

SEVENTH MEETING
OF THE
OREGON AIR POLLUTION AUTHORITY

February 18, 1953

The seventh meeting of the Oregon State Air Pollution Authority was called to order by the Chairman at 3:00 P. M. Wednesday, February 18, 1953, in Room 720, State Office Building, 1400 S. W. 5th Ave., Portland, Oregon. Those present were Carl E. Green, Chairman; Harold F. Wendel, Merle S. West, Members; Curtiss M. Everts, Jr., Secretary; R. E. Hatchard, Chief of the Air Pollution Control Section; W. J. Whitsell, Associate Sanitary Engineer; Frank Terraglio, Chemist, and T.M. Gerow, District Engineer, Oregon State Board of Health.

MOTION RE: MINUTES OF PREVIOUS MEETING:

The minutes of the sixth meeting of the Authority and those of the special meeting held on January 7th, 1953, having been prepared and distributed to the members in advance, it was moved by Mr. Wendel, seconded by Mr. West, and carried that the minutes as prepared by the Secretary be approved.

PORTLAND RE: BURNING REFUSE DUMP, H.M. SEIVERT Property, N. E. Columbia Boulevard.

The Secretary read the original letter of complaint and the chronology of the investigation and study of the nuisance conditions created by a burning refuse dump, located in the vicinity of Portland between Union Avenue and Vancouver Avenue north of Columbia Slough and operated by H. M. Seivert.

The Chairman stated that the purpose of discussing the matter at this meeting was in an attempt to reach an amicable settlement. He stated, however, that if the nuisance conditions were not eliminated it would be necessary in the future to hold a public hearing under the provisions of Chapter 425, Oregon Laws 1951 and the Authority would then enter a formal order. The Chairman asked Mr. Seivert if there was information that he desired to present to the Authority.

Mr. Seivert and his attorney, A. E. Prag, stated that refuse burning operation was a land filling operation; that Mr. Seivert has resided in the area for forty years in which time twenty-two tenants have established business on the reclaimed ground; and that business establishments located adjacent to the dump had not suffered ill affects from the operation of the dump. It was also stated that no complainants had contacted Mr. Seivert directly regarding the conditions and Mr. Seivert denied that any air pollution other than ordinary smoke from burning wood, paper and trash was coming from the dump. He reported that there are many other industries in the area causing disagreeable odors. The prevailing wind in the area is either northwesterly or southeasterly according to Mr. Seivert and therefore the refuse dump could not cause odor and fly ash complaints at the National Biscuit Company plant which is located directly south of the dump.

Mr. Wendel stated that according to the Air Pollution Control Act excessive smoke is air pollution and that although there are other sources of air pollution in the area, they were irrelevant to the consideration of the emissions from Mr. Seivert's dump.

The Chairman asked if any complainants present desired to make any statements.

Attorney R. L. Myers stated that he represented twenty complainants who own businesses or reside within one mile of the refuse dump and are affected by the smoke, fly ash and odor. In his investigation of conditions he has observed smoke and fly ash being carried from the dump to his clients' property. He stated that samples of the material and photographs of the conditions would be made available to the Authority upon request.

Mr. E. O. Struznik, a complainant residing at 910 N. E. South Shore Road, pointed out that the emissions from the Seivert dump have caused nuisance conditions for many years; that at times, the burning is done 24 hours a day and the smoke and fly ash made living conditions very annoying. He reported that there are now some 250

permanent residents living in this area and that the population is increasing. He stated that the smoke collects in the low land and under certain weather conditions the prevailing winds did not cause much mixing and while there have been previous attempts to reduce the nuisance no relief has been obtained.

The Chairman asked Mr. Hatchard to summarize the field work that the staff has carried on in this matter. Mr. Hatchard stated that the first inspection of the refuse dump was made in July 1952, and that six subsequent inspections have been completed. He reported that the complainants and Mr. Seivert were contacted and recommendations were made to eliminate the burning of certain types of materials in order to reduce the generation of dense smoke. Later visits to the dump site, however, had disclosed that excessive smoke and fly ash emissions were coming from the dump and that while some improvement was observed after Mr. Seivert had reduced the amount of the material being burned which generally causes dense smoke, the experience in other areas had shown that open burning near business and residential areas will continue to cause nuisance conditions until either the burning is stopped or a properly designed incinerator is provided.

The Chairman asked Mr. Seivert if he had ever considered installing equipment to burn the refuse. Mr. Seivert replied that the filling operation will be completed by November 1, 1953, and that he would be willing to sign a letter to that effect.

Mr. West stated that he had visited the refuse dump earlier in the afternoon and had noted waste oil on the land north of Schmeer Road. Mr. Seivert stated that this material would be covered with dirt and would not be burned.

MOTION RE: H. M. SEIVERT BURNING REFUSE DUMP:

It was moved by Mr. Wendel, seconded by Mr. West and carried that Mr. Seivert be directed to abate the nuisance conditions created and existing by virtue of the

emissions from open burning at the refuse dump within the next thirty days or to appear and answer formal charges as to why proceedings should not be instituted requiring him to abate the nuisance.

It was also agreed that if within the thirty day period Mr. Seivert can give some assurances or commitments to the Authority that will indicate that the nuisance is being abated, then the order to appear will not be issued, if the Authority believes Mr. Seivert is proceeding in good faith.

PORTLAND RE: NU-BORA SOAP COMPANY, N. W. 12th and Hoyt Streets:

The Secretary read the chronology of the complaint investigation and study of the nuisance conditions caused by the soap-dust emission from the Nu-Bora Soap Company located at 1240 N. W. Hoyt Streets.

Mr. Don Lewis, representing Mr. Easson, owner of the soap company, stated that they thought the dust problem had been solved in early January by a change in the process. However, it has not been possible to control the moisture content of the soap to consistently prevent the discharge of soap dust. He acknowledged that the soap dust emission still existed and stated that they are planning now to build another dust collection house.

Mr. Wendel asked when they expected to complete the installation so that the nuisance would no longer be present.

Mr. Lewis said they hoped to have the unit working within thirty days, but that plans and specifications for constructing the dust house have not been prepared.

Mr. Wendel pointed out that if plans were not available the thirty day period seemed short and that probably sixty days would be required.

The Chairman asked if the Authority's staff had any comments. Mr. Hatchard stated that during one of the plant inspections a sample of the soap dust was collected.

The laboratory analysis of the sample showed that a large percentage of the soap dust particles were under one micron in size and that a gravity settling chamber could not be expected to remove this small sized material but that there were several wet-type collection processes that could be provided for this purpose.

The Chairman asked if any of the complainants present desired to make any statements. Mr. George Talbott, representing the Oregon Transfer Company located at 1238 N. W. Glisan, one block south of the soap plant, said that the soap dust is a real annoyance to the tenants in their building, that dust affects the employees during the work day and that at times the dust deposits on their automobiles parked in the company's parking lot immediately south of the soap plant. He did not think there had been any improvement in the nuisance conditions.

Mr. Ward R. Schafer, Jr., representing Schafer-Wright Company located in the Pihl Transfer Company building at 1231 N. W. Hoyt, stated that the soap dust is a serious nuisance, that the employees in the building are affected by the dust and that during the summer the windows must be kept closed, in spite of the heat, to keep out some of the soap dust.

The Chairman advised Mr. Lewis to employ an engineer experienced in these problems so that the soap dust collection system would operate properly.

Mr. Wendel requested the management to submit plans to the Authority before starting construction.

MOTION RE: NU-BORA SOAP COMPANY, PORTLAND:

It was moved by Mr. Wendel, seconded by Mr. West and carried that Nu-Bora Soap Company be directed to abate the soap-dust nuisance within sixty days or appear to answer formal charges as to why proceedings should not be instituted requiring them to abate the nuisance.

It was also agreed that if within the sixty day period Mr. Easson, owner of Nu-Bora Soap Company, can give some assurances or commitments to the Authority that will indicate that the nuisance is being abated, then the order to appear will not be issued.

PORTLAND RE: NORTHWEST NUT GROWERS:

Mr. James P. Nelson representing Northwest Nut Growers appeared before the Authority in regard to air pollution conditions affecting their new plant at 1601 N. Columbia Blvd. He stated that the Charlton Laboratory was retained to make a preliminary study of the conditions and that in their report, completed in January 1953, the recommendation was made that the situation should be investigated to determine the sources of the air pollution. He also stated that the company had brought the matter to the attention of the Multnomah County Board of County Commissioners in December 1952.

The Secretary stated that a request for a field study was received from Mr. Dan Dibble, Chief Deputy, Civil Dept., and that a field investigation is now scheduled for early March 1953.

PROPOSED WEATHER CONTROL LEGISLATION:

The Secretary summarized the provisions of Senate Bill No. 103 and House Bill No. 266 which have been introduced into the Legislature to control the activities of weather modification operations. He reported that Senate Bill No. 103 would require the Air Pollution Authority to review the weather modification plans in a specific area and consider approval within a ten day period. The Authority believed that the ten day period would be too short if new materials were being used which would require the staff to gather information on the matter.

The Authority directed the Secretary to write to Senator Ben Day, the sponsor of Senate Bill No. 103 to suggest the substitution of "a reasonable length of time" for the ten day period.

ATTORNEY GENERAL'S ADVICE RE: TOBACCO SMOKING IN PUBLIC PLACES:

The Secretary read the Attorney General's letter relating to jurisdiction over tobacco smoking in public places. The Authority directed the Secretary to inform the National Tobacco Research League that the Authority does not have jurisdiction in this matter.

ACTIVITIES OF THE AP CONTROL SECTION:

Mr. Green reported that Messrs. Everts, Hatchard and he attended the February 18, 1953 meeting of the State Natural Resources Committee and discussed the initial air pollution control program. Governor Patterson and the committee members indicated that they were pleased to learn of the progress thus far.

Mr. Hatchard reported that (1) the preliminary report of the first particle fallout results were complete from 118 stations located in 38 communities, but that unusually heavy rainfall and winds caused considerable emergency field work to maintain the stations. (2) Arrangements have been made with Dr. Yunker, Head of the O.S.C. Physics Department to have spectrographic analyses made of fallout samples from selected industrial areas, and it is hoped that semi-quantitative data regarding the presence of specific elements will be obtained in this manner. (3) The City of Eugene is now preparing a general type smoke control ordinance. The Air Pollution Authority staff has conferred with city officials regarding the proposed ordinance, and that the Springfield Planning Commission requested their City Manager to contact Eugene regarding coordination of the air pollution activities in both cities.

DATE OF NEXT MEETING:

The tentative date for the next meeting was set for May 20, 1953.

ADJOURNMENT:

There being no further business, the meeting adjourned at 4:50 P. M.

Respectfully submitted,

Curtiss M. Everts, Jr., Secretary
Air Pollution Authority