

MINUTES

Toxics Board
Singer Room—100 W. 10th Avenue
Eugene, Oregon

February 7, 2008
3 p.m.

PRESENT: Steve Johnson, chair; David Doll, Jennifer Olson, RueAnn Thomas, John Jordan-Cascade, Cynthia Kokis, members; Glen Potter, Fire & Emergency Medical Services; Ken Luse, Terry Connelly, guests.

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

I. INTRODUCTIONS

Those present introduced themselves.

II. APPROVAL OF AGENDA/NEW ITEMS

There were no changes to the agenda.

III. PUBLIC COMMENT

There was no public comment.

IV. APPROVAL OF MINUTES

Ms. Thomas, seconded by Mr. Doll, moved to approve the minutes of October 24, 2007, as submitted. The motion passed unanimously.

V. STAFF REPORT

FY09 Program Budget and Fees

Mr. Potter reviewed the Fiscal Year 2009 Program Budget and Fees, noting that there were 69 businesses required to pay a fee. He had sent each a letter in January asking for their FTE in calendar year 2007. They were asked to total the paid hours at their facility for calendar year

2007 and divide that sum by 2,080, to arrive at FTE. Following calculations, the recommended fee per FTE below the \$2,000 maximum was \$46.20, which was up from last year's fee of \$37.38. Mr. Potter distributed a worksheet detailing the fee calculations.

Mr. Johnson called for questions or discussion.

Mr. Doll wondered how many new businesses had been added in the last year. Mr. Potter did not know of any.

Mr. Doll knew businesses were starting up and wanted to know if there was any way to track them. Mr. Potter said he usually heard about manufacturers employing more than 10 people and using hazardous substances through word of mouth, or from the City's construction permit staff. These reports are investigated in accordance with City Charter provisions.

Mr. Johnson related that when the program began, the board had made a concerted effort to identify companies that would be required to report.

Mr. Doll, seconded by Mr. Jordan-Cascade, moved to recommend the fee schedule to the City Council. The motion passed unanimously, 6:0.

Toxics Board Roster

Mr. Potter referred to the revised Toxics Board roster that was included in the agenda packet and requested any updates or corrections.

Reporting Software

Mr. Potter reported that he would be sending out 2007 reporting software in the next few days, some on mailed CDs and some by e-mailing file transfer protocol (FTP) links to companies who wanted to get it that way. He said a dual method would be tried this time; people could mail a CD or floppy diskette back or e-mail the files.

The board discussed the possibility of online filing in the future and what that would take. Ms. Thomas said the Environmental Protection Agency (EPA)'s annual reports were all done online, with each user going to a web page and having a password. Board members requested that the City explore moving to this type of reporting for the Toxics Right-to-Know Program.

Mr. Luse said web-based reporting worked well for users with one business, but not for people reporting for five or six businesses. He asked that the City retain a reporting system allowing an e-mail attachment. Mr. Johnson agreed.

VI. 2007 ANNUAL REPORT TO CITY COUNCIL

Mr. Potter reviewed the Toxics Board's report that would be presented to the City Council. He noted that over the last five years, total outputs had increased by 55%, while outputs released to the environment had increased by only 18.2%.

Ms. Olson wondered if there had ever been a program giving businesses incentives to reduce their toxic materials usage through basing fees on the amount of toxic materials. Mr. Potter said that was not allowed for local programs in Oregon by state law, which was why the program assesses fees based on FTE. He said the City has requested that the state Legislature take action remedying this, but to date such action has not been taken.

Mr. Johnson observed that the original point was actually quite interesting, that there had been a 55% change over the last five years in outputs and only 18% change in release to the environment. He thought it was because companies were using more advanced technology, but there had been anecdotal reports that companies doing the reporting had become more sensitized. He said the best case had been Forrest Paint, which changed its air output handling entirely; its air releases declined almost 50 percent from 2001 to 2002.

Ms. Thomas thought it might be interesting to look at the one-year change between 2005 and 2006, especially in releases to the environment, where the reduction was quite substantial. Others agreed.

Mr. Potter said he could add a one-year change column to both charts.

The group reviewed fluctuations in various categories over the last five years. Members agreed that it was a good idea to include comments explaining why totals in different categories changed from year to year.

Ms. Thomas, seconded by Mr. Jordan-Cascade, moved to accept the report as amended. The motion passed unanimously.

VII. RECRUITMENT OF 7th MEMBER

Mr. Johnson said the group needed a seventh member, who must be nominated by at least four of the six current members. The board agreed to advertise the opening in *The Register-Guard* and the *Eugene Weekly*. Mr. Potter agreed to e-mail a draft advertisement and a suggested timeline for members to review.

VIII. PUBLIC ACCESS TO DATA

Mr. Johnson related that gathering information regarding public access to toxic substance data had been an issue in the past for the program, which was set up as a public information program. He commented that there was no way of knowing how the public used the information.

Mr. Potter said a sketchy report was available. He distributed a report on visits to the web page for January 2008, which showed a total of 272. He related that the City of Eugene and his supervisors commonly asked how many people looked at the Toxics Program's site. He said the board had at one time considered a registration page but rejected that idea because members felt it would be an invasion of privacy and might restrict access to the data.

Mr. Johnson, who had objected to the entrance barrier, thought it would be acceptable to have a page asking for information that people could skip if they wanted. He suggested that people would probably give the information voluntarily.

IX. SCHEDULE NEXT MEETING/AGENDA ITEMS

Mr. Potter previewed the agenda for the next meeting. The next meeting was tentatively scheduled for May 15, 2008, at 3 p.m. at the Fire Department Headquarters, 2nd and Chambers.

The meeting adjourned at 4 p.m.

(Recorded by Susan Wulfekuhler)