



## MEETING MINUTES

[Note: These written minutes of the December 16, 2015 Toxics Board meeting were prepared on March 14, 2016 because the routinely used video recorder malfunctioned for unknown reasons, and failed to record the entire December 16, 2015 meeting.]

### **Eugene Toxics Board December 16, 2015**

3:30 p.m.  
Fire Conference Room, 2<sup>nd</sup> Floor  
Eugene Emergency Services Center  
1705 W 2<sup>nd</sup> Avenue (2<sup>nd</sup> & Chambers)

#### Meeting Attendees

- **Board Members Present:** Andree Phelps (Chair), Wendy Cecil, Christine Zeller-Powell, Lisa Arkin, Evan Shenkin, members.
- **Board Members Absent:** Amber Everly, Marcus Baxter, members.
- **City Staff Present:** Al Gerard, Joann Eppli.
- **Public Present:** Rick Locke, Andy Poynter.

Ms. Phelps called the December 16, 2015 Toxics Board meeting to order at 3:30 p.m.

#### **1. Public Comment**

- Rich Locke from Mid-Valley Metals spoke.
- Andy Poynter from Environmental Poynters spoke.

#### **2. Board Discussion**

##### A. Updating List of Reportable Chemicals

- Referenced Materials:
  - November 30, 2015 email from Wendy Cecil to the Toxics Board.
  - November 10, 2015 memorandum and attachments from Jo Eppli to the Toxics Board.
- Continuation of discussions that occurred at the July 14, 2015, August 11, 2015 and November 19, 2015 board meetings regarding updates to the Hazardous Substance Tracking Instructions and updates to the List of Reportable Chemicals.
- **Motion:** Move to recommend that the City Manager take the following actions:
  - Remove from the List of Reportable Chemicals petroleum distillates (CAS #064742-47-8) as this substance does not meet the definition of an ignitable characteristic chemical, nor is this substance listed on any of the federal regulatory lists in Section 54, Article III, Section 3 of the Eugene Charter (except FIFRA).
  - Add to the List of Reportable Chemicals characteristic chemicals that have been identified by reporting businesses.

- Add to, remove from and update the List of Reportable Chemicals to be consistent with the federal regulatory lists in Section 54, Article III, Section 3 of the Eugene Charter (except FIFRA).
- **Vote:** Passed 5:0

B. United States Environmental Protection Agency's (EPA) New Reporting Requirements for Carbon (CAS #7440-44-0)

- Continuation of discussion regarding the absence of carbon (CAS #7440-44-0) from Eugene's List of Reportable Chemicals because carbon pollution standards are regulated under the Clean Air Act (CAA) Sections 111(b) and 111(d), the Air Contaminants for the Occupational and Safety Health Act (OSHA) and the Registered Pesticides for the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).
- Directed staff to request a legal opinion on whether or not it would be possible to allow voluntary reporting of carbon (CAS #7440-44-0) under the Eugene Toxics Right-to-Know Program, and if so, what type of legal process the City of Eugene would need to go through to get this set up and implemented.

C. Topics Deferred to Next Meeting

- Improve Industry Reporting Requirement
- Public Comment Guidelines and Request to Speak Form

The meeting adjourned at 5:00 p.m.

*(Recorded by Jo Eppli)*

Attachment: Exhibit I: Written Notes from Andree Phelps





**Eugene Fire & Emergency Medical Services**  
**Toxics Right-to-Know Program**

# MEETING AGENDA

**Eugene Toxics Board**  
**December 16, 2015**

3:30 p.m.  
 Fire Conference Room, 2<sup>nd</sup> Floor  
 Eugene Emergency Services Center  
 1705 W 2<sup>nd</sup> Avenue (2<sup>nd</sup> & Chambers)

- ① I. Introductions/Approval of Agenda - *Andy Parnter* ⑤ 5 Minutes
- ② II. Public Comment Guidelines and Request to Speak Form 10 Minutes
  - **Toxics Board Vote Required**
    - Reference 12/07/15 Email and Attachment
    - Reference 11/25/15 Email and Attachments
- ③ III. Public Comment
  - First Four Speakers to Sign-Up
- ④ IV. List of Reportable Chemical Update Recommendations ⑩ 25 Minutes
  - **Toxics Board Re-Vote Required**
    - Review 11/30/15 email from Wendy Cecil *waste codes & CAS #s*
    - Review 11/10/15 Memorandum and Attachments *there are also special designations*
- ⑤ V. Staff Report 4:12 4:20 25 Minutes
- ⑥ VI. Improve Industry Reporting Requirement 25 Minutes
  - **Standing Item: Toxics Board Direction to Staff Required**
    - Toxics Board Develop Prioritized List of Toxics Reporting Program Application Improvements and Enhancements *- conversion factor data input easier*
- ⑦ VII. Future Agenda Items
  - (January 2016): Finalize Fiscal Year 2017 Program Work Plan, Budget, and Fee Recommendation
    - Add Site Inspections as Part of Audits to Work Plan ?
  - Reference Documents for Program Website *- particular sections →*
  - Solicit Additional Agenda Items from Toxics Board Members



Rick

Jo - conversation

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city  
of

20189 Feb 2000

manipulated wording of charter

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out of

Andy Richter

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> 10 employees SIC code

5608 -

- operating in excess & miming \$

IV Evan questions

VI - unit  
- convenors

- automatic showings on list

- automatically go to other reporting entities

- or w/ state info coming into our  
system

- simulations to # of speakers