

MINUTES

Toxics Board
Saul Room--Atrium Building

August 6, 1997
11 a.m.

PRESENT: Mary O'Brien, Chair; Sam Frear, Vice-Chair; Steve Johnson, Steve Morgan, Jeff Smith, Don Upson, Cathy Verret, members; Glen Potter, Linda Grenz, Megan Kruse, Fire Marshal's Office; Brian Patterson, EMCON (Consultant to the Toxics Board).

Ms. O'Brien called the meeting to order.

I. APPROVAL OF THE AGENDA

Mr. Upson requested that discussion of the Chemicals List be added to the agenda. The item was added as "D" under *Staff Report*.

Ms. O'Brien determined there was consensus to approve the agenda, as revised.

II. APPROVAL OF MINUTES

The board reviewed the June 24 and July 9 meeting minutes.

Referring to the July 9 minutes, Ms. O'Brien requested that the attendance section be amended to reflect the correct spelling of Tim Foelker's name.

Referring to the June 24 minutes, Mr. Smith requested that all motions recorded as passing "5:1" be amended to accurately reflect that they passed 4:1.

Referring to page four, under *Radioactive Substances*, of the June 24 minutes, Mr. Smith requested that the motion made by him be relocated under *Chemicals List*.

Mr. Frear moved, seconded by Mr. Smith, to approve the minutes of the June 24, 1997, and July 9, 1997, meetings of the Toxics Board, as amended. The motion passed unanimously.

III. PUBLIC COMMENT

There was no public comment.

IV. STAFF REPORT

A. Introductory Remarks

Glen Potter introduced himself as the new Toxics Board staff person. Noting that his responsibility was to administer the Toxics Right-To-Know Law as adopted by residents of the City of Eugene, Mr. Potter stressed that as staff, he will remain neutral with regard to Toxics Board decisions. He requested that his relationship with the Toxics Board be considered analogous to that of the City Manager with the City Council, in that he would prefer to be allowed to participate in Toxics Board discussions, but would not be voting on Board issues.

B. Query Letter Responses

Mr. Potter distributed and reviewed a memorandum summarizing the responses received to date to the letters of inquiry sent to 369 local businesses currently regulated by the City of Eugene or State Fire Marshal's Office for hazardous materials handling. Noting that of the 210 businesses answering "No" to the question "Does your facility have a SIC code between 20-39; OR have a solid waste incinerator that accepts infectious waste; OR have a hazardous waste incinerator?" some indicated on their responses confusion regarding SIC codes, particularly with respect to the number of digits. Mr. Potter said staff will therefore compare business types against SIC codes to screen for this type of confusion, and will follow up as necessary.

C. Newspaper Column

The board agreed to consider writing a newspaper column reporting the Toxics Board's status after its primary tasks are completed.

D. Chemicals List

Mr. Potter reported that a contract between the City and Molecular Probes for purchase of the chemicals list is currently being drafted. He said once drafted, the contract will be reviewed, finalized, and executed by both entities. He indicated that the purchase could be made within two to three weeks, if there were no problems with the contract.

V. HANDBOOK FOR BUSINESSES

A. Further Revisions

Referring to the draft *Handbook for Businesses Required to Report to the Fire Marshal in Accordance with the Eugene City Charter Amendment 20-75* included in the meeting agenda packet, Ms. O'Brien led the board in a page-by-page review of the document and solicited additional suggestions for revision. Mr. Potter agreed to e-mail or fax a revised draft, in legislative format, to Toxics Board members on August 9; incorporate into a subsequent draft all comments returned to him by August 13; and include this subsequent draft in the next Toxics Board meeting agenda packet while requesting concurrent review by the City Attorney's Office.

B. Distribution

Ms. Verret referred to and reviewed a document entitled *Ideas for Distributing Handbook to Businesses* that was drafted by her and distributed during the July 23 meeting of the Toxics Board. Members agreed to distribute the handbook to all businesses that responded "yes" to all of the questions in the letter of inquiry, and to make copies of the handbook available at the businesses and organizations that indicated a willingness to distribute them.

VI. BUDGET REPORT FOLLOW-UP

Responding to questions posed by the Toxics Board during a previous meeting, Mr. Potter clarified that the \$8,000 dedicated to programming in the budget is for the development of an electronic reporting system. Additionally, he confirmed that the contract for an independent auditor will be unnecessary because a business claiming a trade secret is responsible for hiring the auditor. Mr. Potter said he would submit and request approval of a revised and updated budget at the August 27 meeting of the Toxics Board.

VII. REPORTING OF RADIOACTIVE MATERIALS

Mr. Johnson and Mr. Upson agreed to prepare a memorandum regarding the reporting of radioactive materials prior to the next meeting of the Toxics Board.

IX. FEE SCHEDULE

Ms. O'Brien distributed and reviewed a document entitled *Suggested Fee Schedule*. The Board discussed various fee schedule options.

X. REVIEW SCHEDULE OF UPCOMING MEETINGS

Referring to the *Schedule of Upcoming Meetings* included in the meeting agenda packet, Ms. O'Brien determined there was consensus to maintain the schedule as drafted.

XI. SET AGENDA FOR NEXT MEETING

The Toxics Board agreed to include the following items on its August 27 agenda: 1) Handbook for Businesses; 2) Review of Radioactive Materials Reporting Memorandum; 3) Trade Secrets; and 4) Toxics Board Budget.

Ms. O'Brien and Ms. Verret agreed to meet prior to the next meeting to discuss the issue of trade secrets. Mr. Johnson and Mr. Smith agreed to meet prior to the next meeting to address the issue of a Fee Schedule.

The next meeting of the Toxics Board is scheduled for August 27 at 11:30 a.m. in the Saul Room of the Atrium Building.

The meeting adjourned at 1:10 p.m.

(Recorded by Kim Kunkel)

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