

MINUTES

Toxics Board
Saul Room--Atrium Building

September 3, 1997
11:30 a.m.

PRESENT: Mary O'Brien, Chair; Steve Johnson, Steve Morgan, Jeff Smith, Don Upson, Cathy Verret, members; Dave Petersen, Glen Potter, Linda Grenz, Fire Marshal's Office staff.

Ms. O'Brien called the meeting to order.

I. APPROVAL OF AGENDA

Mr. Smith announced his resignation from the Toxics Board, effective immediately, and distributed copies of a letter to that effect. He said his resignation is due to his acceptance of a position of employment in San Jose, California.

Referring to agenda item VI, *Prioritization of Tasks*, Ms. O'Brien requested including among the board's priorities the recruitment of two replacement members. Mr. Upson requested that the City Attorney be asked whether it would be possible to appoint a new person to serve the remainder of Mr. Smith's term plus a full term, rather than having to take two separate actions.

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

II. PUBLIC COMMENT

There was no public comment.

III. STAFF REPORT

A. Projected Program Budget

Referring to budget projections distributed at the last meeting, Mr. Potter solicited questions, comments, and the board's approval.

Board members made certain corrections to the projections and asked a number of questions. Staff agreed to return to the next meeting with revised figures addressing the board's questions.

The board discussed the appropriateness of using fees collected from local businesses under the Toxics Right-To-Know Law to pay City litigation expenses in defense of the law. Mr. Petersen recommended submitting the matter to the City Attorney for consideration.

In response to concerns regarding the expense involved in having Gerritt Rosenthal, Consultant to the Toxics Board, attend each board meeting, Ms. O'Brien requested that Mr. Potter contact Mr. Rosenthal and determine whether his attendance on an as-needed basis would be sufficient.

B. Other

Mr. Potter reported that businesses have responded to the recently mailed survey of Right-To-Know Law applicability, as follows:

Number of Responses	Response
33	Yes
3	Question as to threshold
1	Question as to location
3	Question as to FTE
28	Question as to SIC Code
188	No
18	No longer in business
5	Out of jurisdiction
84	No response

Mr. Potter said that he will contact those businesses that did not respond and he will continue to provide the board with updates regarding the survey results.

IV. HANDBOOK FOR BUSINESSES

A. Further Revisions

Referring to the draft *Handbook for Businesses* included in the meeting agenda packet, Mr. Potter said the current document reflects the suggested changes submitted by members. In addition, he said the appendices were added to the copies sent to board members for this meeting.

The Toxics Board reviewed the draft *Handbook for Businesses* and Mr. Potter recorded members' additional suggestions for revision.

1. Reporting of Radioactive Materials

Referring to an August 28 memorandum included in the meeting agenda packet, Mr. Potter reported that the City Attorney had approved the radioactive materials reporting process proposed by Mr. Upson and Mr. Johnson. Mr. Upson and Mr. Johnson agreed to submit to Mr.

Potter a final draft of the radioactive materials reporting guidelines for inclusion in the *Handbook for Businesses*.

B. Schedule & Direct Final Distribution

The board agreed to distribute the *Handbook for Businesses* as follows: 1) Send to the businesses that responded "yes" to the survey; 2) Make the handbook available at the Eugene Public Library and the Fire Marshal's Office; 3) Place a notice in the newspaper regarding the locations where the handbook is available; and 4) Send to the City Council and ALERT.

Board members expressed hope that the list of reportable chemicals would be in the City's possession by the time of the board's next meeting on September 17, so that a decision could be made to release the handbook along with the chemical list. Mr. Petersen agreed to make a concerted effort to have the chemical list by that date.

C. Form for Encouraging Responses

With regard to a draft form designed to encourage responses to the *Handbook for Businesses* that was distributed at a previous meeting, the board agreed to include the document with the handbook.

V. DRAFT REPORTING FORMS

Referring to an August 28 memorandum included in the meeting agenda packet, the board reviewed and agreed to include in the *Handbook for Businesses* the forms for reporting and suggested worksheets for businesses. Mr. Upson agreed to fax final versions of these documents to Mr. Potter.

VI. PRIORITIZATION OF TASKS

The board assigned tasks as follows: 1) Preparation of rationales (Mr. Upson, Ms. O'Brien, Ms. Verret); 2) Development of member replacement process (Mr. Potter); and 3) Trade secret report form (Ms. Verret).

VII. SET AGENDA FOR NEXT MEETING

The board established the agenda for its next meeting, as follows: 1) Approval of agenda; 2) Public comment; 3) Replacement process; 4) Inert ingredient issue; 5) Decision on Handbook release; 6) Trade secret reporting; 7) City Attorney report: Fees -- schedule and basis; and 8) Set agenda for next meeting.

The meeting adjourned at 1:35 p.m.

(Recorded by Kim Kunkel)

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