
10 _____
11 Wallace B. Brill
Environmental Quality Commission

12 
13 _____
14 James E. Petersen
Environmental Quality Commission

15 NOTICE: Review of this order is pursuant to ORS 183.484.
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OREGON ENVIRONMENTAL COUNCIL

2637 S.W. Water Avenue, Portland, Oregon 97201

Phone: 503/222-1963

June 27, 1983

EQC
Hearing Section

JUN 29 1983

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John A. Charles

Ms. Linda Zucker
Hearings Officer
Department of Environmental Quality
P.O. Box 1760
Portland, Oregon 97207

Re: Possible amendments to
OAR 340-14-025(5)

Dear Linda,

OEC offers the following comments on the issues raised pursuant to the FOE/O petition on DEQ's appeals procedures.

OAR 340-14-025(5) provides that a DEQ permit applicant dissatisfied with the conditions or limitations of a permit may request an EQC hearing to review the decision:

"If the applicant is dissatisfied with the conditions or limitations of any permit issued by the Department, he may request a hearing before the Commission or its authorized representative. Such a request for hearing shall be made in writing to the Director within 20 days of the date of mailing of the notification of issuance of the permit. Any hearing held shall be conducted pursuant to the regulations of the Department."

Friends of the Earth/Oregon petitioned for an amendment to this rule which would change the words "the applicant" to "any person".

Oregon Environmental Council believes it reasonable for the Commission to adopt a compromise rule that would read:

"Any person adversely affected or aggrieved by the conditions or limitations of any permit issued by the Department may request a hearing before the Commission or its authorized representative..."

Oregon Environmental Council's primary concerns are that:

1) Persons other than the permit applicant directly affected by the conditions of a DEQ permit presently have inadequate access to the administrative process.

2) By excluding affected persons from this process, administrative decisions may be made on an incomplete record, necessitating costly and time-consuming judicial review.

3) To allow only permit applicants to request hearings is to deny the significance of environmental impacts, which is the very reason for the Commission's existence.

Several issues have been brought to OEC's attention as needing clarification:

- I. Do other agencies permit appeals by third parties on permit decisions?
- II. What is the meaning of "person adversely affected"?
- III. How can EQC preserve its discretion as to whether to accept an appeal?
- IV. What materials should be included in the record if the appeal is accepted?
- V. What information should the petition for review include?
- VI. Time lines for appeal.

Study of the administrative proceedings of other agencies and pertinent cases has yielded some clarification:

- I. Do other agencies permit appeals by third parties on permit decisions?
 - A) Division of State Lands. OAR Chapter 141 allows appeals by "any interested party adversely affected" by the grant of a removal and fill permit. It is specified that the Director shall order a hearing if he finds that the party has a legally protected interest.
 - B) LUBA 28.16 allows intervention into or appeal of a land use decision by any person whose interests are adversely affected or who is aggrieved by the decision.
- II. What is the meaning of "person adversely affected"?
 - A) Two LUBA decisions somewhat clarify the "adversely affected" language:

Gaske v. Lane City, 3 or LUBA 119, 120 (1981).
The petitioner must state how the facts alleged to result from the decision will injure or cause harm to him.

Hilliard v. Lane County, 1 or LUBA 83, 84 (1980).
Mere conclusionary statements in the absence of factual allegations are insufficient.
 - B) The Division of State Lands rule requires a "legally protected interest" on the part of the applicant.

C) Marbet v. Portland General Electric Co., 277 Or 447, 457, 461, P. 2d 154 (1977) stated that "aggrieved" ... "surely includes one whom the agency itself, pursuant to a statutory directive, has recognized to present an interest that the legislature wished to have considered."

D) Office of Communication of United Church of Christ v. Federal Communications Commission, 359 F.2d 994 (1966) gave standing to the listening public to intervene in an F.C.C. licence renewal proceeding. The court there stated that: "Since the concept of standing is a practical and functional one designed to insure that only those with a genuine interest can participate in a proceeding, we can see no reason to exclude those with such an obvious and acute concern as the listening audience." Id at 1002.

"Their interest in television programming is direct and their responsibilities important." Id at 1003.

The opinion also pointed out that the expense of participation in the administrative would operate to limit the number of petitioners to those with sufficient interest.

III. How can EQC protect its discretion as to whether to accept an appeal?

A) The FCC case opinion also addressed the question of agency discretion"

"The Commission should be accorded broad discretion in establishing and applying rules for such public participation, including rules for determining which community representatives are to be allowed to participate and how many are reasonably required to give the Commission the assistance it needs in vindicating the public interest. The usefulness of any particular petitioner for intervention must be judged in relation to other petitioners and the motive of the claims it asserts as basis for standing. Moreover, it is no novelty in the administrative process to require consolidation of petitions and briefs to avoid multiplicity of parties and duplication of effort." Id. at 1006.

IV. What materials should be included in the record if the appeal is accepted?

A) The LUBA rules as to the record on review are set forth in LUBA 28.17:

"Unless the Board otherwise orders, or the parties otherwise stipulate, the record shall include at least the following:

- (1) The final decision including the findings and conclusions;
- (2) All exhibits, maps, documents or other written materials;
- (3) All written testimony submitted in the course of the governing body's proceeding;
- (4) Minutes of the proceeding as required by law.

LUBA encourages the parties to agree among themselves as to what the record on review should contain. The board will almost always defer to the parties' agreement as to the record. The matters to be included, however, must have been before the governing body in some form during its deliberations."

V. What information should the petition for review include?

- A) LUBA 28.23 specifies the contents of the petition for review:

"The petition must set out the facts establishing that the petitioner has standing, the date of the decision and the issues to be reviewed. The petition must also include a clear and concise statement of the case: 1) the nature of the decision and the relief sought. 2) A clear summary of arguments. 3) A complete and concise summary of facts.

VI. Timelines for appeal.

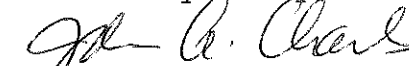
- A) LUBA 28.10 sets a time limit of 30 days for filing an appeal.

Conclusion

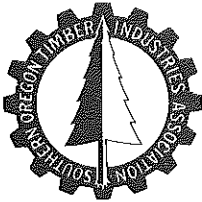
The Environmental Quality Commission should commence rule-making to amend OAR 340-14-025(5). The current rule suffers from a fundamental lack of fairness: permittees can appeal terms of a permit which may clearly affect the public interest, yet representatives of the public cannot appeal. We believe our "adversely affected or aggrieved" language would remedy the problem. Other proposals may surface as well during rule-making. A comparison with the practices of other agencies shows that opening the process will not limit agency discretion, cause unreasonable delays or otherwise impose excessive burdens on the applicant. It will, however ensure that a fair process exists for public participation in EQC decision-making.

I hope these comments have been helpful.

Yours very truly,



John A. Charles
Executive Director



SOUTHERN OREGON

TIMBER INDUSTRIES ASSOCIATION

2680 N. PACIFIC HWY.

MEDFORD, OREGON 97501

TELEPHONE 773-5329

July 25, 1983

Mr. James E. Petersen, Chairman
Oregon Environmental
Quality Commission
P.O. Box 1760
Portland, OR 97501

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
R E C E I V E D
AUG 2 1983

Dear Mr. Petersen,

OFFICE OF THE DIRECTOR

Ms. Linda Zucker has informed our organization of the commission's intent to consider the need for change in the Department's permit review process. We have been provided the Friends of the Earth petition, staff report, input from AOI, OEC and NPPA, the rebuttal by Friends of the Earth, and the final order of October 15, 1982.

SOTIA has a long standing interest in the permit process. Our membership includes most of the major air contaminant discharge permit holders in Jackson and Josephine Counties. We have represented those members in rule making and strategy development processes, and our standing to comment should be well established.

There appear to be two questions facing the commission. First, should the process be amended to permit parties, other than aggrieved applicants, to contest the decision of the department in issuing or denying issuance or renewal of a permit? Second, can improvements be made to the permit review process, or an alternative process utilized? This letter will address the first question and defer comment on the second.

I have reviewed the record on behalf of our Air Quality Committee and have discussed the issue with Ms. Zucker. The record's legal arguments supporting the existing permit process are conclusive. There appear to be no legal grounds for opening the process to other than aggrieved applicants. The rule making process and the judicial contest of issued permits provide sufficient protection to the public and affected parties.

From an operational standpoint the process works. It works for both the applicant and the agency. It is an administrative procedure with established protocol. There are certainly opportunities to improve that protocol and the procedure. However, opening the process to third parties is not, in our estimation, such an opportunity. On the contrary, we suggest that such action would be detrimental to the process, introducing uncertainty, additional administrative workload with its attendant costs, and offering unwarranted opportunities for certain parties and groups to nefariously obstruct business and the agency. This would be in the face of administration direction to clean up processes; reducing delay, workload and cost.

The forest products industry is no stranger to administrative appeal procedures. We deal with them frequently at the federal level in conjunction with Bureau of Land Management and Forest Service decisions. Both agencies have administrative review procedures which give standing to non-affected parties. While the intent is honorable and has had some beneficial results, all too often the process is used to obstruct. The requirements for processing, rebutting and defending significantly impact agency budgets. Manpower is diverted from important tasks, creating delays for both the government and the private party who is directly a party to the decision.

In the federal process there is no need to establish an economic interest to achieve standing. There is also no need to post bond, to pay legal costs if the appeal proves groundless, or to reimburse the agency or affected private party for damages suffered in the delay. The process is custom made for obstructing and delaying action.

If the Friends of the Earth petition were granted, we could visualize the same undesirable conditions being imposed upon the permit review process. In the worst case this could cause significant economic burden to the agency and create an economic hardship for the applicant. It would have far reaching implications when added to the already excessive Oregon permit environment, and could become a deterrant to business seeking to locate or expand in the state.

Unfortunately, the costs are difficult to quantify. A partial list would include:

1. Increased salary, travel and associated costs for agency personnel needed to conduct contested hearings.
2. Additional agency overhead costs necessary for management of increased staff workload.
3. Costs of personnel to research, rebut and defend the agency decision.
4. Costs of industrial staffing necessary to defend the company's interests.
5. Increased costs of equipment and installation resulting from delays in purchase and placement.
6. Lost wages of company personnel who could be working much earlier if the process moved expeditiously.
7. Loss of tax revenue to the federal government and state from the company and the employees not employed during the delay.
8. The loss of business to other states which do not have convoluted permit processes.
9. Loss of profits to finance capital development and pay stockholders, with attendant loss of income tax revenues.

Obviously, one could add to this list to the limit of his or her imagination. Many of the costs are directly discernible and could be quantified or projected for a specific project. Others are indirect and difficult to isolate. Each case would have a different cost. However, there should be no question that there would be additional costs.

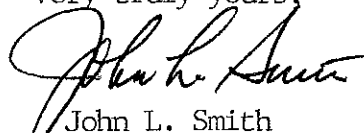
The commission must consider if the tradeoffs of permitting third parties to contest the award of permits will have a positive benefit to the state of Oregon. We contend that they would not. The existing rule making and judicial processes provide sufficient protection for citizens.

We strongly urge the commission to not amend the permit process to allow third parties to contest agency permit decisions. There is no legal basis for their request, the tradeoffs would not favor the state or the permit applicant, and the process would be unnecessarily confounded by the action.

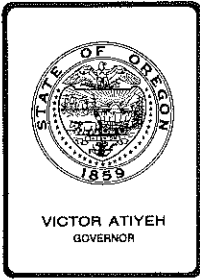
Issuance of a permit is nothing more than the right to operate within established standards. The public had ample opportunity to input and impact upon those standards during rulemaking. The arguments should be over the standards, not their application with established guidelines. Concerned parties should be guaranteed ample opportunity to affect the outcome of the rulemaking process, but not the implementation and application on a day to day basis.

Your consideration of our comments will be appreciated.

Very truly yours,



John L. Smith
Secretary-manager



Department of Environmental Quality

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

MEMORANDUM

TO: ENVIRONMENTAL QUALITY COMMISSION

FROM: Bill Young *why*

DATE: August 5, 1983

At your last Commission meeting, Commissioner Bishop mentioned a recent Oregonian editorial on backyard burning. The Public Affairs staff researched the Oregonian editorials on backyard burning over the past several years, and those editorials and an analysis are attached for your information.

The Department has not brought the issue of backyard burning back to the Commission pending the completion of the demonstration project on the feasibility of marketing chipped yard debris by the Metropolitan Service District. METRO plans on holding a public meeting to review their final report on Thursday, August 18, 1983.

The Commission may want to review the METRO forum results and discuss these editorials and a possible visit by Commissioners or myself to the Oregonian editorial board at the Friday, August 19, 1983 meeting.

WHY:pc
Attachments

STATE OF OREGON

DEPARTMENT OF ENVIRONMENTAL QUALITY

INTEROFFICE MEMO

TO: WYYoung

DATE: July 22, 1983

FROM: JAGillaspie

SUBJECT: Oregonian Editorial Position on Backyard Burning

I have reviewed the editorials of the Oregonian on backyard burning for the past several years. The editorials are attached. I am hopeful, but not positive, all the Oregonian statements on backyard burning for the past few years are included.

Through time, the paper seems to be less supportive of the ban on backyard burning. March 9, 1981 they were willing to say, "Backyard burning probably will have to end sometime in the Portland area." "The bill (SB 327) has to have a sunset clause so that the pressure will remain to find real solutions." "Neither should it perpetually extend deadlines for solving burning issues".

That positive attitude toward moving into a burning ban was reinforced by an April 14, 1983 editorial which urged haulers to start picking up yard debris. "Branches, grass, and clippings from the yard should be put to better use than being buried in the ground or burned, pouring pollution into the air". "The effort was a qualified success".

Their latest voice criticizing the City Club report takes a different approach, starting to argue for the first time that backyard burning isn't

really a pollution problem. "Use of the words, 'may' and 'potentially' however, obviously reflect the committee's uncertainty as to just how much of a problem backyard burning is".

The Oregonian is being consistent, however, that the alternatives to backyard burning be firmly in place prior to Commission action to reinstate the ban. "Some progress has been made by the METRO, DEQ, and local governments toward providing collection and alternative disposal methods for backyard debris. But it is not enough to support a ban."

I would still recommend a visit to discuss the health-related issues along with nuisance and soiling problems of backyard burning. You might also hit the useful use of airshed argument.

FD12

cc: McCue

The Oregonian

Editorials

Founded Dec. 4, 1850. Established as a daily Feb. 4, 1861. Sunday Oregonian established Dec. 4, 1881. Published Sunday by the Oregonian Publishing Co., Oregonian Bldg., 1320 SW Broadway, Portland, Oregon 972

FRED A. STICKEL, President and Publisher

J. RICHARD NOKES, Editor

ALBERT L. McCREADY, Managing Editor

ROBERT M. LANDAUER, Senior Associate Editor

MONDAY, MARCH 9, 1981

Lift burning ban, but not forever

It is too bad that when the Environmental Quality Commission banned backyard burning for the Portland area, it couldn't magically ban the whole yard debris disposal problem too, or at least offer some alternate solutions.

Since that didn't happen, and the commission stands firm, Oregon Senate Bill 327, with modifications, ought to be looked at for the logical interim remedy — lifting the ban. Backyard burning probably will have to end sometime in the Portland area, but the timing of the current ban to start earlier this year simply was premature. The region has no good solutions yet for non-burning alternatives with the yard debris. It may well have them within a few years.

By late 1984, the Metropolitan Service District hopes to open its Oregon City resource recovery plant to burn most of the region's garbage for steam fuel production. The service district should have various recycling programs and a new landfill under way by then. Sometime in that period seems a much wiser time to consider the ban.

Meanwhile, irate and debris-laden citizens are going to burn the stuff anyway, and in fact can do so legally in fireplaces or barbecues. Debris will accumulate at roadsides and on vacant lots, creating fire hazards and rodent shel-

ters. And the machinery used to shed or chip the debris may itself pollute the atmosphere.

The Department of Environmental Quality and the Metropolitan Service District started working a few weeks ago under a \$265,000 federal grant to explore backyard burning alternatives. But the money appears too little and too late to deal with a ban that is already spawning debris. Local officials asked to supply temporary yard debris disposal sites as part of the grant program are very reluctant or apathetic about doing so, the district reports. Hundreds of residents are already headed for the area's landfills with their debris, polluting the air with their cars as they go.

But Senate Bill 327, to be really helpful, must not merely lift the ban and let the matter go into a perpetual limbo. The bill has to have a sunset clause so that the pressure will remain to find real solutions. The necessity of its provision to allow backyard burning of paper and cardboard also is questionable.

The Legislature should not indiscriminately override important actions of the Environmental Quality Commission. Neither should it perpetually extend deadlines for solving burning issues. But in this case, burning makes more sense than banning.

The Oregonian

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J. RICHARD NOKES, Editor

ALBERT L. McCREADY, Managing Editor

ROBERT M. LANDAUER, Senior Associate Editor

TUESDAY, FEBRUARY 3, 1981

RICHARD K. MILLISON,

PATRICK L. MARLTON,

Burning ban hot issue for councils

The air around Portland this spring ought to be less gray than-usual because of the ban on backyard burning. But it also might be more blue, figuratively speaking, if homeowners start cussing state and local governments for not having prepared alternative means to dispose of prunings and cuttings.

Most local governments are looking to the Metropolitan Service District for a coordinated disposal program. It, in turn, is looking to the federal government for a \$265,000 Environmental Protection Act grant to get local collection programs rolling.

The service district and local governments recently asked the state Department of Environmental Quality for at least another six months before banning backyard burning in the metropolitan area, but the Environmental Quality Commission looked at the lack of progress over the last 10 years and said, "No more." Last fall marked the last legal backyard burning in the Portland urban area.

Legal is the key word, unless local leaders get moving. Midnight burning and a littered landscape would be poor trade-offs for the ban designed to clean up Portland's airshed.

Even if all homeowners stayed within the law, they would create problems for the Portland area. Landfills are nearing capacity. The regional service district is trying to find a new dump site, but its years-long effort has made skeptics out of many citizens.

Local governments cannot hope that the state will rescind its ban, nor can they count on a timely regional solution, though that clearly would be most economical in terms of sharing equipment, space and personnel. The ban will have an impact on homeowners this spring, not next fall.

Neighborhoods can be organized to provide drop-box or similar collection points, and storage sites can be found so that backyard debris can be stockpiled for subsequent conversion to compost material or shredded bark dust or chipped boiler fuel. These are things Portland and other local governments are talking about. But, two months before the spring burning ban, they must do more than talk.

City councils and county commissioners should have plans ready and dollars for implementation set aside now. And a regional program should be ready by fall.

< 1 month

THURSDAY, APRIL 14, 1983

Let haulers help

Branches, grass and clippings from the yard should be put to better use than being buried in the ground or burned, pouring pollution into the air. However, it will take greater public awareness and better organization, probably involving garbage haulers, if significant volumes of the debris are to be transformed into wood chips, bark dust and mulch.

A demonstration project undertaken by the Metropolitan Service District has given the Portland area a start toward turning the problem of massive waste into an asset. The project was to determine whether there is a feasible alternative to filling landfills with yard debris or burning it.

The effort was a qualified success. It did indeed point to an alternative, one that holds out the prospect of creating jobs and benefiting the economy as well as salvaging waste. As a result of the demonstration, four commercial processing centers operate in various parts of the urban area and hope to continue even though the project officially is over.

But in the 10 months it was conducted, the demonstration showed how much has to be done to make the alternative truly effective.

It is estimated that the metropolitan area generates 600,000 cubic yards of yard debris a year. Nearly one-third of that amount would have to reach the processing centers for their wood chip, bark dust and compost production to be economically practical. Only 65,000 cubic yards were collected during the life of the project, despite various promotional campaigns and cooperation from several cities.

Realistically, the diversion of the waste to a useful product is not likely to occur on a large enough scale if left to individual efforts. Also, it would be hard to establish a separate organization just for twig, grass and branch pickup. So, the logical step would be to enlist existing garbage haulers to expand their operations to take yard debris separately.

Without their cooperation, it may be difficult to have a workable program, for organization and information are the keys to success, and the haulers already have demonstrated their ability to get information on available services to their customers and to organize their routes.

Therefore, the garbage haulers should be encouraged to refine a service they already provide. Furthermore, now is the time to do so, in the spring of the year when the debris accumulates rapidly and shortly after completion of the experimental project that shows we know what to do with it.

Editorials

The Oregonian

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FRED A. STICKEL, President and Publisher

WILLIAM A. HILLIARD, Executive Editor ROBERT M. LANDAUER, Editorial Page Editor DONALD J. STERLI

PETER THOMPSON, Managing Editor RICHARD K. MILLISON, Advertising Director PATRICK L. M

FRIDAY, JUNE 24, 1983

Smoke befogs City Club

An otherwise well-researched, well-reasoned City Club committee report on air pollution controls for the Portland metropolitan area stumbles when it gets to a recommendation for a backyard burning ban.

Certainly the committee's recommendation that the four-county Portland Air Quality Advisory Committee be made permanent to promote institutional cooperation and coordination makes good sense, as does its support of a statewide wood stove certification and education program.

However, in apparent eagerness to convey a message that industry has carried more than its share of the burden for air-pollution control, the committee recommends that individuals be forced to pay a greater price in one form for clean air — through a ban on backyard burning. This, despite a parenthetical admission that "in the long run, the individual consumer does, in any case, pay for the cost of industrial pollution control through higher costs for goods."

The case for eventually banning backyard burning might be made, and in its report, "Air Pollution Control Policies in the Portland Airshed," the City Club committee does give it a good try. While conceding that "open burning of yard debris contributes only about 1.5 percent of the overall particulate pollution in the Portland area," the committee correctly notes that the

burning takes place in residential areas, "where the impact on people may be more dramatic than the impact of other pollution sources." The committee further points out that smoke from backyard burning contains particularly high concentrations of breathable particulates that potentially create the greatest health hazards.

Use of the words, "may" and "potentially," however, obviously reflect the committee's uncertainty as to just how much of a problem backyard burning is. One measurable form of air pollution is total suspended particulates, or TSP, and while 23 percent of TSP in 1980 came from woodstoves, only 1 percent was traced to backyard burning, the City Club report notes.

Some progress has been made by the Metropolitan Service District, Department of Environmental Quality and local governments toward providing collection and alternative disposal methods for backyard debris. But it is not enough to support a ban.

The City Club committee's thinking that a ban on backyard burning, effective in one year, would spur the public to demand development of an effective alternative may be true. But it smacks more of government by bludgeon than government by responsible planning. It certainly demands more supporting data than the committee uncovered.

ALTON F. BAKER, Publisher, 1927-1991

ALTON F. BAKER, JR.
Editor and Publisher

DON W. ROBINSON
Editorial Page Editor

EDWIN M. BAKER
General Manager

A. H. CURREY
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BARRIE HARTMAN
Managing Editor

DON BISHOFF
Associate Editor

Letters

10A

EUGENE, OREGON, MONDAY, MARCH

March 23, 1981

Resume burning in Eugene?

The state Environmental Quality Commission has lifted a 2½-month-old ban on outdoor burning of residential trash and yard debris in the metropolitan Portland area. Should Eugene, then, repeal, or at least modify, the ban on such burning that it adopted 12 years ago?

Agricultural field burning and forest slash fires are permitted on days when atmospheric conditions favor rapid dispersal of the smoke. Wouldn't it be OK to permit backyard bonfires on the same basis?

All other Lane County residents can obtain permits to torch trash and horticultural wastes outdoors on favorable burning days between Oct. 1 and June 30. Wouldn't allowing Eugene residents the same privilege help them save money and, at the same time, help reduce Lane County's solid waste disposal problems?

Considering only the statements that preface them, it might be tempting to answer "yes" to all of the above questions.

Actually, though, it would be shortsighted — and therefore, wrong — for Eugene to lift, or modify, its ban. Permitting even the resumption of leaf burning in the fall would run foolishly counter to the course that Eugene — and all of the Willamette Valley, for that matter — must pursue in order to keep the air we breathe safe to breathe.

The EQC's cancellation of the Portland area burning ban was dictated by political pressures, not scientific judgments. Data collected last year indicated that backyard refuse burning produced from 25 to 40 percent of all of the "respirable particulate" air pollution in that area.

However, lack of public appreciation of that fact permitted a backlash against the ban to develop after it became effective on Jan. 1. Failure of Portland area local governments to provide suitable alternative systems for disposing of tree trimmings, building-demolition debris and other bulky combustibles contributed to the dissent.

When a coterie of Portland area legislators sponsored Senate Bill 327 to strip the EQC of authority to prohibit backyard burning anywhere in the state, and when — no matter how hypocritically — the mayor of Portland and other of the area's ranking public officials endorsed the bill, the EQC was forced to capitulate.

Eventually, though, the Portland area burning ban will have to be reinstated. Associated Oregon

Industries general counsel Tom Donaca stressed that point recently in testifying against SB 327 before a legislative committee.

The AOP's "historic position regarding backyard burning in the Portland area," Donaca said, "is that ultimately it must be banned." He qualified that only by adding, "but not until a solid waste disposal system is in place and reasonably available to most of the people in the area."

Donaca noted that the Portland area is currently using more than 100 percent of the capacity of its airshed. Unless corrective steps are taken, he said, "activity in the area probably will be constrained" both in attracting new industries and providing for growth of existing ones.

In the Portland area, industrial emissions account for up to 23 percent of "breathable particulate" pollution; wood heat, up to 21 percent; dust, up to 18 percent, and motor vehicle exhausts, 10 percent. The mix varies from time to time, of course. And, factoring in gaseous as well as particulate contaminants, so does the overall degree of air pollution.

Eugene's air quality problems are generally comparable in nature — and no less critical than those at the upper end of the Willamette Valley. And as long as air is being polluted elsewhere in the valley, prevailing winds will move much of it this way. During atmospheric temperature inversions that hold pollution close to the ground, Eugene residents breathe the stuff for days on end, no matter where it comes from.

The Eugene City Council was stirred to ban backyard burning in 1969 only partly as a protest against summertime agricultural field burning that sent dense clouds of smoke into the city, seriously aggravating some residents' respiratory problems. Eleven years earlier, Eugene had established the first local air pollution control program in the Willamette Valley.

The population of the Willamette Valley has more than doubled since then. And attendant air pollution problems have multiplied accordingly despite efforts of the EQC and its operative arm, the state Department of Environmental Quality.

The bottom line here has to read: Not only should Eugene's backyard burning ban be kept in effect, but efforts to improve air quality in every feasible way should be stepped up — locally and at the state-government level.



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Editor and Publisher

DON W. ROBINSON
Editorial Page Editor

EDWIN M. BAKER
General Manager

A. H. CURREY
Associate Editor

BARRIE HARTMAN
Managing Editor

DON BISHOFF
Associate Editor

Letters

10A

EUGENE, OREGON, MONDAY, APRIL

4/27/81

Air pollution retreat unjustified

Despite pressures from the mayor of Portland and other public officials in Multnomah County, the Legislature should reject a bill aimed at sabotaging Oregon's "Clean Air" program.

Senate Bill 327 would cripple state Environmental Quality Commission efforts to reduce air pollution resulting from backyard burning in metropolitan areas. It also could set a dangerous precedent for other moves sacrificing air quality for the convenience of polluters.

This bill, which originally would have canceled the EQC's discretionary authority to prohibit trash fires, has been somewhat modified to permit EQC interruptions of backyard burning after June 30, 1982, as required by air quality standards established by the commission.

However, a qualifying provision would prevent the EQC from halting outdoor burning of household and horticultural wastes — no matter how critical the situation — if *alternative* disposal methods were not available.

Mountains of tree trimmings, building demolition debris and other bulky combustibles are burned in the Portland metropolitan area because its local governments have dallied overlong in setting up reusable waste recycling programs and providing adequate landfill sites for non-recoverable wastes.

Although Portland Mayor Frank Ivancie has testified that backyard burning accounts for only 1.2 percent of its total annual air pollution, state studies have shown that outdoor refuse burning at times produces 25 to 40 percent of all the "respirable particulate" air pollution in that populous area. Industrial emissions, the next largest contributor, are responsible for no more than 23 percent, according to the state's studies. Wood heat, dust and auto exhausts account for the rest, in that order.

Enactment of SB 327, as recommended last week by the Senate Environment-Land Use Committee, would promote aggravation of the situation. Instead of fostering corrective action, as the EQC has attempted to do, it would permit open-ended delays in the development of adequate landfills and recycling programs needed by the Portland area's expanding population.

The Portland area would be left with both its air pollution and solid waste problems further from solution.

Worse than that, passage of SB 327 as it stands would contradict the assignment given the EQC in Oregon's pollution control code.

It is "the public policy of the State of Oregon . . . to restore and maintain the quality of the air resources of the state in a condition as free from air pollution as practicable, consistent with the overall public welfare of the state," according to ORS 468.280.

By substituting its judgment in this matter for that of five citizens who work constantly to implement Oregon's environmental quality laws, the Legislature would open the door to supplications for special relief from EQC-ordered pollution controls of all kinds.

Support for local governments' anti-pollution programs (Eugene's backyard burning ban, for example) also would be undermined. Momentum that should be aggressively maintained to keep Oregon a livable state as it continues to grow would be lost.

Testifying against SB 327 a month ago, Tom Donaca, general counsel for Associated Oregon Industries, observed that the Portland area is already using more than 100 percent of the capacity of its airshed. Unless air pollution controls are strengthened, he said, expansion of existing industries and accommodation of new industries "probably will be constrained."

Donaca favored allowing backyard burning when conditions are favorable, "until a solid waste disposal system is in place and reasonably available to most of the people in the area." But, "ultimately," he said, "it must be banned."

The EQC has recognized the Portland area's solid waste disposal difficulties and has given its local governments as much leeway as they should expect by temporarily lifting a ban on backyard burning it ordered there at the first of the year.

There is, accordingly, no need for SB 327. Its acceptance by the Legislature would be a mistake that would delay air quality protection Oregon should employ before the need becomes really desperate.

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10A

EUGENE, OREGON, MONDAY, MARCH

March 23, 1981

Resume burning in Eugene?

• The state Environmental Quality Commission has lifted a 2½-month-old ban on outdoor burning of residential trash and yard debris in the metropolitan Portland area. Should Eugene, then, repeal, or at least modify, the ban on such burning that it adopted 12 years ago?

• Agricultural field burning and forest slash fires are permitted on days when atmospheric conditions favor rapid dispersal of the smoke. Wouldn't it be OK to permit backyard bonfires on the same basis?

• All other Lane County residents can obtain permits to torch trash and horticultural wastes outdoors on favorable burning days between Oct. 1 and June 30. Wouldn't allowing Eugene residents the same privilege help them save money and, at the same time, help reduce Lane County's solid waste disposal problems?

Considering only the statements that preface them, it might be tempting to answer "yes" to all of the above questions.

Actually, though, it would be shortsighted — and therefore, wrong — for Eugene to lift, or modify, its ban. Permitting even the resumption of leaf burning in the fall would run foolishly counter to the course that Eugene — and all of the Willamette Valley, for that matter — must pursue in order to keep the air we breathe safe to breathe.

The EQC's cancellation of the Portland area burning ban was dictated by political pressures, not scientific judgments. Data collected last year indicated that backyard refuse burning produced from 25 to 40 percent of all of the "respirable particulate" air pollution in that area.

However, lack of public appreciation of that fact permitted a backlash against the ban to develop after it became effective on Jan. 1. Failure of Portland area local governments to provide suitable alternative systems for disposing of tree trimmings, building-demolition debris and other bulky combustibles contributed to the dissent.

When a coterie of Portland area legislators sponsored Senate Bill 327 to strip the EQC of authority to prohibit backyard burning anywhere in the state, and when — no matter how hypocritically — the mayor of Portland and other of the area's ranking public officials endorsed the bill, the EQC was forced to capitulate.

Eventually, though, the Portland area burning ban will have to be reinstated. Associated Oregon

Industries general counsel Tom Donaca stressed that point recently in testifying against SB 327 before a legislative committee.

The AOI's "historic position regarding backyard burning in the Portland area," Donaca said, "is that ultimately it must be banned." He qualified that only by adding, "but not until a solid waste disposal system is in place and reasonably available to most of the people in the area."

Donaca noted that the Portland area is currently using more than 100 percent of the capacity of its airshed. Unless corrective steps are taken, he said, "activity in the area probably will be constrained" both in attracting new industries and providing for growth of existing ones.

In the Portland area, industrial emissions account for up to 23 percent of "breathable particulate" pollution; wood heat, up to 21 percent; dust, up to 18 percent, and motor vehicle exhausts, 10 percent. The mix varies from time to time, of course. And, factoring in gaseous as well as particulate contaminants, so does the overall degree of air pollution.

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The Oregonian

Letters

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ER THOMPSON, Managing Editor RICHARD K. MILLISON, Advertising Director PATRICK L. MARLTON, Circulation Director

THURSDAY, APRIL 14, 1983

Let haulers help

Branches, grass and clippings from the yard should be put to better use than being buried in the ground or burned, pouring pollution into the air. However, it will take greater public awareness and better organization, probably involving garbage haulers, if significant volumes of the debris are to be transformed into wood chips, bark dust and mulch.

A demonstration project undertaken by the Metropolitan Service District has given the Portland area a start toward turning the problem of massive waste into an asset. The project was to determine whether there is a feasible alternative to filling landfills with yard debris or burning it.

The effort was a qualified success. It did indeed point to an alternative, one that holds out the prospect of creating jobs and benefiting the economy as well as salvaging waste. As a result of the demonstration, four commercial processing centers operate in various parts of the urban area and hope to continue even though the project officially is over.

But in the 10 months it was conducted, the demonstration showed how much has to be done to make the alternative truly effective.

It is estimated that the metropolitan area generates 600,000 cubic yards of yard debris a year. Nearly one-third of that amount would have to reach the processing centers for their wood chip, bark dust and compost production to be economically practical. Only 65,000 cubic yards were collected during the life of the project, despite various promotional campaigns and cooperation from several cities.

Realistically, the diversion of the waste to a useful product is not likely to occur on a large enough scale if left to individual efforts. Also, it would be hard to establish a separate organization just for twig, grass and branch pickup. So, the logical step would be to enlist existing garbage haulers to expand their operations to take yard debris separately.

Without their cooperation, it may be difficult to have a workable program, for organization and information are the keys to success, and the haulers already have demonstrated their ability to get information on available services to their customers and to organize their routes.

Therefore, the garbage haulers should be encouraged to refine a service they already provide. Furthermore, now is the time to do so, in the spring of the year when the debris accumulates rapidly and shortly after completion of the experimental project that shows we know what to do with it.

Item F



City of Gresham

1333 N.W. EASTMAN AVENUE
GRESHAM, OREGON 97030
(503) 661-3000

August 17, 1983

RECEIVED
AUG 18 1983

Ms B. J. Smith, Chief
Construction Grants Unit
DEQ
P.O. Box 1760
Portland, Oregon 97207

Water Quality Division
Dept. of Environmental Quality

RE: FY 84 CONSTRUCTION GRANTS PRIORITY LIST

The City of Gresham appreciates being added to the DEQ's Priority List in the amount of \$3,850,000. We must, however, request that Gresham's priority be increased. While it is true that the expansion of our plant is required to insure treatment capability to comply with water quality standards, the expansion is also necessary to reduce underground water pollution stemming from subsurface disposal of sewage.

Gresham's obligation to provide sewage collection and treatment to a large number of presently unsewered residences and businesses in central Multnomah County necessitates the expansion of its wastewater treatment facilities. This obligation was formalized last November with the signing of an intergovernmental agreement between Gresham and Multnomah County, Portland and Troutdale establishing procedures for participating in the Sewer Systems Development Charge ordinance enacted in July, 1982 by Multnomah County as required by an order of the Environmental Quality Commission. New construction in unsewered areas now involves the payment of a fee to the County which is placed into a fund for financing the expansion of waste treatment works or extension of sanitary trunk lines. Approximately 20,000 people within Gresham's sewerage drainage boundary are currently using subsurface sewage disposal techniques, to the detriment of the region's groundwater. (A partial copy of the Financial Plan Project report by the East Multnomah County Sanitary Sewer Consortium is enclosed and supports this figure.) Before Gresham can seriously consider extending service to these residents, improvements must be made to the wastewater treatment plant.

Ms B. J. Smith, Chief
Construction Grants Unit
August 17, 1983
Page 2

RE: FY 84 CONSTRUCTION GRANTS PRIORITY LIST

The proposed improvements include a new headworks, increased primary clarification capacity, and replacement of the existing solids handling system. The facility planning for our treatment plant improvements was originally included in the Multnomah County Sewer Consortium project. The Sewer Consortium project was dropped from the DEQ's Priority List since Step I work is no longer grant eligible.

The City of Gresham has elected to proceed on its own and has selected a consulting engineer to prepare a facilities plan for our wastewater treatment plant expansion. The engineering work commenced in July, 1983 and should be completed by January, 1984. We will then provide documentation concerning the plant expansion and details on the presently unsewered, but urbanized, area in the unincorporated portion of our drainage basin.

The City of Gresham wastewater treatment plant has several deficiencies and impending deficiencies that need correction as soon as possible. Our headworks are not adequately sized nor are they adequately removing grit and rags from the influent given current (and projected) flows. There is damage to downstream treatment plant equipment because this larger material is not being removed during normal flow conditions and the grit channel and screens are being bypassed during high flow conditions. Our primary clarifiers are undersized in comparison to the secondary system. When the City expanded the plant with its own funds in 1979-80, the secondary system capacity was increased to 10 mgd but there were no funds available to increase the primary system from the previous plant design of 6 mgd. Currently, the City is utilizing a split-stream flow concept where flows above 14 mgd bypass the primary system and are treated in the secondary system with some of the primary flow also receiving secondary treatment. The split-stream flow system has made it more difficult to operate the plant during wet weather and has contributed greatly to our not meeting the discharge requirements several times within the past year.

Our solids handling system also needs replacement. The City did not have funds available to upgrade the capacity of the solids handling system during its 1979-80 expansion. Currently we are utilizing a porteous heat treatment system process followed by a vacuum filter. The system is not adequate to process all the solids produced and has contributed to violations of the discharge permit during the past year, given the extremely high organic loadings the system returns to the plant. Attached is a letter dated June 2, 1983, from Charles Clinton, Regional Supervisor, Northwest Region, DEQ, stating that our treatment plant solids handling process is a public

Ms B. J. Smith, Chief
Construction Grants Unit
August 17, 1983
Page 3

RE: FY 84 CONSTRUCTION GRANTS PRIORITY LIST

nuisance in accordance with OAR 340-21-055 to 340-21-060. The porteous system is the only process that the City has available to handle solids. It is expensive to operate, unreliable, and produces odors that are difficult to eliminate in our odor reduction system.

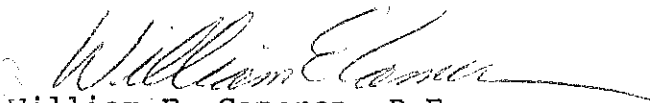
It may appear there is capacity at our wastewater treatment plant to serve existing unsewered properties in unincorporated Multnomah County, but that is not the case. When the plant was expanded in 1979-80, the City did not have sufficient funds to expand the entire plant from 6 mgd to 10 mgd. Only the secondary system was expanded leaving the headworks, primary treatment and sludge handling systems in need of enlargement.

Another factor in determining available capacity at our plant is that commitments have been made for the remaining plant capacity. When the City formed an LID to expand the plant in 1978, the City reserved 2.25 mgd capacity for those property owners who participated in the LID. The City has determined that it needs 0.94 mgd for growth in the City. Also sewage treatment contracts with Fairview and Wood Village reserve 0.16 mgd and 0.05 mgd, respectively, of excess treatment plant capacity for future development in these cities.

In 1982, the City determined there was 0.6 mgd wastewater treatment plant capacity available for use in the unincorporated area. Approximately 0.4 mgd of this capacity has been reserved, leaving only 0.2 mgd capacity for connections in unincorporated Multnomah County while it is estimated that 2.0 mgd capacity is needed to sewer existing unsewered development that is polluting groundwater in the central Multnomah County area.

Your consideration of Gresham's request is appreciated. If there are any further questions, please feel free to contact me.

CITY OF GRESHAM



William E. Cameron, P.E.
Director of Public Works

WEC/ESH/jb

File: DEQ Priority List

cc: James R. Keller
E. Scott Huff, P.E.

Attachment



RECEIVED JUN 6 1983

Department of Environmental Quality

522 S.W. FIFTH AVENUE, BOX 1760, PORTLAND, OREGON 97207 PHONE (503) 229-5696

June 2, 1983

Mr. William E. Cameron, City Engineer
City of Gresham
1333 N. W. Eastman
Gresham, Oregon 97030

Re: WQ - City of Gresham
File No. 35173
Multnomah County

Dear Mr. Cameron:

As you are aware, this Department received a citizen petition in August 1982, which complained of the malodors from the Gresham sewage treatment plant.

In response to the petition and prior individual complaints, we performed a number of scentometer (odor) surveys and were unable to confirm a violation of that particular standard. Nevertheless, based upon the number of complaints, we consider the operation to be creating a public nuisance as defined by Oregon Administrative Rules (OAR) 340-21-055 to 340-21-060.

Due to the unacceptable odors from the lime stabilized sludge, you have returned to the use of the Porteus unit. As a result, odor complaints have again resumed.

As we discussed, we consider the use of the Porteus unit the "lesser of two evils". Because the odors are considered a public nuisance, we only consider its current use as an interim sludge processing method while you develop and implement acceptable short-term and long-term solutions.

In closing, we are requesting a written reply by June 13, 1983, describing your intended short-term solution. It is our expectation that this solution be implemented as expeditiously as possible but by no later than July 1, 1983.

If you should have any questions, please feel free to contact me at 229-6955.

Sincerely,

Charles R. Clinton
Regional Supervisor
Northwest Region

CRC/mb
cc: Water Quality Division, DEQ

FINANCIAL PLAN PROJECT

Submitted by

EAST MULTNOMAH COUNTY SANITARY SEWER CONSORTIUM
2115 SE Morrison Street
Portland, Oregon 97214
248-3297

MULTNOMAH COUNTY
Dennis Buchanan, County Executive

CENTRAL COUNTY SERVICE DISTRICT
Commissioner Caroline Miller, Presiding Officer

CITY OF GRESHAM
Mayor Margaret Weil

CITY OF PORTLAND
Mayor Francis Ivancie
Commissioner Mike Lindberg, Public Works

CITY OF TROUTDALE
Mayor Sam Cox

METROPOLITAN SERVICE DISTRICT
Rick Gustafson, Executive Director

January 1983

TABLE OF CONTENTS

	<u>Page</u>
I. Purpose	1
II. Introduction	1, 2
Consortium	2
History of Efforts	
Multnomah County	2, 3
Central County Service District	2, 3
City of Gresham	3, 4
City of Portland	5, 6
City of Troutdale	7
III. Compliance	
Consortium Activities	8
Water Quality Management Planning	9
Scope of Work	9
Timeline	9
Financial Methodologies	10
Citizen Involvement	10
IV. Project Structure	
Policy Level Steering Group	11
Technical Staff	11
V. Project Limitations	11
VI. Project Commencement	
Start Up Date	12
Completion Date	12
VII. Project Budget	
1982-83 Federal Budget Year	13, 14, 15
1983-84 Federal Budget Year	13, 14, 15
Schedule	
VIII. Appendix	

I. Purpose

The purpose of this grant application is to develop a financial plan which identifies financing mechanisms and a time-line for sewerage the unsewered area of Urban Multnomah County east of the Willamette River. Providing sewer services will:

1. Protect the groundwater aquifer from continued and further degradation; and
2. Achieve comprehensive land use planning goals, specifically in the area of economic development.

II. Introduction

A. East Multnomah County Sanitary Sewer Consortium:

The Consortium was formed in 1977 for the purpose of reviewing the Federal 208 Waste Treatment Management Component. It was originally comprised of technical staff from Multnomah County and the cities of Gresham and Troutdale; the City of Portland later became a member of this group. Metro, while not directly a member, is represented on the Consortium.

Among other things, the 208 Component required constructing a regional sewerage system to direct all sewage to the Gresham plant and eventually abandoning both the Inverness and Troutdale treatment plants. This plan, while possibly workable, was rejected by the Consortium for several reasons. The major concern of the technical staff was the potential magnitude of environmental hazards in the event of plant failure, since a failure at a smaller plant would be much easier to control. Additionally, this plan was not a practical or cost effective solution; the basins were topographically well defined, so required minimum pumping. Transporting sewage out of the basins to the Gresham plant would encounter obstacles of natural topography that required excessively costly remedies and were unnecessary.

The Consortium hired an engineering contractor to develop an alternative plan to the 208 Component. This plan resulted in amending the Component to instead permit the County and the cities to proceed with permanent, independent treatment plant expansions.

Following this process, the Consortium discontinued meetings, but was not disbanded. Early in 1982, Multnomah County reconvened the Consortium in response to directives from the Environmental Quality Commission, requiring that a financial plan be developed by July 1, 1984, to identify financial mechanisms and time-lines for provision of sewer service to the areas of urbanized central Multnomah County served by cesspools/seepage pits.

The directive further stipulated that installation of new cesspools would be prohibited effective January 1, 1985, provided that a system was adopted by the affected jurisdictions "whereby additional funds are collected for each cesspool installation and the funds collected are used for planning, design and construction of sewers in the cesspool/seepage pit areas." This condition would delay the initial prohibition date of October 1, 1982, allowing time for the development of a sewer systems development charge policy and to investigate a users discharge fee for existing cesspools.

In July, Multnomah County enacted Ordinance No. 320, imposing a Systems Development Charge of \$500 per residential equivalent for installation of cesspool/seepage pits and on all new or additional construction in excess of \$10,000.¹ The Ordinance became effective August 5 and has accumulated approximately \$ through December. An intergovernmental agreement for dispersal of the funds for approved construction projects within the respective basins has been approved by Multnomah County, the Central County Service District, Gresham, Portland and Troutdale.

The remaining charge of developing a financial plan for the area is the primary concern of the Consortium at the present time. Because it includes areas outside the existing city boundaries but within their service basins, Multnomah County, under whose immediate jurisdiction the area falls, has acted as the lead agency for the Consortium. The County, working with the members of the Consortium, has prepared and will administer this financial planning grant.

B. History of Efforts to Date of Affected Jurisdictions:

Multnomah County/Central County Service District:

The Central County Service District was formed in 1965 by Multnomah County and includes the area known as the Inverness Basin. Inverness, the north-western-most basin in unincorporated east County, includes portions of Portland and all of Maywood Park. It is bounded by the Columbia/Portland Basin to the west, the Columbia River to the north, the Gresham Basin to the east and the Johnson Creek/Portland Basin to the south.

The Inverness Treatment Plant began operation in 1969 and treats approximately 1.2 mgd; no plant expansion has occurred since the initial construction and the boundaries of the District have remained substantially the same since its inception.

In 1978, at the direction of the DEQ, Multnomah County began to develop plans for the protection of the east County aquifer. This work resulted in the East County Groundwater Plan, adopted by the Board and subsequently the Department of Environmental Quality and the Land Conservation Development Commission, which called for 90% of all development in the Inverness Basin to be sewered by 1990. This did not include those unsewered areas outside the Inverness Basin, since the County was not the designated agency responsible for sewerage the remaining three basins of the unsewered area.

Since adoption of the plan, a financial report developed by CH2M Hill,² and engineering plans for Inverness Plant expansion developed by Kramer, Chin and Mayo³ have been completed, identifying the means and cost of serving 90% of the basin by 1990.

In the fall of 1981, the County created the position of Sewer Development Manager to head the County's new Sewer Development Division. The first charge of this Division was to assess the feasibility of the two reports and determine if the County could actually achieve this aim, given the current economic outlook and the now known projected costs. An estimated \$150 million would be required to finance sewers in the Inverness Basin; costs were dictated by an

-
1. Appendice Exhibit
 2. Exhibit -Executive Summary/CH2M Hill Report
 3. Exhibit -Introduction & Recommendations/KCM Preliminary Engineering Designs

eight year time frame. It was obvious from the outset, once the costs were known, that it would not be possible to meet the original conditions and the County, with the concurrence of the EQC, again sought financial planning services to develop a more realistic time-line for service provisions. Among other things, this financial plan will analyze and make recommendations regarding the feasibility of imposing a discharge fee on existing cesspool/seepage pits in the District. Concurrent with this, development of a master engineering plan was also approved, since the last master plan dated to 1965; a component of the engineering plan will include a revision of original designs and estimates for plant expansion, in smaller increments phased over a longer period of time. The two studies are expected to be completed by spring 1983 and will form the basis for future County/District actions.

A parallel effort of the County this year involved obtaining funding for construction of sewers simultaneous with the development of light rail transit on Burnside Street, which lies within the boundaries of the Inverness and Gresham Basins. Gresham was a partner in this effort and will be constructing the portion of Burnside within its basin from 146th Avenue to 199th Avenue as an operating line; that portion of the line within the District, from 97th Avenue to 146th Avenue will be constructed by the District and will become operational when the interceptor on 122nd Avenue has been extended from Sacramento Street south to Burnside Street and the plant has been expanded.

Also during this year, ownership of the Inverness Plant and lines was transferred to the District; the District's outstanding general fund loan of \$870,000 was repaid to the County; a blue ribbon Citizens Advisory Committee for Financing Sewers in East County was formed to develop recommendations for future County policies with regard to sewers; and a Systems Development Charge was imposed by the County, providing dispersal to the District for approved sewer construction projects. Additionally, a District-wide tax base was placed on the November ballot but was defeated by the voters; 40% in favor, 60% opposed. This tax base may not be referred to a vote again until May 1984, since tax base measures may only be voted on at a primary or general election. It is hoped that in the intervening period, sufficient acceptance of the need for sewers will be achieved and that District residents will approve a second attempt to establish a tax base for sewer provisions.

City of Gresham:

The Gresham Basin is bordered by Troutdale's Sandy River Basin to the east, portions of Multnomah and Clackamas Counties to the south, the Portland/Johnson Creek Basin in the southwesterly portion, the Inverness Basin in the northwesterly portion and the Columbia River to the north, with the Troutdale Basin bordering the northeasterly edge.

Following adoption of the Columbia Waste Treatment Plan, the Gresham Treatment Plant was expanded from 6 mgd to 10 mgd in 1978 with local funding, at a cost of \$3 million. It was estimated that this expansion would be adequate to serve existing sewered populations and the projected growth in the basin both inside and outside present city boundaries to the year 1987, possibly 1992, depending upon the level and rate of development. The plant will require further expansion to provide service to the existing unsewered developed areas in the unincorporated area of the basin and to those few unsewered properties inside the city limits. Of the estimated 25,000 residents in the

unincorporated area of the Gresham Basin, approximately 5,000 are currently served by sewers. Providing service to the remaining 20,000 residents would require an estimated 1.5 to 2 mgd capacity at the plant, not including new development.

A master engineering plan for the basin was completed by the firm of Brown and Caldwell in December, 1980. It indicates phasing of existing and future needs in the collection system; however, does not include phasing of major lines into new areas. Additionally, the plan includes a five year capital improvements inventory which recommends the sale of a \$5 million bond issue to correct existing and near future deficiencies in the collection system.

Major recent steps for sewer provision taken by Gresham include the following:

- o Linneman Pump Station and interceptor project; completed 1980, \$1 million.
- o North trunk parallel sewer line from 215th Avenue and PTC railroad to Hogan Road; completed 1981, \$1 million.
- o Funded engineering designs for Gresham parallel interceptor from treatment plant to 215th Avenue and PTC railroad. Plans will be completed in early 1983; the estimated project construction cost is \$2 million and is included in the proposed \$5 million capital improvement inventory.

When completed, this line will serve the Tektronix property and Cedar Lake Estates in the central area of the basin and will provide additional capacity to the Gresham interceptor line so that unincorporated areas, presently unable to connect to the existing near capacity line, will have access to sewer services.

- o Burnside/Light Rail Transit Sewers: Gresham will construct sewers simultaneous with light rail transit development on Burnside Street, which lies within the boundaries of the Gresham and Inverness Basins. Gresham's portion of the line extends from 146th Avenue to 199th Avenue and will be operational with extension of the Stark Street and 181st Avenue trunk lines. The estimated cost of this project is \$1.5 million; construction will commence in spring 1983.
- o Completion of Urban Services Report which denotes Gresham policies for sewer service provision.
- o Intergovernmental Agreement to apply for and receive funds for approved projects from the County's Sewer Systems Development Fund.
- o Gresham technical staff are working with KCM master plan engineering staff to analyze special study areas presently identified as part of the Inverness basin which may be more appropriately served by Gresham. Following completion of the Inverness Master Plan for the Central County Service District, proposed boundary changes will be submitted to the Metro's Water Resource Policy Advisory Committee (WRPAC) for approval and formal revision of the regional 208 plan.

RECEIVED
AUG 19 RECD

NOISE POLLUTION CONTROL

August 17, 1983

Department of Environmental Quality
Bill Young, Director
522 S.W. Fifth Avenue
Portland, Oregon 97204

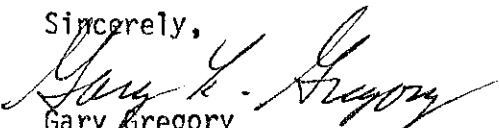
Dear Mr. Young:

The Parkrose Community Group, as you are aware has been actively involved in the problems of aircraft noise at Portland International Airport for over six years. After all this time it is nice to finally see some progress in mitigating the noise pollution that has been propagated through increased operations and a lack of control of the flight operations.

We wish to make some recommendations in your anticipated adoption of the Proposed Noise Abatement Policy. The plan in principal holds the promise of providing the relief we have long sought, however, it is only a promise and not a guarantee. The plan elements are totally dependant upon each other to be workable. At this point in time it is not known if all elements can or will be implemented. For this reason, we ask that the Commission conditionally approve the plan by adding the following conditions: 1. The noise overlay zone not be implemented at this time; 2. The other land use elements regarding disclosure statements not be implemented at this time; 3. The references regarding granting of aviagation easements not be implemented at this time; 4. Add the requirement that the consultant be brought back to make confirmation studies that either confirm or deny the success of the operational elements of the plan. Only in this way can reasonable land use changes be made. This addition could perhaps indicate that further changes should be made to the plan at that time.

The Multnomah County Planning Commission has supported these recommendations and incorporated the language in The Multnomah County Comprehensive Framework Plan. We urge this commission to also defer accepting any of the elements of the Noise Abatement Plan until 1984 when the consultant can be brought back to verify the noise contours and land use actions can be implemented on the basis of fact not a theoretical model. We fully support the immediate implementation of the operational elements, but the land use portions are a tremendous burden of costs that the Port is asking the public to bear and they should be subjected to the public planning process and addressed only after the operational elements are in place.

Sincerely,


Gary Gregory
Chairman, Parkrose Community Group

3542 N.E. 131st Place
Portland, Oregon 97230

Item H

Orville & Madeline Coats
2282 N. E. 202nd
Troutdale, Oregon 97060

~~HA~~
AUG 16 Recd

August 15, 1983

D.E.Q. Noise Control
P.O. Box 1760
Portland, Or 97207

Friends:

We are still having problems with excessive noise from planes landing at the Portland International Airport. Conversations are interrupted or delayed by noise from low flying planes.

The most flagrant violator in terms of noise pollution is the Oregon Air National Guard. Their planes very often take off to the east and they make far more noise than the commercial planes.

Anything you can do to help alleviate this problem will be a step in the right direction.

Sincerely,

Orville & Madeline Coats

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
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Item H

August 15, 1983

State of Oregon
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D.F.Q.
Noise Control
P.O. Box 1760
Portland, Oregon 97207

OFFICE OF THE DIRECTOR

Noise Abatement: Helicopters from the Port & Air Guard

We are fortunate enough to live in a neighborhood where our neighbors display the flag on appropriate holidays, where many of our neighbors are veterans who take pride in our military services, and where the citizens are concerned about the quality of life and the quality of the environment.

One complaint we would voice about the helicopters from the Port and Air Guard is that they fly far too low and directly over our homes, many times flying in pairs. We feel that we are the "scenic" route because they certainly do not follow either 82nd ave. or the new I-205 corridor. Instead, they come from either side of Rocky Butte, flying south. Most often they are on the west side of the butte...flying directly over the grade school on 92nd between Thompson and Tillamook streets.

Students from the school have complained that the windows rattle, the noise is very much a disruption, and there is some fear for safety. We, in our homes, experience the same conditions.

We first hear the Air Guard helicopters approaching from the south, when they are still on the south-side of the Halsey bridge. Their props are so noisy and the noise is amplified even more because of the "natural bowl" effect created by the construction of I-205 and the berm.

As neighbors we have discussed what could be done to solve the problem; it would seem that no matter what route is chosen one main factor remains.... elevation. Believe us, no other aircraft flies so low over us as do the helicopters from the Air Guard. Because of the high elevation of the Butte, we would think that for their safety as well as ours, that they would be at a much higher elevation.

We know our neighborhood is interesting...the jail is just over the freeway; there has been a lot of construction going on over the last few years; and the Butte and the surrounding homes are picturesque. But please raise your sights.

If a petition from our residents should be required, please inform us, letting us know how many signatures are necessary.

Sincerely,

Marg K. McGinnis
Mr. & Mrs. Michael R. McGinnis

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AUG 18 Recd

NOISE POLLUTION CONTROL

2016 N.E. 95th Pl.
Portland, Oregon 97220

phone 254-2257

Agenda Item H

EQC
Young
Sector

OREGON ENVIRONMENTAL COUNCIL

2637 S.W. Water Avenue, Portland, Oregon 97201

Phone: 503/222-1963

August 10, 1983

Environmental Quality Commission
P.O. Box 1760
Portland, OR 97207

RE: Agenda Item H, EQC meeting of August 19

Dear Commissioners,

OEC recommends that the EQC approve the PIA noise abatement plan. We believe it represents a substantial step toward ensuring compatibility between PIA and the Portland metro area.

Most elements of the plan appear to be reasonable compromises among aircraft safety, operating efficiency and noise impacts.

Two elements concern us and will need to be monitored closely. First, commuter aircraft flight tracks continue to be over the most populated areas. These aircraft are nearly as noisy as large transports. They are being granted exceptions to flight track modifications due to presumed economic and scheduling impacts. We believe this deserves a closer look.

Secondly, air carrier flights departing to the west, with destinations to the southeast, will continue to fly over the most populated areas, although at altitudes which reduce the noise by a small amount (3 db or so).

Overall the plan should help Portland's livability, and emphasizes the importance of your noise regulations in providing a basis for cooperative environmental efforts.

Sincerely,

John A. Charles
John A. Charles
Executive Director

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

RECEIVED

AUG 17 1983

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