

# MINUTES

Eugene Toxics Board  
Pete & Jerry Room, Downtown Fire Station  
13<sup>th</sup> & Willamette, Eugene, Oregon

January 13, 2009  
3 p.m.

PRESENT: David Doll, Chair; Steve Johnson, Jennifer Olson-Morzenti, Stephen Flanagan, Cynthia Kokis, Elizabeth Weaver, Diana Bollenbaugh, members; Glen Potter, Fire & Emergency Medical Services; David Monk, Max Hueftle, Lane Regional Air Protection Agency (LRAPA).

Mr. Doll called the meeting of the Toxics Board to order.

## I. INTRODUCTIONS

Those present introduced themselves.

## II. APPROVAL OF AGENDA/NEW ITEMS

Mr. Potter said he had additional items to add under Staff Report.

## III. PUBLIC COMMENT

Mr. Monk talked about the importance of looking at ways to make all required reporting more efficient for businesses in Lane County. He referred members to the [sinlist.org](http://sinlist.org) website and suggested the board consider a distinction between extremely hazardous versus hazardous materials for reporting purposes.

## IV. APPROVAL OF MINUTES – OCTOBER 8, 2008

Ms. Kokis, seconded by Mr. Johnson, moved to approve the minutes of October 8, 2008, as submitted. The motion passed unanimously, 7:0.

## **V. LANE REGIONAL AIR PROTECTION AGENCY**

Mr. Hueftle gave an overview of the LRAPA Hazardous Air Pollutants (HAP) regulations and reporting requirements and answered questions.

Mr. Doll expressed satisfaction with LRAPA's existing HAP reporting frequency.

Responding to Mr. Johnson, Mr. Hueftle said that most sources used calculated emissions monitoring and noted there were very few sources that used stack monitoring to track HAP levels. Mr. Hueftle added that there were five to six ambient monitoring stations in Lane County and only one measured toxics.

Mr. Doll asked what the monitors tested for. Mr. Hueftle responded that most monitors tested "criteria pollutants" such as carbon monoxide, particulate matter, sulfur dioxide, nitrogen dioxide and ozone.

Ms. Kokis asked why there was not a HAP monitor in West Eugene given the high rates of cancer in the area. Mr. Hueftle noted that if the budget allowed, LRAPA would like to have monitors in many places, including West Eugene.

Ms. Kokis wondered whether or not fines were being collected for air pollutant violations and referred to the J.H. Baxter Plant fire in February, 2008. Mr. Hueftle said that he was not sure whether a fine was collected for that fire and noted that fines were put into LRAPA's general fund.

Mr. Hueftle said that "area sources" such as wood smoke were considered the biggest contributing factor for cancer risk in Lane County based on a 2002 report by the National Air Toxics Assessment (NATA).

Referring to the NATA data collected for Lane County, Mr. Flanagan pointed out that not all people were breathing the same ambient air, and that more detailed information was needed to determine how to protect the most at-risk population.

Responding to Mr. Doll, Mr. Hueftle said that the NATA report would be available sometime in the spring.

## **VI. STAFF REPORT**

- **Number of Reporting Businesses**

Mr. Potter said that the number of reporting businesses was down to 36 after losing Hynix Semiconductor, IP Koke, Northwest Web and States Industries in 2008. He noted that there were

rumors that Emerald Valley Kitchen may also close. He referred members to the draft annual report to the City Council that was included in the packet.

- **Updated Roster**

Mr. Potter referred to the Toxics Board Roster included in the board packet and noted that the email for position 7 was incorrect and should have been listed as [bonmot.srf@gmail.com](mailto:bonmot.srf@gmail.com). He asked for any additional changes and/or corrections.

Mr. Johnson asked that his email be changed to: [stevejohnson.survey@gmail.com](mailto:stevejohnson.survey@gmail.com).

Mr. Potter said he would email members an updated copy of the roster.

- **Update Regarding Public Access to Data**

Mr. Potter announced that the voluntary survey of program website users had been expected to be online as of February 1, 2009, but now a slight delay is expected, according to Steve Chipman. Mr. Potter said he would advise the board when the survey page is active.

- **Toxics Board Manual**

Mr. Potter provided tracking instruction manuals to new board members.

- **Emailing Board Meeting Materials**

Mr. Potter asked if members would prefer that he email meeting agendas and other related materials instead of mailing them. Members felt receiving materials via email was a good idea.

- **Toxics Right-to-Know Program Budget and Fees**

Referring to program fees, Mr. Potter reminded members that fees were collected from companies on a per-FTE basis with a \$2,000 cap.

Mr. Potter reported that the FY10 budget was \$108,753, approximately \$2,000 more than the FY09 budget. The fee amount for FY09 (the current year) was \$46.20 with 66 businesses to collect from. He noted that the fee for FY10 would be calculated soon and would increase because there will be fewer businesses participating.

Mr. Potter said that once a fee was calculated, the Toxic Board would be asked to approve it and recommend it to the City Council, which must adopt an ordinance establishing the fee each year. He suggested the board meet to discuss this prior to the City Council public hearing scheduled for February 17, 2009.

The board decided to meet on Thursday, February 5, 2009, at 3:00 p.m. to discuss the FY10 program budget and 2009 fees. (Meeting subsequently rescheduled to February 6.)

## **IX. DE MINIMUS QUANTITIES**

Members discussed the following question:

*What is the minimum amount of a reportable ingredient that must be tracked? If a company uses 100 products and each product contains 1 drop of Chemical X, such that the total amount of Chemical X reaches a reportable quantity, then is the company required to track each drop?*

Mr. Johnson said he was wary of relaxing the de minimus quantity standards and said he wanted to hear how other companies dealt with the issue.

Mr. Doll commented that he did not understand why the issue was raised and added that the practice of reporting substances, including small amounts, was fairly simple.

Ms. Olsen-Morzenti commented that her company reported and tracked every single hazardous chemical used in the facility. She added that a formula was created to determine the reportable quantities each year.

Committee members were in consensus that the de minimus quantities should not be changed for reporting chemicals, and that companies should continue to report all substances that reach the reporting threshold in aggregate.

## **VII. 2008 ANNUAL REPORT**

Mr. Potter asked for approval of the draft of the 2008 annual report.

Responding to Ms. Olsen-Morzenti's question, Mr. Potter said that he would double-check the 2008 fee mentioned in the report.

Members approved the report and Mr. Potter said he would send it out to the City Council.

## **VIII. INCENTIVES**

Mr. Potter noted that the board had expressed interest in considering the possibility of an award program to recognize businesses that had done well to reduce its environmental releases. He added that such an award could be presented by the Mayor during a City Council meeting.

Ms. Bollenbaugh pointed out that the Chamber of Commerce gave out a similar award and wondered if efforts would be duplicated.

Ms. Kokis felt it was important to recognize those businesses that did good things for the environment.

Ms. Olsen-Morzenti suggested partnering with the Chamber of Commerce on nominating businesses for the Emerald Award, specifically those businesses that lowered their reporting quantities.

Mr. Potter agreed to learn more about the Chamber's program and to keep this item on the Toxics Board's agenda.

#### **X. SCHEDULE NEXT MEETING/AGENDA ITEMS**

The next meeting was scheduled for 3 p.m. on February 5 at Fire & EMS headquarters, 2<sup>nd</sup> & Chambers (subsequently rescheduled to Feb. 6), to discuss the program budget and fees.

The meeting adjourned at 4:25 p.m.

*(Recorded by Jo Schutte)*