

# MINUTES

Eugene Toxics Board  
Saul Conference Room—The Atrium Building—99 West 10<sup>th</sup> Avenue

September 29, 1999  
4 p.m.

PRESENT: Cathy Verrét, Chair; Mary O'Brien, Don Upson, Steve Morgan, Madronna Holden, Mike Friese, Steve Johnson, members; Glen Potter, Fire Department; guests.

## I. APPROVAL OF THE AGENDA

The agenda was approved as submitted.

## II. PUBLIC COMMENT ON ITEMS NOT LISTED ON THE AGENDA

There was no public comment.

## III. APPROVAL OF MINUTES OF AUGUST 9, 1999

Ms. O'Brien noted a correction to paragraph 4 on page 4, pointing out that the first occurrence of the word "second" should be deleted.

Mr. Upson moved, seconded by Ms. Holden, to approve the minutes of August 9 as amended. The motion passed unanimously, 6:0, Mr. Johnson not having arrived at the meeting.

## IV. STAFF REPORT

### A. Audits

Mr. Potter reported on an audit where he learned that the toxic materials used by the company and reported as consumed were combined to form a new chemical. The company had no knowledge that the new chemical was toxic, and so it was not reported. Responding to a question from Ms. O'Brien, Mr. Potter said that the material involved was a cured adhesive. He indicated that he had asked the company to submit new information regarding the beginning and ending inventories of the original substances.

## **B. City Council Process**

The board reviewed and revised a memorandum drafted on its behalf by Mr. Potter to the council regarding the funding of the Toxics Right-to-Know Program. Mr. Potter said the work session on the item was scheduled for October 11.

Mr. Johnson arrived at the meeting.

## **C. Revisions to Tracking Instructions for 2000**

Mr. Potter reported that the draft 2000 tracking instructions would be ready by the next meeting. He briefly described some of the changes for the upcoming edition of the instructions.

Mr. Upson asked if the board would have feedback regarding the fee basis from the council by the next meeting. Mr. Potter said that the council would not yet have held its public hearing on the matter, but the board might get some insight into councilors' thoughts from the discussion at the work session. The public hearing was tentatively scheduled for November 22, 1999, at 7:30 p.m.

Mr. Potter acknowledged that the handbook might have to be postponed or published without information about fees. Mr. Upson and Ms. O'Brien saw no reason why the handbook had to include fee information.

Mr. Potter asked the board if the chemical list in the handbook should be by CAS number, or alphabetical. Mr. Upson proposed that Mr. Potter list the chemicals in the handbook alphabetically, and that the City give companies a disk with chemicals listed by both CAS number and alphabetically. There was concurrence from the board.

## **D. Amnesty Update**

Mr. Potter said that two additional companies had joined the program as a result of the amnesty: Henry Manufacturing and Emerald Valley Kitchens. He said that the latter company had not reached the threshold for reporting but anticipated it would.

## **E. National Fire Academy**

Mr. Potter announced that he would be gone in October for two weeks to attend the National Fire Academy in Emmitsburg, Maryland.

## **V. FINE SCHEDULE**

Mr. Potter referred the board to the fine schedule, included in the meeting packet, and reported that Jerome Lidz of the City Attorney's Office had recommended that the schedule would have

more force and would be less vulnerable to legal challenge if it included fine amounts. Ms. O'Brien said that a paragraph could be added to the schedule indicating that fines would range from \$250 to \$1,000 per day, with the exception of the last item, which would be \$1,000 per day.

The board concurred. Ms. O'Brien also suggested that the criteria in the charter amendment should also be referenced.

Mr. Potter noted that the board was required by House Bill 2431 to conduct a public hearing on the fine schedule, which he would include on the next agenda.

## **VI. QUESTIONS FROM BUSINESSES, REVISITED**

The board considered a series of questions it had previously responded to, but staff had been unable to document those responses. The board reviewed the questions and provided responses.

## **VII. SCHEDULE UPCOMING MEETINGS**

The board tentatively set meetings for November 10 and December 11, 1999, both at 3 p.m.

The meeting adjourned at 5 p.m.

(Recorded by Kimberly Young)  
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