

MINUTES OF A SPECIAL MEETING  
OF THE  
STATE SANITARY AUTHORITY

April 24, 1942

A special meeting of the State Sanitary Authority was called to order by Chairman Harold F. Wendel at 10:15 A.M., April 24, 1942, in Room 422, Oregon Building, Portland. All members of the Authority were present, and included Harold F. Wendel, Chairman, Dr. Frederick D. Stricker, and the Messrs. Albert Burch, Blaine Hallock, John C. Veatch, Charles E. Stricklin, Curtiss M. Everts, Jr., Secretary, and Kenneth H. Spies, Associate Sanitary Engineer.

Visitors included the following:

Mayor Jay W. Moore, Harrisburg  
Mr. G. C. Gilbert, City Recorder, Harrisburg  
Two council men from Harrisburg

Dr. R. H. Wilcox, Umatilla County Health Officer  
Mr. C. W. Daley, Umatilla County Sanitarian

Mr. Wyatt, representing the League of Oregon Cities

Mr. R. H. Corey, Consulting Engineer, City of Pendleton  
Mr. Carl E. Green, Consulting Engineer, John W. Cunningham & Associates

Mr. Verne Reiersen, Clatsop County Sanitarian  
Mr. R. E. Dodson, Jr., Asst. Sanitary Engineer, State Board of Health

Mr. A. H. Rice, Jr. San. Engr., State Board of Health

PENDLETON CITATION: As this was a special meeting held for the purpose of citing the city of Pendleton to show cause for its delay in providing satisfactory disposal of its municipal sewage and wastes, the chairman proceeded to call upon Mr. Isaminger, City Attorney of Pendleton, to introduce the officials representing the city of Pendleton, and to present a brief of their case. The city of Pendleton was repres-

ented by Mayor C. L. Lieuallen, City Attorney B. Duval Isaminger and City Recorder Charles E. Burnett. Mr. Rex Kimmell represented the State Attorney General's office.

In the statement of facts presented by the city of Pendleton, it was claimed that the only knowledge the city had of the extent of pollution in the Umatilla River was that obtained from outside sources. Because of the fact that the city has not had a full time city engineer, they stated that it was impossible for them to make the necessary preliminary studies. The information was given, however, that upon the insistence of the State Sanitary Authority, a few data were collected by the city for determining the amount of sewage produced. It was also stated that the city had made application to the Federal Works Agency for the purpose of obtaining financial assistance from the federal government in constructing adequate disposal facilities. A consulting engineer had been retained by the city to make preliminary estimates and design, and to draw up this application. The city had failed, however, to submit the application and the engineering studies to the State Sanitary Authority for approval.

After considerable discussion, it was admitted by the city that a serious pollution problem does exist below the city of Pendleton because of the discharge of improperly treated wastes into the Umatilla River, that the large increase in population due to defense activities in this area greatly increases the danger of this public health hazard, that the city had failed to comply with previous recommendations made by the Sanitary Authority and had failed to cooperate in other respects with this official agency, and that the city should proceed as rapidly as possible to provide adequate treatment of its wastes just as soon as emergency conditions would permit.

Due to the present emergency, the shortage of critical construction materials, construction equipment and labor prompted the United States Public Health Service to refuse certification of the city's application for federal assistance under the Community Facilities Act. Realizing that without the assistance of the federal government, it would be impossible at this time for the city to go ahead with the actual construction of this project, it was agreed by both parties that the city of Pendleton would immediately organize a fiscal program which would be adequate to finance the construction of the sewage treatment plant after the war is over. It was also agreed by the city that the services of a consulting engineer would be retained for the purpose of making all the preliminary studies necessary to properly design the required plant expansion and improvements. These studies are to include treatment of the pea cannery wastes and the possibility of treating the wastes from the Eastern Oregon State Hospital, in conjunction with the city sewage. After these agreements had been reached, the citation proceedings were concluded.

At a private meeting of the members of the Sanitary Authority held after the adjournment of the citation proceedings, the following matters of business were discussed.

**MUNICIPAL SEWAGE TREATMENT:** The secretary informed the members of the Authority that each of the cities above the cantonment water supply intake in the Willamette Valley had been contacted by letter as directed at the previous meeting for the purpose of determining to what extent these cities had complied with the orders of the Sanitary Authority dated September 29, 1941. The members were also informed that with the exception of Corvallis, all of these cities were endeavoring to comply with the

orders. It was stated that there would undoubtedly be considerable difficulty in convincing the city council of Corvallis that treatment of their wastes would be necessary, especially in view of the fact that the United States Army showed no inclination toward requiring such treatment. It was stated that the United States Public Health Service had mentioned on several occasions that the city of Corvallis should comply with the orders of the State Sanitary Authority and install sewage treatment facilities.

After some discussion of this matter by the members, the secretary was instructed to obtain from the Army authorities a written statement of their stand. MOTION: It was moved by Mr. Burch, seconded by Mr. Hallock, and unanimously carried, that in the event the reports from the Army and from the city of Corvallis were not satisfactory, that the chairman and the secretary be authorized to issue a citation for the city of Corvallis to appear at the June meeting.

PERSONNEL: The secretary requested that Mr. Rice be transferred from the State Board of Health to the State Sanitary Authority as Assistant Engineer. This change was deemed advisable because of the fact that the secretary would be leaving in the very near future to accept active service with the United States Army. Permission to make this change in personnel was granted by the chairman.

COLUMBIA RIVER POLLUTION INVESTIGATIONS: The secretary informed the members of the Authority that at the beginning of this investigation, there was a mutual agreement between the states of Oregon and Washington that the expenses would be divided as equally as possible. Because of the fact that Washington had been carrying two men on their payroll to Oregon's one, at the time of the meeting, the state of Oregon was approx-

imately \$2,000 behind in its share of expenses. Therefore, the secretary requested that the Oregon State Sanitary Authority pay the salaries and expenses for one man during the month of April and for one man during the month of May. This would amount to approximately \$500. The members of the Authority agreed to pay for these expenses.

**MILWAUKIE DEFENSE HOUSING PROJECT:** The secretary requested of the members the authority to issue a temporary or Class "C" permit to discharge sewage into the Willamette River by the defense housing project located adjacent to McLoughlin Boulevard between the south city limits of Portland and the north city limits of Milwaukie. This is to be a temporary defense housing project, and if sewage treatment facilities were to be provided, they would cost in the neighborhood of \$50,000.

**MOTION:** It was moved by Mr. Hallock, seconded by Dr. Stricker, and unanimously carried, that a Class "C" temporary permit be granted to this defense housing project to discharge untreated wastes into the Willamette River.

The secretary then advised the members of the Authority that considerable misunderstanding had resulted from the procedures used by certain members of the United States Public Health Service in refusing to certify several projects in the state of Oregon for federal assistance under the Community Facilities Act. Because of these procedures, the public had been led to believe that in many cases sewage treatment would not be necessary. After considerable discussion of this subject, it was agreed that more conclusive evidence should be obtained before the Sanitary Authority took any action on the matter. The secretary was instructed to accumulate as much evidence as possible and to present it at the next

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regular meeting of the Authority.

The meeting was adjourned at 1 P.M.

Respectfully submitted,

*Kenneth H. Spies*

Kenneth H. Spies  
Acting State Sanitary Engineer  
and Secretary

KHS/hs

STATE SANITARY AUTHORITY  
 PENDLETON CITATION HEARING

April 24, 1942

PERSONS PRESENT

STATE SANITARY AUTHORITY

Mr. Harold F. Wendel, Chairman  
 Dr. Frederick D. Stricker  
 Mr. Blaine Hallock  
 Mr. John C. Veatch  
 Mr. Charles E. Stricklin  
 Mr. Albert Burch

Curtiss M. Everts, Jr., State  
 Sanitary Engineer & Secretary

Kenneth H. Spies, Associate  
 Sanitary Engineer

CITY OF PENDLETON

Mr. C. L. Lieuallen, Mayor  
 Mr. B. Duval Isaminger, City Attorney  
 Mr. Charles E. Burnett, City Recorder

STATE ATTORNEY GENERAL'S  
 OFFICE

Mr. Rex Kimmell

VISITORS

Mayor Jay W. Moore, Harrisburg  
 Mr. G. C. Gilbert, City Recorder, Harrisburg  
 Two councilmen from Harrisburg

Dr. R. H. Wilcox, Umatilla County Health Officer  
 Mr. C. W. Daley, Umatilla County Sanitarian

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 Mr. R. E. Dodson, Jr., Asst. Sanitary Engineer, State  
 Board of Health

Mr. A. H. Rice, Junior San. Engr., State Board of Health

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Mr. Wendel: Will you kindly tell us who is representing the city of Pendleton?

Mr. Isaminger then introduced to the members of the Sanitary Authority Mr. C. L. Lieuallen, Mayor of Pendleton, and Mr. Charles E. Burnett, City Recorder.

Mr. Wendel: I think it might be a good idea to read the history of this case. Would you gentlemen like to have it read?

Mr. Hallock: I happen to be quite familiar with it. I don't know if it would be an advantage to those from Pendleton or not.

Mr. Wendel: Are you gentlemen fully acquainted with the history of this case?

Mr. Lieuallen: I imagine we are. If there are any points of difference, I imagine they will come up later.

Mr. Wendel: I am sure you gentlemen are all acquainted with the law under which this Authority was established and the duties it has been charged with. I don't know that that requires further explanation unless anyone specifically wants it.

Mr. Isaminger: No, that will not be necessary.

Mr. Wendel: I would like to conduct this merely as an informal proceeding, and see if we can't bring about an understanding. Do any of the members of the Authority want to make any statement?

Mr. Hallock: No, I don't, Mr. Chairman.

Mr. Isaminger: If it isn't out of order, I have an answer--merely a statement of facts from our point of view--that I would like to file with



the Authority at this time if it is the proper time to do so.

Mr. Wendel: All right.

Mr. Isaminger: The original here is on top. There's a copy for each member of your board. I would have mailed it sooner but for the fact that I was trying to get a population census complete. It wasn't finished so I had to send this anyway. For purpose of the record, this answer is made for each and every council member, only a limited number of them being here today because of the expense of travel, and besides the presence of the entire council would serve no purpose.

Mr. Isaminger then read the city of Pendleton's reply to the State Sanitary Authority's citation.

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Mr. Wendel: Have you gentlemen any questions about this answer?

Mr. Hallock: I'm interested quite definitely in one statement contained in the first page. "The City of Pendleton and its officers have no information or knowledge sufficient to form a belief as to whether or not the Umatilla River is being polluted by the City of Pendleton sewage disposal plant and therefore deny that said river is being polluted by The City of Pendleton in the operation of said sewage disposal plant." Now, is the Sanitary Authority to take that observation seriously? Is it possible that this condition that's been the subject of correspondence and conferences for so many years hasn't acquainted the city with what we had supposed to be obvious facts? In that connection we have copies of letters from Mr. Corey, who was mentioned in your answer to our citation, and from Dr. Wilcox, Umatilla County Health Officer, which make statements to the contrary. It seems to me that we ought to know whether the city does contend that there is no pollution of the Umatilla River.

Mr. Isaminger: Here's been our exact status on this thing. As you know, we don't regularly have a city engineer. We'd like to but we can't afford it. Therefore, the only information we have is what communications to us indicate. The Sanitary Authority has talked to us from time to time. Our Lanham Act applications indicate that we are trying to do something. We're still trying. We're in the position of being out in the open there. We came down here to try to get the situation worked out. We're not refusing to do anything. Just trying to get along. In other words, I don't know what Mr. Corey has written to you. I have no copies of those letters. What he said, I don't know.

Mr. Hallock: Well, I'd like to point out the fact that the condition is a serious one. Dr. Wilcox observes in one letter that unless something is done in the near future, those people might look forward to a serious epidemic of disease.

Mr. Isaminger: Dr. Wilcox isn't exactly an employee of the city either, you understand. That's one of those matching fund projects.

Mr. Hallock: To summarize the whole matter--can't we agree that there is a problem, really serious there and definitely dangerous to the people of Pendleton?

Mr. Isaminger: You run me clear out on a limb with a statement like that, and you know it. We've got a problem here--let's try to straighten it out.

Mr. Burch: From what I've heard, you don't need an engineer, you need a nose to tell you that there is pollution of the river.

Mr. Isaminger: Well, I don't know. We haven't any definite figures on what is going into the river from the disposal plant, if anything.

Mr. Burch: Why not? You were asked by the State Sanitary Engineer time after time to get out some figures on which you could base an application

for funds, and nothing was done except a weir measurement over a period of eight days.

Mr. Isaminger: I think that weir measurement was made at the time this application was being prepared to show the flow of sewage at the plant.

Mr. Lieuallen: Mr. Adams who was in the employ of the City Water Commission at that time made some studies. We got him to make those measurements for us.

Mr. Isaminger: You understand the Water Commission is distinct from the city of Pendleton. I don't know what they have done.

Mr. Burch: Did not Mr. Allen make some findings in this regard? Mr. Allen is the man employed by the State Department of Minerals and Geology, and he was borrowed to do work in connection with the water supply for Pendleton last year.

Mr. Isaminger: I don't know anything about that. Their files are in their office and unless we specifically ask for something, we naturally don't know about it.

Mr. Burch: His reports showed that there is a serious condition of pollution in the river.

Mr. Hallock: I would also like to read a paragraph or two from a letter dated February 12, 1942, addressed by Mr. Corey, whom we understand was employed by you at that time, to Mr. Durkee of the Defense Public Works Agency in connection with your application.

"The result of the population growth has been that since about last August the sewage of disposal plant has been overloaded to the extent that it has been necessary to bypass a part of the raw sewage without any treatment. This is a serious and dangerous condition for the citizens and the Air Base personnel. The State Sanitary Authority demanded the enlargement of the sewage disposal plant last year. With the approach of hot weather this spring conditions will probably be intolerable."

Now a paragraph from a letter addressed by Dr. Wilcox, Umatilla County Health Officer, to Mr. Durkee under date of March 3, 1942:

"Briefly then, Pendleton a city of an estimated 12,000 population is discharging its raw sewage into the Umatilla river. The river flows through Umatilla County and discharges into the Columbia river at the town of Umatilla. As water supplies for domestic use are either directly or indirectly dependent on the river and water tables maintained by the river, it is felt that a potentially dangerous situation exists. Water-borne epidemics are not a thing of the past and such epidemics are notably prevalent during time of great fluctuation in population."

"So, I say at the outset, we are referring to a problem and we are discussing it. Can't we concede, all of us, that there is in that problem a serious pollution menace to the Pendleton community now and has been for sometime past?"

Mr. Isaminger: Here is just exactly our attitude. You've told us in the past that there is a problem. We have accepted your statements at face value. All right. We are now trying to go ahead and straighten that out. We are not the only polluters of that stream. We are trying to get this thing ironed out. It is our desire to give this sewage full treatment. That is our intention.

Mr. Lieuallen: Some man by the name of Doolittle or Dopmeyer from the Public Health Service came up there sometime ago and made a thorough survey in about 30 minutes. Nobody saw him. He reported to the U. S. Public Health Service that we had an increase due to the military base being there of 325 people. Now the report shows about 7,000 in the military base alone. We furnish water to them. That nitwit turned in a report like that and our Lanham Act money was thrown out the window. Can you help us with that? We know there's some sewage going into the river. We're not trying to sit here and tell you your engineers don't know anything. We know our plant is inadequate. Our population has increased one-fourth. It is overloading our plant. We're doing our damndest to get some money from the Lanham Act. The increase was caused by the influx of troops in there, their families and the workmen. Let's get together and help each other out on this deal instead of standing here with our horns locked. Can you help us straighten out that

report? If you can, you can be doing us a big favor and get this off your chest, too.

Mr. Wendel: Mr. Everts can clear up the matter as to whether we have tried to help on this.

Mr. Everts: May I read part of these letters? Here's a letter addressed to me on March 26 and signed by Dopmeyer. I think you would all be interested in this.

Mr. Everts then read the letter in question.

Mr. Isaminger: There are two applications. That first application provides for running a pipe line to the North fork of the Umatilla River. They have cut the original application for the water line to include a filtration plant and extra reservoir space.

Mr. Everts: After getting that letter, I replied to this extent under date of April 8, 1942.

Mr. Everts read his reply.

Mr. Hallock: Apropos of this matter of cooperation, Mr. Lieuallen, I think that the record indicates that the cooperation attempts have come from this end and haven't emanated to any extent from your end of the undertaking. Just to refresh your memory on that--You were addressed on the subject as early as November, 1938, and again March, 1939, outlining in a general way what the Authority would want. To these communications, there were no replies. You were addressed on January 28, 1941, relative to this matter, urging some action. No reply was received. On January 31, you were urged to take action and give us some assurance that plans would be carried out. No reply was received to that letter. On March 14, 1941, you were requested to proceed immediately with the preparation of plans and data. There was also a follow-up to that letter, to which there was no reply. There was the telephone conversation that you may remember you had with Mr. Everts. We got the impression rather definitely from that that whether or

not federal agencies made the money available, you would go ahead and make some affirmative action and keep this thing going along. After that, weir measurements were made for about a week. On August 22, we learned that without communicating with the Authority, some 900 ft. of pipe had been connected to the sewer. We requested information on that. No response. So you see, we haven't had any very encouraging assurance that our cooperation was wanted. I know we're not here to snarl at each other. We have requested so many times some cooperation from you up there. We requested that you furnish us with your preliminary plans and specifications which we assumed had been prepared in connection with your application to federal agencies, and they were never sent.

Mr. Lieuallen: Hasn't Mr. Corey given you those?

Mr. Isaminger: That was supposed to have been done and was not. There's no question about that. He told us he would take care of it. I have a copy of the plans here. I have the entire application file, and we're perfectly willing to have the Authority look through it. We understood that the plans were to have been given you.

Mr. Hallock: The facts are that we have received so little seeming cooperation from your section up there, it has proven quite discouraging.

Mr. Lieuallen: Our record that Mr. Isaminger read to you shows that we haven't been entirely idle on the proposition. We have been up against a difficult proposition. Conditions have changed so fast in a few month's period that plans which we had made had to be discarded.

Mr. Wendel: In regard to this situation, I can only comment that it is unfortunate we weren't appraised that you have been more active than you indicated to us. Let's forget all that for the time being. Let's start from where we are today. The Commission has taken this attitude--rightly or wrongly. In general, we are now in a war situation--there's priorities of

materials, and among certain works, no matter how badly needed, they're not going to be accomplished immediately. We have taken the attitude to request the municipalities of the state where these bad conditions exist, to do two things. One is prepare engineering plans and estimates of cost, and second, to embark on some sort of financial program which will, when the war ends, enable the municipalities to get the actual work under construction. In Portland, that has taken the shape of sewer service charges being collected with the water bills. In this way, they will accumulate funds which will help in the actual work when the war is over. Now, as badly as this work is needed, it is impossible to do it in most cases. I would like at least to see these two steps taken. I can't speak for the other gentlemen here, but it would seem that if that's all that can be done now, we would certainly be satisfied if you would do that.

Mr. Isaminger: You say, engineering plans. Do you want complete or preliminary plans? Just show in a general way what would be done? I don't quite know what is wanted.

Mr. Wendel: Perhaps Mr. Everts will answer that.

Mr. Everts: They should be fairly complete plans.

Mr. Isaminger: Would you look at these, Mr. Everts, and see if they come anywhere near what you need? This is a part of the application. While he's looking at that--you were talking about sewer connection matters. When we made application, I mentioned that we made arrangements to merely borrow money from the government. That would be our part. We would by ordinance levy a sewer connection charge. Then when the war's over, they say they'll cancel the obligation. Naturally, if we could get cancellation from them, we would benefit greatly. I think that's sound municipal management. I got this on the grapevine, but Hermiston went to the trouble of making provisions for a bond issue and then, from all I can find out, DPW

told them to forget the bonds and that they would work it out on another basis. If we can protect our city, I think it's our duty to do so. Regarding these sewer connection charges, I don't know. I understand Portland merely has an ordinance for the purposes of establishing a sinking fund.

Mr. Wendel: The money is being accumulated as a sinking fund for the purpose of taking care of sewage treatment works.

Mr. Isaminger: We approached the sinking fund problem in connection with this act.

Mr. Hallock: What is the present status of your application?

Mr. Isaminger: Frankly, I think it's denied, but nobody has told us a thing.

Mr. Hallock: I noticed that Mr. Lieuallen on March 25, 1942, was quoted in the Journal to the effect that the application had been rather summarily denied.

Mr. Isaminger: Our information was all oral. There isn't a scratch anywhere that tells us for sure.

Mr. Hallock: What is your source?

Mr. Burnett: Mentioning no names, one of the DPW employees mentioned this 4% business and said that they would help probably only to 4%. This was off the record. I can't tell you whether the application was denied or not, but apparently, they are willing to help us only to the extent of 4%.

Mr. Lieuallen: In March, we were told that the application would be denied unless we could make a better showing. I made a trip back to Washington, D. C. to see the U. S. Public Health Service officials back there and talked to them for the greater part of one morning. I corrected considerable information they had that wasn't true. They had a rather peculiar attitude, it seemed to me, that these were war times and that we were not patriotic asking for so much money, that we had better let the sewage go



into the river. That seemed to be this gentleman's attitude. He was a man in uniform similar to a Naval uniform, three gold stripes on his sleeve. I have his name, but not with me. I couldn't understand that attitude on the part of any public health official, and I told him then if that was being patriotic, we'd go the whole way and dump it all in the river. He said, No, they didn't want us to do that. After that, he changed his attitude and indicated to me that he wanted to help us all he could, and I thought things were going swell.

Mr. Hallock: I noticed in the answer to the citation you stated the fact that this increase in population has added to local burdens in the way of police force, water employees etc. Wasn't there an offsetting advantage in the stimulation of business?

Mr. Isaminger: Mr. Burnett can tell you about the city income.

Mr. Hallock: We all agree that under existing law, we would have authority to vote bonds for this purpose and avoid the 6% limitation. If it be true that as a result of what has happened and business has been stimulated, it seems to me the people of Pendleton might recognize that some assistance should be extended in the way of a bond issue.

Mr. Isaminger: I think Mr. Burnett can give you a pretty clear picture of all that.

Mr. Burnett: To start with, Pendleton has charter limitations of 11 mills for general purposes. Now the council issued the proposition last year to levy an additional 3 mills for general purposes for six months, and the people approved that measure on the 25th of August, last year for the period of January 1 to June 30, inclusive, 1942. The three mills was used to employ four additional firemen, badly needed, 4 additional police officers, also very badly needed. Even now, there are only 8 paid firemen and the fire chief, and 8 police officers, a matron and the chief. Then we put on

additional street men and there were other expenses--what with the rising cost of living conditions, etc. The council has again asked for three mills commencing July 1, 1942 to June 30, 1943, at the special election or primary on May 15, that 3 mills being for a year's time and having to keep employed the 4 additional firemen and policemen, street men, etc. It doesn't follow that because business has benefited in Pendleton on account of the air base being there that the city of Pendleton itself is benefited by the increase. The city has no greatly added increase in taxes, and that is the main source of revenue. Fines and what not don't amount to much. They won't provide for the creation of sinking funds for the added sewage disposal plant, etc.

Mr. Hallock: If the problem were presented to the people in an attractive way, don't you think they would view with some favor a long term bond issue?

Mr. Burnett: It's highly questionable. The 3 mill special tax levy carried by only 50 votes. And it's highly problematical, in fact, quite debatable, whether this present 3 mill tax will pass. They're quite willing to pay federal taxes, but they sort of take a crack at us here. This will create a total of  $16\frac{1}{2}$  mills for general purposes for the payment of principal and interest on bonds which the people voted. And still it's questionable whether it will carry.

Mr. Hallock: With all your war activities going on up there, we at Baker look with considerable envy on you at Pendleton.

Mr. Lieuallen: You're from Baker. You know those people up there. Even more so than Baker, we have a farm population in town. A man comes to town from the ranch where he had to pump water. He gets to town--that's still good enough for him. He's retired, got enough to live on the rest of his life if he's conservative. He wants us to be conservative, too. When

he goes to the polls, if he doesn't know much about what's to be voted on, he just votes "No" on general principles. It's just like pulling teeth because the people aren't especially enthusiastic about the increase in population in Pendleton.

Mr. Wendel (to Everts): Would you tell the gentlemen what the other municipalities are doing in connection with creating sinking funds through service charges, etc.?

Mr. Isaminger: I have borrowed a file from the League of Oregon Cities. We have been digesting all of these pamphlets in connection with the proposal of the government.

Mr. Hallock: We have had some really fine response.

Mr. Everts: On March 26, we mailed a letter to all municipalities in the state who do not now have sewage treatment plants or whose present sewage treatment plants are inadequate. We told them that they were going to have to put in sewage treatment facilities some day. We fully realized under present circumstances, emergencies excepted, that it would be difficult for them to get man power, construction equipment, materials, etc. The letters were mailed to communities in which no serious emergency exists. It was recommended that they levy either a 5 mill tax or set up a sewer service charge to establish a sinking fund to accumulate money for the ultimate use of construction of sewage treatment facilities, at a time when man power, equipment and materials are more readily available. Since that time we have received quite a number of responses. A number of those cities have already or are now making plans to establish sinking funds either through a tax levy or service charge. In some instances, they are setting aside money from the general fund. Albany is setting aside \$1500 a year, and it is so set up that any council in the future may increase the amount if they choose to do so.

Mr. Lieuallen: Would that be satisfactory to you fellows if we set up \$1500 a year out of the general fund?

Mr. Veatch: The only thing we had asked of any municipality is not that they do the impossible but that they work out preparations and plans and submit the definite adequate plan to take care of the problems that they have. And next that they attempt some means of financing so that it would appear that they are in good faith and that this plan will be carried out. We don't attempt to tell cities how to finance it. The problem has to be faced. We have only asked that they plan to take care of that by adequate financing, so that we can have something before us to see that they are adequate, and some means for reasonably assuring the carrying out of those plans. Here in Portland, for instance, it will be several years before the sewage disposal system can be constructed and completed. We had them down here before us and they have adopted a means whereby they can eventually finance and carry out their plan.

Mr. Lieuallen: Well, that's a reasonable request. If that would be satisfactory to you, we could set aside \$1500 a year out of the general fund and further guarantee that the understanding be made in good faith, and nobody mad about it. If we don't, you get a court order out and do something about it.

Mr. Hallock: What do you think about sewer service charges?

Mr. Lieuallen: There's a lot of good about an arrangement like that and some drawbacks, applying to our local citizens up there. We still have the same kind of people that we have had in the past and they don't care for any additional charges made to their sewerage, and we have the proposition of how to collect that without it costing us about half of what we collect. Unfortunately, we can't collect it on the water. The Water Commission is not responsible to the city. What sort of a penalty would apply to anyone who

refuses to pay their sewage disposal dues at the end of the month or quarterly whichever way you want to collect?

Mr. Hallock: That's been handled by ordinance or charter amendment in many of the Oregon cities. Do you have a list of those charges, Mr. Everts?

Mr. Everts: Not with me.

Mr. Hallock: All over the state they have set up these charges. Portland has accumulated over \$200,000.

Mr. Lieuallen: Unfortunately, under our charter we have been under the impression that we can't vote additional millage for longer than one year at a time. We think possibly we have worked out something to overcome that, if it can be done. Get it voted and set aside a certain amount out of the general fund is the most painless method.

Mr. Hallock: A service charge wouldn't be out of the general millage at all. It might have to be implemented by a charter amendment if the City Water Department is separate from the other departments.

Mr. Lieuallen: The Water Department can shut off the water if anyone doesn't pay, but you can't shut off a man's sewage. There will have to be an ordinance of some sort to collect that money and then we're up against the proposition of a referendum which might be put into effect. There's going to be some very disagreeable reverberations from it if we handle it that way. We have been trying to figure out some less evident way of collecting it--a little sugar on the pill--like the sales tax.

Mr. Hallock: It's astonishing what a small service charge will do, one implemented by appropriate ordinances.

Mr. Isaminger: Let me explain. The city of Pendleton has an old original charter. The Water commission has an original charter also. We have nothing to say about their activities. Therefore, it would require some sort of election to shift collection of the service charge into their

hands. That's the trouble. Under the Lanham Act setup, it was the understanding that we would take a vote and see what hapened.

Mr. Hallock: By setting aside your proposed \$1500 a year, on an estimated \$165,000 sewage disposal system, it would take 110 years to build up a sewage fund.

Mr. Isaminger: The next question is--is that entire plant necessary to take care of the thing you need at this time?

Mr. Wendel: How many water users have you in the city?

Mr. Lieuallen: Around 2400.

Mr. Isaminger: That's an estimate. In talking about this sewer service charge, we discussed the collection of 25¢ a month. That would bring us in \$5,000 to \$6,000 a year. You bring up the question of a plant. The Authority may think the plant we've planned is too big and expensive.

Mr. Burch: One reason we don't know about that is that we haven't seen the plans. We don't know what you're planning.

Mr. Isaminger: We thought it was submitted, and it wasn't.

Mr. Burch: In handling your application to the Lanham Act, if you had submitted your plans to us and asked us to help you out, you might have been a long ways further ahead than you are now. Perhaps something can be done now.

Mr. Lieuallen: We'll admit that that wasn't done, and I intend to find out why. Mr. Corey should have submitted these plans. I'm going to ask him about it.

Mr. Veatch: Whether those plans are approved or disapproved by the Lanham Act, they should be submitted to the Authority and any changes made which are necessary. Then when that is done, all we ask is that some definite plan be worked out for the eventual construction.

Mr. Lieuallen: In the matter of collecting the five or six thousand dollars a year as service charges. We have to have somebody to make those

collections. It's going to run pretty high, around \$1800 a year to collect \$5000. Cut it about 1/3 of the amount collected. Until we can figure out some less expensive way to collect the money, we better set it aside as a sinking fund or levy a tax.

Mr. Wendel: There's no way you can make a deal with the Water Commission to collect the charges?

Mr. Isaminger: I don't think we can legally do it. If it were all tied together, yes, but not as it now stands.

Mr. Hallock: I would imagine it could be worked out if there was the disposal to do so on the part of both groups. Arrangements could be made so that for a reasonable consideration, the Water Department could collect the added service charge.

Mr. Isaminger: Their charter provisions are very limited. Ties them down pretty close.

Mr. Hallock: Might make a charter amendment. I concur in what Mr. Veatch says--if we could get a reasonable program that appears to be reasonably accurate--that's the thing that would interest us very much.

Mr. Isaminger: Suppose we could get a Lanham Act approval, could we get materials even then?

Mr. Veatch: Probably couldn't right now.

Mr. Isaminger: It's a sweet setup for the city if we can get a sewer connection charge and maybe get our indebtedness relieved after the war.

Mr. Veatch: Get approval on the basis that funds will be available as soon as materials are available. There are a number of those approvals that are based on that contingency.

Mr. Lieuallen: Getting back to the proposition of information not getting to you. One excuse I have which probably isn't very good. We depend

a good deal on the engineer to take care of that. The Mayor and city council serve without salary.

Mr. Hallock: When you people took the matter up with the Governor, he wrote to Mr. Johns to this effect:

"I recognize, and I am sure the people of Pendleton do also, that you will have to improve your sewage disposal facilities promptly in order to take care of the steadily increasing flow. I think you should have engineers work on the plans and be prepared to assume the load as a City. Of course, if Federal funds are available, then you are that much better off but the planning should not be held up while you wait decision on the Lanham Act. You are going to need the sewage plant expansion regardless of who pays for it.

"I am asking the Sanitary Authority to cooperate with you to the end that there will be no delay in your housing program and I shall call on Pendleton to proceed with its sewage plant expansion at the same time."

Undoubtedly, he was willing enough to see your side of the matter, but he was disposed to recognize that the problem must be met. The city is confronted with an obligation so that if we could work out some plan by which funds could be accumulated regardless of the success of the pending application, we're that much further along. We had that same situation with Portland. They raised the matter of priorities, no engineering help, etc. That is all true, gentlemen, but keep right on with the plan of raising money anyway. When the time is ripe, you will be well toward having the entire fund collected.

Mr. Wendel: Do those plans, Mr. Everts, in general, strike you as being what you want?

Mr. Everts: I'm sorry, Mr. Chairman, but they aren't. The basic design data is lacking. It doesn't say in the application whether the cannery waste is to be treated or not or whether they contemplate treatment of wastes from the Eastern Oregon State Hospital.

Mr. Isaminger: The cannery waste business is not contemplated. We were going to talk to the Authority later about that. It doesn't include the State Hospital waste. Perhaps at a later time, a deal might be made



with the Board of Control to take care of it.

Mr. Lieuallen: The State Hospital through Mr. Mills, a representative of the Board of Control, offered to pay the city \$7500 to take care of the sewage, and we turned them down on that. We figured it was worth more than that to them. They said they would build their own.

Mr. Burch: Have they built one?

Mr. Lieuallen: No. They said they were going to do it for \$20,000. I was quite positive they couldn't. My attitude and that of the council is if we take care of their sewage, they should pay us close to what it would cost them to build their own plant. They are saving maintenance costs of the plant from now on. My notion was that they pay us about \$30,000. If they'd put that in the pot, we'd have something to start to work on. Mills was just too tight.

Mr. Burch: They can't do it under the law, can they?

Mr. Lieuallen: The legislature voted them \$20,000 at the last session, the 1941 legislature. They could have asked for a sufficient amount to build their own and give us the money and let us do it.

Mr. Hallock: We worked on that in the Ways and Means Committee.

Mr. Lieuallen: I imagine that you had the same information that they gave us. They said they could put in a plant for \$20,000. I called down to a WPA official and asked if it was possible to get labor to build the plant, and he said he could find only one man of the type they would have to have for that. You need skilled labor.

Mr. Veatch: Why wouldn't it be good to work out plans for the city of Pendleton and pay no attention to the state hospital. Then it's up to us to lay down on the state in regard to the hospital. They have to do it the same as Pendleton. They'll have to give a strict account of themselves. If you can't get together with them to work out a plan, work out your own plan.

Mr. Lieuallen: That's satisfactory to us. If they come in, we have to build a larger plant. If they don't come in, that's not our problem.

Mr. Isaminger: The way the matter now stands then, as Mr. Everts has stated, the present plans are not satisfactory. Would it be in order for Mr. Corey to call on Mr. Everts and find out what would be acceptable, and set up the plans accordingly?

Mr. Wendel: Certainly, if you would authorize Mr. Corey to do that.

Mr. Isaminger: Mr. Everts has some idea about what he thinks would be an adequate plan, more than that, he probably has a pretty exact idea. The two of them can sit down and work it out and without wasting anybody's time can get some sort of a plan which will be satisfactory to you.

Mr. Wendel: As I understand it, you will employ and authorize Mr. Corey to work out plans with Mr. Everts in an effort to make them satisfactory to the state sanitary engineer.

Mr. Lieuallen: We'll do that and ask him to contact Mr. Everts and work them out, then make his plans so that they will be what you want.

Mr. Wendel: That's all we want on that. There remains then the matter of finance. That's up to you. We're not fiscal agents. It seems to me that if you would arrive at a service charge and work out a method of collection and set aside some monies from the general fund, that would do it nicely. We can't determine what your financial program will be today.

Mr. Isaminger: I think first Mr. Everts and Mr. Corey should see what the plant will look like. Then we can tell more about how much it will cost. I think we can pretty well say from those facts as to what has to be done next. Then I think we can figure out a better method and procedure. Mr. Everts and Mr. Corey may find that the cost of this project is double what it should be--or not half enough.

Mr. Wendel: No matter what the cost is, it will take the maximum

you can lay by each month, and it will probably be your desire to lay aside the maximum each month regardless of the cost.

Mr. Lieuallen: You can appreciate that we have to be a little careful on the amount of money we spend. We're in wartime now, but we're not kidding ourselves that Pendleton will continue to boom after the war is over. We have to take those things into consideration and not build up a program now which we can't carry out if we go into a slump--which we probably will, as history has shown after every war.

Mr. Wendel: Will you then set about to try to devise a financial program?

Mr. Lieuallen: Yes, we certainly will.

Mr. Veatch: You have a little different problem there than the city of Portland. Pollution of the Willamette River was bad, but in Pendleton there is a real danger of an epidemic. We didn't have that danger here. It was put up to the citizens on the basis of cleaning up the river. The problem could be put up to the citizens of Pendleton not only as one of cleaning up the Umatilla River, but also as one of preventing an epidemic as well.

Mr. Lieuallen: If we can't get them to agree on some reasonable measure, we'll call on you for a court order.

Mr. Hallock: If you'll keep in touch with us and keep us informed of how things are going--

Mr. Isaminger: There will be a council meeting on May 1. We will have been able to scratch together the bare outlines of an idea by then. The council can indicate what it thinks best.

Mr. Wendel: We're probably exceeding our authority in talking about the effects of after the war, but we're taking that authority upon ourselves. I do want to see an earnest effort made to get the financial plan under way, because it will stand you in good stead after the war.

Mr. Lieuallen: Here's something off the record. We're not going to

try to set up any sewage connection tax till after election.

Mr. Wendel: I think we can understand that.

Mr. Lieuallen: One more item. This sewage from the pea cannery-- aren't we taking care of that pretty good?

Mr. Everts: Well, as I understand, you have listed that project with the Public Works Reserve for post-war construction. They've asked us to help them with it. I think construction of a separate plant will prove costly. It will have to be determined whether or not it is more economical to build a separate plant for that waste or to build a sewage treatment plant large enough to take care of it when you undertake that construction.

Mr. Lieuallen: It is quite a problem. The cannery when running at peak uses a million gallons of water a day. But isn't that a pretty good system we're using?

Mr. Everts: That's using land irrigation. That's all right except that you have complaints from the odors. They come back to the State Board of Health or the State Sanitary Authority, the Board of Health in the case of odors.

Mr. Hallock: The odor is organic, caused by something tangible.

Mr. Lieuallen: Does it affect health?

Mr. Wendel: Odor problems are under Dr. Stricker's jurisdiction. Have you a contract with the cannery? Are you required to dispose of it?

Mr. Lieuallen: Yes.

Mr. Isaminger: Is there any treatment where the odor can be stopped?

Mr. Lieuallen: That's another thing I put up to Corey. He thought that he could figure out something to eliminate the odor. He hasn't produced anything yet.

Mr. Wendel: That is a matter which I should imagine would be left

to the engineers. I'm sure Mr. Everts will give you as much help as possible.

Mr. Lieuallen: I kinda think he's steumped a little on that. I've talked to him about it.

Mr. Everts: In that particular area, you're limited as far as available land is concerned for disposal in the ground. If you would keep someone on the job continuously there and operate a land irrigation project, it might be possible to obtain satisfactory disposal.

Mr. Lieuallen: We took it down nearer to the sewage disposal plant.

Mr. Everts: By dividing that land into several sections so that no one section gets overloaded and begins to pond, you might eliminate the odor.

Mr. Lieuallen: We've been trying to figure out a way to eliminate that odor without spending a good many thousands of dollars to do it. The original plant that we worked out to take care of pea cannery sewage was to cost about \$25,000 and somewhere around \$2500 a year to operate. We thought if we could do it with lime and other chemicals, we'd try that way. That's a pretty staggering blow though to a city the size of Pendleton.

Mr. Spies: Is there any chance of that cannery becoming a full line cannery?

Mr. Lieuallen: It's possible. If it operated the year round, there wouldn't be any odor.

Mr. Wendel: Gentlemen, are you satisfied on this now?

Mr. Veatch: I think we have gotten to a working basis on this.

Mr. Lieuallen: Mr. Corey is here now. I'd like to go over it now for him. He is to contact Mr. Everts and work out in such detail as it is possible to do so at the present time, the construction of this sewage disposal plant, and then those plans are to be made and submitted to the Oregon State Sanitary Authority.

Mr. Hallock: That's one future, and you boys are going to give immediate attention to a financial program.

Mr. Isaminger: We'll worry about the money.

Mr. Burnett: Subsequent to May 15 on the finance. If they get too many things thrust at them before election day, it wouldn't work.

Mr. Burch: What I'm hoping is that with these more complete plans by Everts and Corey, we may be able to aid some in your application under the Lanham Act.

Mr. Lieuallen: I sincerely hope so. That report that that man turned in--I think that any member of the State Hospital could have done as well.

Mr. Hallock: Any inmate--yes. Do you have an engineer for the city of Pendleton?

Mr. Isaminger: No, we don't. We can't afford it. If this 3 mill tax goes through, we want to make a deal with the Water Commission and between us, hire a competent engineer. Whether or not we can get one, I don't know.

Mr. Hallock: I think that's important.

Mr. Wendel: Anything else, gentlemen?

Mr. Hallock: Mr. Chairman, I move we adjourn.

Mr. Burnett: Then I take it the State Sanitary Authority is still friendly with us.