

EIGHTH MEETING
OF THE
OREGON AIR POLLUTION AUTHORITY

R.E. Hatchard
Returns to
Hatchard

May 20, 1953

The eighth meeting of the Oregon State Air Pollution Authority was called to order by the Chairman at 2:00 P.M., Wednesday May 20, 1953, in Room 36, State Office Building, 1400 S. W. 5th Avenue, Portland, Oregon. Those present were Carl E. Green, Chairman, Dr. Harold M. Erickson, Harold F. Wendel and Merle S. West, Members, and Curtiss M. Everts, Jr., Secretary, Ceoll E. Quesseth, Legal Advisor, R.E. Hatchard, Chief of the Air Pollution Control Section; W. J. Whitsell, Associate Sanitary Engineer and Frank Terraglio, Chemist.

MOTION RE: MINUTES OF PREVIOUS MEETING:

The minutes of the seventh meeting of the Authority held on February 18, 1953, having been prepared and distributed to the members in advance, it was MOVED by Dr. Erickson and seconded by Mr. West and carried that the minutes as prepared by the Secretary be approved.

TROUTDALE RE: CONSIDERATION OF COMPLAINTS:

Mr. M. E. McKay, an owner of agricultural land in Troutdale, appeared before the Authority and stated that the air pollution was adversely affecting certain types of crops. He asked if the Air Pollution Authority is now set up to study conditions in the state and adopt acceptable standards. Mr. McKay urged that the Authority proceed with field studies that would determine what the present air pollution conditions are in the Troutdale area and whether the air pollution is affecting agriculture or livestock.

Mr. Green stated that there are several damage suits now involved in litigation and

asked Attorney Quesseth if it would be proper for the Authority to begin field studies at this time.

Mr. Quesseth stated that we should not enter into suits now in court but there was no objection in conducting independent investigations in the area.

F. E. Price, Dean of the School of Agriculture, Oregon State College, informed the Authority that his department would be very happy to collaborate with the Air Pollution Authority and work in any manner to assist in the proposed study. He stated the problem would be to determine what additional data should be collected to answer the questions now presented. Furthermore, it would be necessary to consider what agency or personnel could be used.

Mr. Green asked if this would mean Mr. Price needed additional staff to cooperate in the study. Dean Price stated that first he would have to know how much additional data would be required; however the leadership of a staff is now available.

Mr. Green asked if the Air Pollution Authority or Oregon State College Experiment Station should have additional funds to carry on the field investigation.

Dean Price thought that the college would need additional funds. The charges for chemical analyses have been definitely established and that they could outline a program and submit an estimated cost in the near future when the Authority has determined what additional information is desired.

The Secretary suggested that if the Board wished to proceed with the matter that it designate one of its staff or members to confer with Dean Price to determine if we are in a position to take on such a program.

MOTION RE: TROUTDALE AREA;

It was MOVED by Mr. West, seconded by Dr. Erickson and carried that we authorize

the staff to proceed with the field study and cooperate with the college in this activity.

LUMBER AND WOOD PRODUCTS INDUSTRIAL AIR POLLUTION COMMITTEE:

Mr. Charles E. Oglo, Secretary-Manager, Associated Forest Industries of Oregon, Salem, Oregon, which represents the lumber and paper industries in the State of Oregon stated the organization had appointed an air pollution committee and was ready to work with the Authority to determine what can be done to alleviate air pollution conditions. Mr. Oglo introduced the following members of the Committee to the Authority and stated they were present to learn about existing problems and to become acquainted with the Authority's activities:

1. Mr. Irving P. Rau
2. Mr. Truman W. Collins
3. Mr. J. R. Frum

The Secretary read a letter from Associated Forest Industries of Oregon dated February 13, 1953, which listed the names of the members on their Air Pollution Committee.

NORTH BEND RE: CINDER AND FLYASH COMPLAINT PETITION:

The Secretary read the petition signed by approximately 1200 North Bend residents, and Resolution No. 578 adopted by the North Bend City Council and signed by Mayor I. N. Hertley.

Mrs. Ben Flaxel representing the North Bend petitioners regarding the flyash problem stated that she and Mrs. I. Pittam had circulated petitions among the residents who live in the affected area in North Bend. She stated that the North Bend City Council had promised, over a year ago, that something would be done but nothing has been accomplished to date. She said that no particular industry is at fault but the petitioners believe that all of the industries should endeavor to correct the problem.

She stated that the conditions are so acute in North Bend that it is injurious to health and property values.

Mr. A. O. Karlen, Mgr., Weyerhaeuser Timber Company, North Bend, Oregon, stated that they are aware of the problem but believe they are not the sole offenders. The timber company has conducted two stack emission tests. The first measurement was made in December 1951, using Western Precipitation Company equipment. The engineer reported the plant was emitting about 50% of the cinders allowed by the American Society of Mechanical Engineers dust discharge code. In January 1952, the Richfield Oil Company ran a combustion efficiency test. Six weeks ago another stack emission test was run but was made by the Combustion Engineering Company; however results have not been received. This information will be made available to the Air Pollution Authority as soon as Weyerhaeuser receive it. Mr. Karlen stated that the Weyerhaeuser plant is about two years old and that they have no dutch oven, forced draft or mechanical stoker. The stack test was made to determine just how much cinder and flyash was being emitted and whether or not the company could justify spending about \$150,000 to collect the emissions. Mr. Karlen stated that Weyerhaeuser Timber Company is very anxious to comply with all rules and regulations adopted by the Authority.

Mr. C. R. Leever, Chief Engineer, Mt. States Power Company, Albany, Oregon, stated they felt they were fairly innocent regarding the excessive cinders and flyash in North Bend especially since each burner stack at their plant has a cyclone type cinder collector and these units have been operating for many years and apparently are doing a good job. He reported, however, that Mt. States Power Co., is willing to cooperate in any possible way with the Authority and do whatever the Authority thinks should be done to correct the conditions.

Mr. Wendel asked if Mr. Leever had conferred with the other three companies regarding a cooperative effort to have stack emission measurements made.

Mr. J. W. Asplund, Mgr., Mt. States Power Company, Coos Bay, Oregon, stated as yet nothing has been agreed upon but the proposal had been discussed. Mr. Asplund stated that it would be desirable to get the same firm to make the measurements so that a standard procedure would be used.

Mr. Green asked whether the study was to determine conditions around the plants or to determine the stack discharges.

Mr. Asplund informed the Authority that the study would be in connection with combustion since it was the burning of wood residue that caused the cinders.

Mr. James Boynton, Fire Chief, North Bend, Oregon, represented Mayor Hartley who was unable to attend. Mr. Boynton stated that he has lived in North Bend thirty-one years and the cinder problem has come up three or four previous times. In the past years the Fire Department took care of this situation since it was then called a fire hazard. Some years ago, the Mt. States Power Company emitted cinders and flyash and the Fire Department brought the matter to their attention; cinder collectors were installed and the condition was alleviated. Other industries have now moved in. The cinder prevailing now is sort of a moon-shaped cinder that seems to have an oily surface.

Mr. John L. Hawkins, General Manager, Irwin-Lyons Lumber Company, North Bend, Oregon, stated his firm desired to do everything possible to improve the conditions. Their plant is the oldest there and perhaps are contributing a lot to the problem. They have a wood waste burner which is an additional problem for Irwin-Lyons. Arrangements are being made for measuring the emissions and as soon as the study is complete a copy will be sent to the Authority.

Mr. Hatchard summarized analyses of samples collected from the six particle fallout stations in North Bend as follows: Four series of fallout samples have been collected since November 1952 and the average fallout in North Bend was found to be 80 tons per

square mile per month. However, in the vicinity of Sherman and Oregon Streets an average fall of 500 tons per square mile per month was found. The prevailing wind during the sampling period greatly affects the area fallout. During trips to North Bend, plant visits have been made to determine what operational changes could be made to reduce the emissions. In April 1953, a letter was sent to the four industries pointing out the cinder and flyash and recommending that stack emission measurements be made and requesting a copy of the report by August 1, 1953. Replies have been received from the industries concerned stating they are interested in having the stack sampling done.

The Secretary asked about how long would it be to accomplish this study, and Mr. Green wondered if the industry representatives cared to speak on the matter as of this date.

Mr. Loeber added that each plant has its own problem to eliminate and it was very difficult since they all are operating in such close proximity, and all of the industries pick up their steam loads about 7:30 in the morning.

Mr. Wendel asked if the cinder problem was caused by burning the wood for fuel and as a waste material and had any study been made of the amount of fuel burned for both purposes.

Mr. Hatchard stated that hog fuel is burned at the four industries to operate steam boilers and Irwin-Lyons and Menasha Plywood plant operated wood waste burners. The cinder emissions originate from both burning operations. However, field measuring equipment to determine the quantity of cinders from each operation falling in the area has not been available. A directional particle fallout unit was ordered in January and delivery is expected next week. He stated that the emissions from the steam plants can be controlled by a combination of operational procedures and suitable collection systems. However, the cinders from the waste burners present a problem that has never been studied to determine what improvements will provide better

combustion and less cinder and flyash.

Mr. Wendel stated that he would like to know if the wood waste burning could be reduced by hauling to low ground and requested the staff to determine the quantity of wood waste burned for disposal purposes rather than for steam generation.

Mr. Mowry Smith of Menasha Plywood Corporation, North Bend, reported that they are planning to install a new stack during the last week in August. He wanted to know if that was an adequate improvement or if there was something else they could do and asked that Mr. Hatchard go over the proposed work with their engineer.

Mr. Green advised him to employ engineers competent to do the work and the Authority's staff would cooperate. Mr. Green stated that inasmuch as we have these petitions indicative of the problem we should indicate to North Bend residents what is going to be done to correct the conditions.

Mr. Wendel suggested that the operators of the various mills do what they can to correct the individual problems between now and the next Authority meeting and at that time present a report on what has been accomplished and what is proposed for the future.

MOTION RE: NORTH BEND CINDER AND FLYASH COMPLAINT PETITION:

It was MOVED by Mr. West, seconded by Mr. Wendel and carried that the industries concerned with this problem proceed with their investigational work and pursue improvements and report to the Authority regarding the progress and that the industries of the City of North Bend and other interested parties be notified of this action.

PORTLAND RE: SEVERT REFUSE DUMP, N. E. COLUMBIA BOULEVARD:

A public hearing was conducted regarding the excessive smoke and flyash from the

burning refuse dump located between Union and Vancouver Avenues, north of Columbia Slough.

Mr. R. L. Meyers, attorney for the complainants, stated that the excessive smoke and flyash emissions have continued after April 1, 1953, which was the deadline that Mr. Seivert was given to reduce the emissions in accordance with the Authority's action at the February 18, 1953, meeting. Mr. Meyers requested that the Authority adopt an order to abate this nuisance condition.

Mr. E. E. Nelson, Sanitation Department, National Biscuit Company, stated that the smoke and flyash causes excessive maintenance to keep the plant and grounds clean and submitted photographs, flyash samples and smoke and odor observations as exhibits.

W. J. Whitsett and R. E. Hatchard presented a summary of the field investigations of the dump operations and stated that excessive smoke and flyash emissions have continued.

Mr. Kenneth Gustin, owner of the Union Avenue Motel, stated that the smoke and flyash has been a nuisance in the area for many years and that previous petitions presented to the Multnomah County Board of County Commissioners have not removed the nuisance. He further requested that the Authority enter an order to abate the nuisance condition.

Mr. H. M. Seivert stated that the refuse dump has been leased to Matheny and Bacon Inc., effective June 1, 1953, and will be used as a building materials storing yard.

MOTION RE: SEIVERT REFUSE DUMP:

It was MOVED by Mr. Wendel, seconded by Dr. Erickson and carried that findings of fact be made and that an order be adopted requiring H. M. Seivert to discontinue all burning at the refuse dump located between Vancouver and Union Avenues north of Columbia Slough until combustion facilities are provided to burn the material without producing nuisance conditions.

BEFORE THE AIR POLLUTION AUTHORITY

OF THE

STATE OF OREGON

In the Matter of Air Pollution from)
 H.M. Seivert's Burning Refuse Dump) ORDER
 located between Vancouver and Union)
 Avenues in the State of Oregon.)

This matter coming on regularly for final hearing on the 20th, day of May 1953,
 before the Air Pollution Authority of the State of Oregon consisting of Carl E. Green,
 Chairman, Harold M. Erickson, M. D., Harold F. Wendel and Merle S. West and Curtiss M.
 Everts, Jr., Secretary and the Authority having heard all persons and parties inter-
 ested and having given full consideration to oral and written evidence submitted at
 such hearing and having studied and considered the reports of its engineers pertain-
 ing to the smoke and flyash pollution of the air from the burning refuse dump owned
 by H. M. Seivert, and having heretofore on the 20th of May 1953, entered its findings
 of fact and now being fully advised in the premises,

IT IS HEREBY ORDERED:

1. That from and after June 10, 1953, H. M. Seivert shall discontinue all burn-
 ing at the refuse dump located between Vancouver and Union Avenues, North of Columbia
 Slough until combustion facilities are provided to burn the refuse without producing
 nuisance conditions.

2. That the Secretary of this Authority be and hereby is directed to serve a
 certified true copy of this order together with the findings of fact pertaining to
 said matter, upon H. M. Seivert and R. L. Meyers, Attorney for the complainants.

DATED this 29th, day of May 1953.

OREGON AIR POLLUTION AUTHORITY

By _____
 Chairman

ATTEST:

 Secretary

BEFORE THE AIR POLLUTION AUTHORITY

OF THE

STATE OF OREGON

In the Matter of Air Pollution from)
 H. M. Seivert's Burning Refuse Dump)
 located between Vancouver and Union) FINDINGS OF FACT
 Avenues in the State of Oregon.)

WHEREAS, the above entitled matter came on for final hearing on the 20th, day of May 1953, before the Oregon Air Pollution Authority consisting of Carl E. Green, Chairman; Harold M. Erickson, M. D., Harold F. Wendel and Merle S. West and Curtiss M. Everts, Jr., Secretary, all members being present throughout said hearing; and,

WHEREAS, due notice was given of the time and place of said hearing by registered mail upon H. M. Seivert, 5 N. E. Columbia Boulevard, owner of the refuse dump, and,

WHEREAS, the following appeared and were heard, H. M. Seivert, owner of the refuse dump, Robert L. Meyers, Attorney for the complainants, Elmer E. Nelson, Chief, Sanitation Department, National Biscuit Company, Kenneth Custin, owner, Union Avenue Motel, Wilbur J. Whitsell, Associate Engineer, Richard E. Hatchard, Chief, Air Pollution Control Section, and,

WHEREAS, the said parties and all persons interested were given full opportunity to be heard and oral and written statements and evidence pertaining thereto were received considered and filed by this Authority and,

WHEREAS, Chapter 425, Oregon Laws, 1951, declares it to be contrary to the public policy of this state to discharge into the air solids, liquids or gases so as to cause such injury to human, plant or animal life or to property as constitutes a public nuisance:

Now, THEREFORE, the Authority having given full consideration to the statements and evidence submitted by all interested parties at said hearing and having studied and considered the reports and investigations made by its engineers pertaining to

the smoke and flyash pollution of the air from the burning refuse dump owned by H. M. Seivert and now being fully advised in the premises makes the following findings of fact to wit:

1. H. M. Seivert is the owner of the land located between Vancouver and Union Avenues north of Columbia Slough and is the owner of a refuse dump at this location.
2. Miscellaneous waste material is brought to the dump by trucks or trailer for which a fee is charged for the disposal service. Garbage is not accepted at the dump. The combustible material is burned more or less continuously along the edge of the dump.
3. A petition signed by twenty-four property owners was presented February 1952 to the Multnomah Board of County Commissioners who ordered the Health Department to investigate the health menace. The County Health Department investigation concluded that the dump was not an actual or potential health problem.
4. A complaint petition from twenty property owners was presented to the Authority June 11, 1952, requesting removal of this source of air pollution. Subsequent field investigations by the Authority's staff disclosed that excessive smoke and flyash were originating from the burning dump and that the smoke and flyash discharge was in violation of the public policy of the State of Oregon as expressed in Chapter 425, Oregon Laws 1951.
5. At the informal authority hearing February 18, 1953, Mr. Seivert was directed to abate, within thirty days, the nuisance conditions caused by open-burning at the dump or to appear and answer formal charges.
6. On March 17, 1953, a letter was received from H. M. Seivert outlining his proposed plan of operations which consisted of accepting only trash and refusing materials which produce flyash or odors when burned.

7. Letter was received March 25, 1953, from Mr. Seivert stating that the dump was to be closed April 1, 1953, except for some lumber mill products to clean up left over brush on the dump.
8. Nine field investigations between April 2, and April 22, 1953 indicated that the dump was not closed. Trucks and trailers were observed discharging miscellaneous refuse. Large fires extending the full length of the dump causing heavy smoke and flyash discharges were noted. Complaints from adjacent property owners have continued.
9. Particle fallout stations were located at four points in the area. The fallout was found to be heavy.
10. In other areas where air pollution control laws are in effect the open burning refuse dump adjacent to other business and residential use has had to be curtailed. It has been necessary to either operate a dumping land fill dump or to burn refuse in an incinerator properly designed to produce complete combustion and minimize flyash.
11. That the discharge of heavy smoke and flyash into the air by H. M. Seivert, his agents and employees, as aforesaid, is contrary to the public policy of the State of Oregon, as declared and set forth in Chapter 425, Oregon Laws, 1951.

DATED this 29th, day of May 1953.

OREGON AIR POLLUTION AUTHORITY

By _____
Chairman

SAUVIES ISLAND RE: FLUORIDE EMISSIONS:

Mr. R. W. Fraser, Sauvies Island, appeared before the Authority to present a complaint regarding fluoride emissions from the Alcoa plant. He stated that this was a problem that covered the whole city of Portland and created serious contamination inasmuch as cattle are dying from it, humans are affected and crops can not successfully be raised. Mr. Fraser told the Authority that Oregon State College has conducted experiments which show that the fluoride emission is still causing extreme damage. He realizes that the source is a plant on the Washington side of the river but asked if we have some power to require controls to stop this nuisance.

Mr. Quesseth suggested they seek voluntary cooperation from the company. Mr. R. W. Fraser stated the company has already been in Federal Court and even though he secured a judgment against them fluoride contamination still exists. He tried to secure an injunction against the plant and it was said that due to the war and the need for aluminum all plants must be operated.

Mr. Quesseth stated that as far as a Washington offender was concerned this Authority could do nothing directly. However, perhaps sampling could be made of the air on the Oregon side and we could then take the matter up with the officials in the State of Washington.

Mr. R. W. Fraser stated that he would very much like to see some sort of a resolution passed by the Authority to conduct an investigation in the city of Portland to see that people are not being harmed by the plant.

Dr. Erickson stated the State Board of Health had cooperated with the University of Oregon Dental School and had made a study of some sixty children living on Sauvies Island. This study found no evidence of fluoride toxicity, no changes in teeth or bones; however this was the only study regarding fluoride damage the Board of Health

had carried on.

In reply Mr. R. W. Fraser stated that doctors had advised people to move out of the area and his own doctor had given him like advice.

Mr. William M. Fraser, Sr., reported that he owns 600 acres on Sauvies Island and already has lost about 250 head of cattle and he further stated that Dr. Foskett, Pathologist at Emanuel Hospital, advised him not to eat any of the contaminated cattle or any of the vegetation.

Mr. William Fraser stated all that was asked of Alcoa was to eliminate their fluoride discharge and while they spent one million and a quarter to put on controls, it was testified in court that they were letting escape 1150 pounds of fluoride a day. He also stated that Alcoa employs a veterinarian who claims they can not find any fluorosis in the cattle. The trouble, claimed Mr. William Fraser, is that very few people have enough money to fight Alcoa and he urged that the Authority take some action. Mr. Fraser informed the Authority that there was considerable data available to study.

Mr. Green stated that if this data is now available and can be obtained by our staff he could see no reason why this Authority could not take up the matter with the aluminum company or the State of Washington and get some action.

It was MOVED by Mr. Wendel, seconded by Mr. West and carried that the Authority collect such data as it can and with the advice of the Attorney General's office take any and all action that may elicit the cooperation of the Aluminum Company of America and any and all official bodies in the State of Washington from whom we can secure assistance.

PORTLAND RE: REYNOLDS ALUMINUM PLANT, TROUTDALE, OREGON.

Mr. Robert S. Strebin, Troutdale, Oregon, appeared before the Authority and stated

that he is a cattle raiser in this area and has suffered very heavy losses due to fluoride poisoning. He stated that a year ago or more facts were given to the Secretary regarding this nuisance. At that time Mr. Strebins stated that the Authority gave assurances that this nuisance would be one of the first studies undertaken but nothing has been done. Mr. Strebins stated that four of his horses had recently died and showed pictures of a bull which he reported would perhaps have been a prize winner at the fair but has been so badly affected that he will soon be destroyed. He further stated that he can not use the hay grown in that area for feeding purposes and the animals now are not fit for human consumption. He stated that the aluminum company at Troutdale does not deny emitting about 700 pounds of fluoride a day and he doubts that their controls are operating a good part of the time.

Dr. Erickson assured Mr. Strebins that we intend to take action to cooperate with the college to extend studies previously made so that the present conditions would be known.

Mr. Wendel stated that the Authority is concerned with this problem and he added that he thought that the complaint representations made today against this plant was by far the most serious complaint in the state and that we should begin study of this problem immediately.

Mr. Green recalled that in a previous meeting the Chief Chemist for the Reynolds Aluminum Company was present and he had stated that extensive improvements to the fluoride collection system had been provided in 1949 and 1950. The improvements may have improved conditions some but apparently have not alleviated them altogether.

Mr. Wendel reiterated the fact that this case should be investigated at once and that if the allegations are true then we should take appropriate action to gain compliance with state statutes.

MOTION RE: REYNOLDS ALUMINUM COMPANY, TROUTDALE, OREGON:

It was MOVED by Mr. Wendel, seconded by Dr. Erickson and carried that the Reynolds Aluminum Company be notified that complaints have been made charging the Company with serious contamination of the air, detrimental to human, animal and plant life; that the Air Pollution Authority intends to make an investigation of this situation and that if conditions are found as alleged the Authority will have no alternative under Chapter 425, Oregon Laws 1951, than to take such action as necessary to enforce the said statute.

MULTNOMAH COUNTY RE: ZONING PROVISIONS IN THE UNINCORPORATED AREAS:

Mr. Lloyd Anderson, Sr. Planner, Multnomah County Planning Commission, appeared before the Authority and stated that a Planning Commission had been approved in the last election to regulate land use in the unincorporated areas. Mr. Anderson advised that the zoning regulations are now being prepared to establish the districts and the Zoning Commission desires a policy-statement from the Authority regarding the administrative procedures to handle the air pollution problems in the districts. He requested advice whether or not the zoning regulations should state specific requirements regarding air pollution in the land use districts or whether these matters should be referred to the Authority for review.

The Secretary asked Mr. Anderson if the Planning Commission had ordinances ready to adopt. Mr. Anderson stated that he hoped before the next Authority meeting to have adopted zoning ordinances.

Mr. Green advised Mr. Anderson that the Authority had not yet adopted standards since it was in the process of gathering data and it may be some time before we do have

sufficient data to warrant the adoption of standards.

Dr. Erickson stated that he believed that all the County Zoning Commission could do was refer industries with possible air pollution problems direct to the Air Pollution Authority and when we develop standards the requirements could then be written into the zoning ordinances. Dr. Erickson further suggested that perhaps the County could screen cases, delete certain types of industry and refer only the questionable cases to the Authority.

Mr. Green suggested that the new industries who possibly have an air pollution problem be required by the Multnomah County Planning Commission to submit their data to the Air Pollution Authority for approval.

MOTION RE: MULTNOMAH COUNTY PLANNING COMMISSION PROVISIONS FOR AIR POLLUTION IN UNINCORPORATED AREAS:

It was MOVED by Dr. Erickson, seconded by Mr. West, and carried that the Secretary prepare an administrative policy statement for submission to the Multnomah Planning Commission that will bring to the attention of new industries planning to locate in Multnomah County that there is a State Air Pollution control law, that industries must meet the Authority's requirements, and that the Multnomah County Planning Commission should first examine the permit requests and refer only the cases with possible air pollution problems to the Authority for consideration and action.

Mr. Green directed that the Secretary submit the policy to the Authority members by mail for approval before the Authority meets again, if that is necessary; otherwise have it ready for consideration at our next meeting.

LABORATORY AND FIELD EQUIPMENT:

The Secretary requested authorization for buying needed laboratory and field equipment.

It was MOVED by Mr. West, seconded by Dr. Erickson and carried that necessary laboratory and field equipment be purchased before June 30, 1953.

Date for the next meeting was to be set upon call by the Chairman.

Respectfully submitted,

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