

MINUTES
LANE REGIONAL AIR PROTECTION AGENCY
BOARD OF DIRECTORS MEETING
THURSDAY–MARCH 8, 2007
Freight Room Meeting Room
Springfield Chamber of Commerce
101 South A Street, Springfield, Oregon

ATTENDANCE

Board: Faye Stewart, Chair–Lane County; Earl Koenig, Vice-Chair–Eugene; Bill Carpenter–At-Large, Springfield; Glenn Fortune–At-Large, General; Drew Johnson–Eugene (arrived just in time to participate in strategic planning discussion, only); David Monk–Eugene; Pat Patterson–Cottage Grove/ Oakridge; Dave Ralston–Springfield; Betty Taylor–Eugene
(ABSENT: None)

Staff: Merlyn Hough–Director; Merrie Dinteman; Doug Erwin; Max Hueftle; Ralph Johnston; Sandra Lopez; Sally Markos; Kim Metzler; Nasser Mirhosseyni; Tim Sawyer

Other: Russ Ayers–LRAPA Advisory Committee

1. OPENING: Ralston called the meeting to order at 11:08 a.m.
2. PUBLIC PARTICIPATION:
 - A. Comments Regarding An Item on Today’s Agenda. None.
 - B. Comments Regarding An Issue Not on Today’s Agenda.

Stewart spoke briefly about information he had gotten while attending the National Association of Counties Meeting in Washington the previous week. He attended a seminar regarding ambient air protection and new regulations and had learned about some concepts he wanted share with the board:

 - (1) Requiring replacement of an uncertified woodstove upon the sale of a home. He said the law that was discussed also exempted fireplaces without inserts. Fortune and Hough noted that the Oakridge home wood heating ordinance includes the replacement requirement. Hough also noted that there is a “Heat Smart” bill in Salem this session which would provide incentives for woodstove replacement. He said he does not know if the requirement would be effective anywhere in the state or just in areas which are having problems meeting particulate standards. Hough said realtors are supportive of the bill because they would like to have this requirement be part of the disclosure form. If the bill passes, it will supercede any local ordinances, such as those in Medford and Oakridge so that there would be consistency throughout the state. Hough noted that LRAPA got a grant several years ago to help replace some of the old stoves in Oakridge with cleaner alternatives, and the current Warm Homes/Clean Air program is a second round of that replacement program. The replacement upon sale requirement in the city’s ordinance is a good incentive for home owners to take advantage of the Warm Homes program to replace those older units now. Fortune commented that it was initially challenging to get the realtors to recognize the replacement requirement in the city’s ordinance. He said one home with an old stove that needed to be replaced was sold without the change taking place.
 - (2) Attainment of New PM Standards. Stewart said he had learned that if there is an area, like Oakridge, that will have difficulty meeting the new standards, LRAPA can put together a plan with the EPA to meet the standards. Hough responded that he planned to address this in his presentation later in the meeting regarding strategic planning. He said there is a provision for an extension if an

area cannot meet the initial date for compliance and that it is an extended time frame that is part of the new standard.

3. CONSENT CALENDAR:

ACTION: MSP(Fortune/Ralston)(unanimous) adoption of minutes of the February 1, 2007 board meeting and the expense reports through January 31, 2007, as presented.

Prior to the vote, Stewart noted that it appears, from the financial reports, that it will be necessary to make up some revenues during the remainder of the current fiscal year from grants and fees. Stewart said he had noticed that, while expenditures are pretty close to revenue in the General Fund, it appears that the agency has received only about a third of the anticipated grant funds. Mirhosseyni explained that LRAPA is on a reimbursement basis and has to spend the dollars before it can request reimbursement from the awarded grant funds.

Koenig then stated that the cash flow balance is ahead of the expected or estimated balance and asked if that could be diverted to the cash reserve fund. Hough responded that any balance left at the end of the year will go to the reserve fund, unless the board approves a new budget item to use those funds. The funds that are put into the reserve are there temporarily, depending on how the expenditures and revenues go through the rest of the year. Mirhosseyni explained that, usually, when the agency begins a new fiscal year there are not sufficient funds to cover expenses until the new funds are approved and received. Any unappropriated funds from the previous year are used to cover those expenses until the funds from the new year are received.

4. DIRECTOR'S REPORT: Discussion included several items.

A. Air Quality. Hough said the most difficult part of the year is now past, from an air quality standpoint. The time period of November through February has the greatest potential for stagnant air conditions, and is also the season for home wood heating. There were twelve yellow days in Eugene/Springfield and one orange day. In Oakridge there were twelve yellow days and eleven orange days, the lowest number of yellow and orange days recorded so far. In addition, the last three years have seen the lowest three-year numbers LRAPA has recorded. Hough said Oakridge had been in the low 50s for the three-year averages, but the average for the last three years is 48 micrograms per cubic meter. The standard is now 35, meaning that significant reductions are still needed to meet the new standard; but the reduction achieved for the past three years is encouraging.

B. Public Hearing Regarding Hynix Permit Renewal. Hough reported that the permit for Hynix is in the process of being renewed, and the facility has requested an emission increase for hydrogen fluoride. The public hearing was held February 13, and there were a number of requests to extend the comment period until March 15, which staff has done. Hough said the question of board involvement with the permit was raised. He said the board is not directly involved with the permit renewal evaluation process. The process is to apply the rules appropriately to the permit renewal, to take public comment and respond to the issues, and to make sure that any issues identified in that are addressed according to the rules. The only time it would come to the board would be through the appeals process.

Taylor asked if the board any power, if it wished to have power. Hough said this function is within the director and staff jurisdiction unless it gets into an appeal situation. Taylor commented that citizens could appeal if they do not like staff's decision, and Hough responded that citizens could appeal, and the permittee could also appeal. He said he has not been through that process before and will explore it in more detail if there is interest. Taylor asked that Hough let the board know about the appeals process.

Carpenter asked if the hydrogen fluoride occurs when other chemicals combine with water. Hough said hydrogen fluoride is also known as hydrofluoric acid and occurs after the fluorine gas has gone through the scrubbers. He confirmed that fact with staff member Doug Erwin who is the permit writer working on the Hynix permit.

- C. Oakridge Monitoring. A question was brought up at a previous meeting about averaging, in connection with air monitoring in Oakridge. Hough explained that averaging applies to areas that have a problem meeting annual average standards, and is applied more to large metropolitan areas with multiple levels which are similar, but not the same, recorded at different sites. Since Oakridge meets the annual average standard, averaging does not apply to Oakridge. Hough added that everywhere in Oregon meets the annual average PM2.5 standard, and averaging does not apply in Oregon. Monitoring is required to be done in the area where maximum concentrations are expected to be, so that when the monitored site meets the standard, it can be said with confidence that the entire community is within the health standards for PM2.5.

A question was also raised at a previous meeting about costs involved if averaging were to be used in Oakridge. Hough said the costs would depend on whether there were a monitoring trailer available to house the necessary equipment or whether the agency would have to purchase a new trailer for that purpose. He said the cost would be something in the range of \$25,000 to \$50,000 to establish the site; and then it would be about \$18,000 to \$21,000 per year, depending on whether the monitoring were done on an every-day or one-in-three or one-in-six cycle. If a survey were done using the Airmetrics MiniVol samplers, the cost would be about \$9,000. Hough said Minivol studies were done in '91, '94, and '03 to verify that the monitoring equipment is in the proper site.

- D. There was brief discussion of where LRAPA's monitors are located in the Eugene/Springfield area. Fortune asked whether LRAPA has ever monitored in the areas around the sand and gravel companies. Hough said he did not know if there had been specific sites monitored in those areas, adding that monitoring for PM2.5, or even PM10, would capture finer particles such as those in smoke, and the dust particles from sand and gravel operations are larger. Carpenter asked if staff has considered monitoring in the area where the new Sacred Heart hospital is opening in Springfield, due to the added traffic congestion. Hough said for carbon monoxide monitoring is based on traffic volume, but also on restricted ventilation which creates a "street canyon" effect. He said Eugene-Springfield does not have much of that. The closest this area gets to that effect is the 11th & Willamette site where one of LRAPA's CO monitors is currently located. Hough said the openness of the Gateway area where the new hospital is located does not create much potential for buildup of CO concentrations. As far as particulate matter, Hough said surveys have been done throughout the Springfield area. He said he would have to look at those studies to see if there is anything around the Gateway area. For Springfield reference site was at Springfield High School for a while but is now back at Springfield City Hall.
- E. Fugitive Dust Complaints. As further follow-up to complaints of fugitive dust from sand and gravel facilities in North Eugene, Hough reported that LRAPA received 33 complaints of fugitive dust last year, out of a total of about 1,500 complaints. While 33 is a significant number of complaints, it does not compete with the other categories where LRAPA has received bigger numbers of complaints. The fugitive dust complaints typically occur during the dry months of the year, making it difficult right now to do a thorough evaluation of how well dust is being controlled. Hough briefly described several letters which were included in the board's packets for this meeting, one of which was sent to Mr. Eldrige in November of 2005 after receiving a complaint similar to the one he brought to the board more recently. Hough said staff is updating information and will have more details for the board, along with the map

that was requested to show where the sand and gravel operations are in relation to where the complainants live. One of the documents in the packet was a letter to a complainant detailing the different types of sources which contribute to the overall dust and particulate in the air in September

Taylor commented that the letter to Mr. Eldridge looked like a form letter to her. Hough said it was not a form letter, that three people had worked on the letter to give him as complete as response as possible. Taylor said it seemed, to her, like a form letter that talked about sometimes things go wrong and we do this and we do that, but it didn't do anything about his problem. Hough responded that at the time the letter was sent LRAPA had not identified violations that were citable, or changes that were required under the rules; and staff recognized that aggregate dust was just one of a number of sources contributing to his concerns. Taylor asked if the aggregate companies have been penalized very often over the years, and Hough said there have been a number of enforcement actions taken in the last year, some with civil penalties assessed. One was the Egge Sand & Gravel case that was appealed to the board but settled before the board actually was required to take action on it. He said there has also been one case with a civil penalty with Delta Sand & Gravel since he has been with LRAPA and at least one with Wildish Sand & Gravel. Taylor commented that, mainly, people just have to put up with the dust from these operations. She said Hough had said some months are worse than others, but she noted that those are the exact months when people would be more bothered because they are more likely to be outside. Hough said the reason for bringing the subject up was because it is difficult, right now, to do an assessment of whether there is a continuing problem, due to the rainy weather. It will be more of a summertime activity to do that assessment. Taylor asked if that will be done when summer comes, and Hough said staff is following up now and, if some dry periods are needed to complete an assessment, staff will wait for a period of dry weather. Staff does not consider the issue to be finalized at this point.

- F. Clean Air Excellence Award. Hough reported that, in addition to the award received last year by LRAPA and Cascade Sierra Solutions for the Everybody Wins program, EPA has issued another award in the general clean air excellence category. It is to be formally awarded in May in Washington DC. LRAPA has told them we will try to have someone there to accept the award. Staff needs to work out the details of that trip. Hough asked that any member of the board who is interested in accepting that award on behalf of LRAPA let him know.

- G. Asbestos. Koenig noted that three of the eight new violations for the reporting period were asbestos-related, as were four of the eight pending cases. He said he wondered if there is a local mechanical contractors' association that meets on a regular basis, that LRAPA could visit to educate them more about asbestos. Hough said staff has plans to do more asbestos outreach, and those plans are part of the discussion of strategic planning later in this meeting. Operations Manager Sandra Lopez was present at this meeting and stated that there was a contractor-type workshop last year to update them regarding asbestos issues. In addition, a more recent violation resulted in a real estate group workshop to educate those individuals. Hough noted that staff member Tom Freeman is meeting with building departments to get their cooperation in getting information out about where asbestos is found and what should be done about it. Lopez added that Freeman has told her it would be very helpful if the planning departments at the county and the cities would help to get the word out, when people get remodeling permits and modification, about asbestos regulations. Stewart said he spends a lot of time at Lane County building department and that when someone gets a permit, the department includes in the permit packet information that remodeling jobs require an asbestos survey, and also refers people to LRAPA. Lopez said she would ask Freeman to check out what Lane County provides and perhaps use that as an example for something other local governments could do.

Monk referred to a case involving an exceedance of toluene in the permit for Forrest Paint, noting that this case has been ongoing for a few months. He noted that the \$6,000 fine had been paid and asked if that case had been resolved. Hough said the violation did involve an exceedance of the 12-month rolling limit for toluene in the permit; however, it did not go to a level which would require the company to get a Title V permit. Lopez said her understanding is that the company paid the fine and that they plan to remain beneath the 10-ton Title V threshold. Monk asked if he could get a copy of the written explanation submitted by the company in an October 25 document. Hough said staff would provide that.

- H. Open Burning Fines. Carpenter said he has some difficulty with some of the open burning violations, where the person is burning tires, and the subsequent fines that are assessed. He noted that it takes substantial effort to actually light a tire on fire, making the act much more intentional. He added that people have to know by now that it is not wise to burn tires because the fire creates a lot of black smoke and is difficult to extinguish. Carpenter noted further that there is a standard recycling fee in Oregon assessed when people change their tires, and burning the tires means they can get out of paying those fees. He said he has a problem with such a case receiving a civil penalty of \$600 and then seeing the amount reduced to \$50. Hough called attention to another violation which was more egregious and resulted in a fine of \$7,000. He explained that there were more tires involved in that case and, in addition, the tires in the fire in the first case seemed to be more incidental.
5. **ADVISORY COMMITTEE:** Committee Chair Russ Ayers reported that committee member Paul Engelking had done a statistical analysis of the draft cancer report prepared by the SHINE regarding cancer rates in the neighborhoods surrounding the J. H. Baxter plant in Eugene. Using the data as published in the draft report, a statistically significant elevation of lung cancers was found in one area that required further investigation. In addition there were possible inconsistencies in the data in the report. The committee met via telephone with members of the SHINE group. The numbers and statistical analysis for the final report are being checked, and changes will include clearer numbers for the category of Total Cancers. The final report is expected in April.
6. **PUBLIC HEARING AND PROPOSED ADOPTION OF NEW PUBLIC CONTRACTING/PROCUREMENT RULES (LRAPA TITLE 1):** Hough explained that the proposal to rescind existing Title 5 and adopt new Title 1 was to bring the agency into compliance with the new state code for public contracting and procurement rules that came out of the 2003 and 2005 Legislative Sessions. Hough referred to a document in the information packet, from legal counsel Jill Bruce, which was prepared the previous day following a conversation Bruce had with Bill Carpenter. The conversation was a follow-up to a concern Carpenter raised in January regarding when the state rules apply in the absence of specific wording in the LRAPA rule. Bruce's recommended language would amend the original draft rule to make it clear that if there is anything that is not covered by the LRAPA rules, the state's model rules would apply. Hough recommended that the board adopt the proposed Title 1 with that one amendment.

Discussion of Proposal.

Monk had several questions regarding the proposed rules.

- A. **Subsection 1-005-4, Federal Requirements.** Regarding federal requirements for particular contracts supported in whole or in part with federal funds, Monk asked if the proposed LRAPA rules apply to those contracts. Mirhosseyni confirmed that, if a federal agency does not require certain rules, then the LRAPA rules would apply. Monk asked, if there are some specific rules that no longer apply, then the LRAPA rules would apply, and Mirhosseyni said that is correct.

- B. Subsection 1-005-5.E(1) incurring of debt by LRAPA. Monk asked if Mirhosseyeni, as budget officer, would be able under this rule to incur debt on behalf of LRAPA up to certain amount. Mirhosseyeni replied that if staff is required to assume debt in order to provide cash flow for the agency, this rule allows that to happen. Monk asked if there is a cap or threshold on that, and Mirhosseyeni said the cap would usually be decided by the financial agency when they determine what LRAPA's capabilities are.
- C. Subsection 1-005-6.A(3), Amendment of Rules. Monk asked about the requirement for publication of the rules in general circulation in the greater Eugene area at least five days prior to the hearing. He said LRAPA usually gives a 30-day notice, and five days does not seem sufficient to notify the public of a hearing. Mirhosseyeni responded that it says "at least five" days; however, LRAPA usually does provide 30 days' notice. Hough said LRAPA provides 30 days' notice ahead of a public hearing on a permit action; however, if you want to be sure people are going to be available for a hearing, it works better to publish your notice closer to the hearing date, perhaps within a week or two. For anything that has a legally required length of notice, that time period is used, but LRAPA often uses a shorter notice period in order to get people's attention and get them to attend the meeting or hearing. Monk said that made sense to him.
- D. Subsection 1-015-4, Renewals. Monk said his understanding of the wording of this section was that, if the terms of the contract are exactly the same, the budget officer would have the authority to just renew that contract with no public process. Mirhosseyeni confirmed that is the case, as long as there are no changes in the contract.

Regarding Subsection 1-015-2, Sole Source Contracts, Koenig asked if Airmetrics uses many items for which there is only one source. Hough said the reason Airmetrics is included in the exceptions category in another place in the rules is because, frequently, developing a new part requires working with a vendor who is willing to work with Airmetrics, starting from before you have a contract to issue. That Airmetrics exception would be more likely to apply than the sole source covered in Subsection 1-015-2. Hough said he thought this subsection would be more likely to apply to a situation such as LRAPA wanting an airshed study and someone has a very specialized expertise or experience in performing that particular type of study.

Koenig said he was thinking more of products than services and asked if there are any products for which there is only one source of that product, or if LRAPA spends time finding at least one or two additional sources so that there is competitive bidding. Hough said working with the different vendors has been more important than the competitive bidding process because, in order to get the first wave of units developed, there is a certain amount of R & D that goes into the product. That is why Airmetrics is on the exception list, and Hough said he did not know if the sole source rule would be used very frequently. He added that vendors do change sometimes, when staff finds another vendor who can provide a product or service at a lower cost. Mirhosseyeni agreed that the sole source rule probably would not be used often. He said it would be used for something like a public utility where there is only one source that can provide the service to you. He added that you would have to qualify that as a sole source.

Public Hearing. Stewart opened the public hearing at 11:55 a.m. and asked if anyone present wanted to comment regarding the proposed Title 1. Hearing no response, Stewart closed the public hearing at 11:55 a.m.

Hough entered into the record the affidavits of publication of notice of today's hearing in the February 7, 2007 edition of the *Cottage Grove Sentinel*, the February 6, 2007 edition of the *Eugene Register Guard*, and the February 8, 2007 edition of the *Oakridge Dead Mountain Echo*.

ACTION: MSP(Carpenter/Koenig)(7:1-Monk) approval of the specific findings in Attachment B of the public hearing package, rescission of the existing Title 5, Rules for Public Contracts and Personal Services Contracts, and adoption of new title 1, Public Contracting and Procurement Rules.

Monk said he did not support the motion because he has always had questions about the contract and the workings of Airmetrics and the fact that Airmetrics is in the exemption category in Title 1. He said he thinks Airmetrics needs to be evaluated further.

7. BUDGET COMMITTEE APPOINTMENTS: Several board members needed to nominate individuals from their jurisdictions for three-year appointments to the LRAPA Budget Committee. The nominations were as follows:
 - A. Taylor nominated **Kevin Matthews for reappointment, representing Eugene**. Monk seconded the nomination
 - B. Ralston nominated **John Woodrow for reappointment, representing Springfield**. Carpenter seconded the nomination.
 - C. Monk nominated **Erik DeFrest for reappointment, representing Eugene**. Carpenter seconded the nomination.
 - D. Fortune nominated **Landa Gillette for reappointment, represent the county at-large**. Ralston seconded the nomination.

The board opted to make all the appointments in one action. **All of the nominees were appointed by unanimous vote.**

8. OLD BUSINESS: None.

9. NEW BUSINESS: .

- A. Cooperation Between LRAPA and Fire Districts. Patterson asked if staff has tried recently to work with fire districts regarding open burning. Specifically he said LRAPA needs to inform the fire districts when the agency issues a letter permit for open burning so that the fire district personnel will know about the potential fire. That would allow the district personnel to be able to answer citizen concerns if they get calls when the burning takes place; and also help them to avoid sending equipment to what they think is an emergency situation, only to find that it is a permitted burn.

Hough commented that the fire districts are a diverse group. He said staff met with the fire chiefs during the past year, as preparation for some revisions to LRAPA's open burning rules that will soon be ready to be taken to the LRAPA Advisory Committee. Hough explained that there are some differences in local requirements, between fire districts; however, there are some unifying things. For instance, all of the fire districts use LRAPA's open burning advisory; and the districts are listed in LRAPA's open

burning rules. Hough said when LRAPA issues a letter permit, a copy is sent to the appropriate fire district. Patterson stressed that information needs to be shared by LRAPA with the fire districts.

Carpenter asked if the fire districts have authority to enforce LRAPA's open burning rules. Hough said the fire district perspective is fire safety and that they do not have authority to enforce LRAPA's rules; however, fire districts often refer cases to LRAPA for enforcement action, and LRAPA staff use the incident reports supplied by the districts as supporting documentation. He added that if a fire district responds to an open burn—for instance, during the no-burn season—they might put the fire out due to their concern for fire safety.

- B. Benzene in Gasoline. Monk said he attended the December Environmental Quality Commission meeting, in his capacity as a board member of the Oregon Toxics Alliance, where he brought up the issue of benzene concentrations being ten times over the benchmark in Eugene and, by extension, in other western Oregon communities such as Corvallis. He was told that DEQ does not have the staff to work on this issue (due to other pressing issues) and he was asked to write a rule for it. Monk said it had taken him some time to draft the document, which he would be submitting to EQC the week following this LRAPA board meeting. He said he would send it to board members so that they could look at it. Monk said there does not seem to be any opposition from industry for a rule that would accommodate smaller gas stations which have not been retrofitted and could not use Stage I vapor recovery equipment. He said the intention of the rule is to require state-wide Stage I vapor recovery. He stressed that it would be mandatory. Monk said, if the board wants to address benzene locally, he would suggest having a conversation about that a couple of months down the road.

Hough said the benzene issue relates to some of what staff has identified as critical or emerging issues for strategic planning, to be discussed later on this agenda.

- C. County Support for Field Burning Bill. Stewart announced that the Lane County Board of Commissioners would be considering, at their Wednesday meeting the following week, a resolution that was drafted by Commissioner Sorenson to support Representative Holvey's efforts to ban field burning in the state.

The board then took a five-minute break. Drew Johnson arrived at the meeting during the break.

10. STRATEGIC PLANNING:

Hough explained that staff had prepared briefings for this meeting and organized them into three separate categories: technical or air quality issues; mandatory vs. optional work; and funding issues. The briefings on the different sections of the agency's operations were presented in a way which highlighted the goals, objectives and tasks in a way to help illustrate which are mandatory and which are optional. There was also a presentation of funding issues, either challenges or opportunities. Hough said the main purpose of the briefings was to stimulate discussion, especially if there are issues that the board would like staff or the advisory committee to look at in more detail and report back to the board. Hough indicated there were several staff members present to join him in presenting the information.

Technical or Air Quality Issues

- A. Hough first spoke about the National Ambient Air Quality Standards, stating that the three that are of most interest, historically, to LRAPA, are particulate matter (PM), ozone (O₃) and carbon monoxide (CO).

- (1) PM is primarily smoke, the more visible of Lane County's air quality problems. Originally the agency monitored Total Suspended Particulate, and then EPA adopted a standard for PM₁₀, or finer particles. The EPA then adopted the PM_{2.5} standard for even finer particles, and subsequently tightened that standard in 2006. The same strategies that work to reduce PM₁₀ have also succeeded in bringing the area's levels down into compliance with the PM_{2.5} standards. Primary sources include wood products industries, fuel burning, and wood burning. It is more of a wintertime problem when the air is stagnant and a lot of home wood heating is happening. Hough spoke about the improvements that have been made in those levels and what has contributed to the improvements. Hough said the Eugene-Springfield area just meets the new PM_{2.5} standard. Even though the old PM_{2.5} standard was met in Oakridge, additional reductions are necessary there in order to meet the newer, more protective, standard. He spoke about some of the measures that have been successful in reducing PM levels.

Ralston noted that there were big decreases in PM between about 1994 and 1999 but that it seems to have pretty much flattened out since then. He said he thinks the new standard is unreasonable and stated that Eugene-Springfield might be able to stay within the standard but Oakridge will have a hard time. He said he doesn't see what could be done to gain significant further reductions. Hough said the first phase of woodstove replacement in Oakridge was part of that early phase of significant reductions, but those reductions were not entirely due to woodstove replacements. The current wave of woodstove replacements in Oakridge has switched out about 60 units; and the Heat Smart program that is in the Oregon Legislature this session could potentially help further with that effort. Hough agreed with Ralston, that it will take a very aggressive effort to get the further reductions needed in Oakridge.

Patterson contended that the particulate problems in Oakridge are not entirely due to localized sources. He recognized that Oakridge has a problem with emissions from woodstoves; however, he reiterated his view that as long as this area is subject to temperature inversions, and to north/south wind patterns, Oakridge will be susceptible to pollutants coming into Lane County from population centers to the north of Lane County. Hough noted that, in the 1980s when some of the early strategies were being developed, there were some national maps of air pollution potential that showed peak areas, one of which was the south Willamette Valley and the interior valleys of southwest Oregon which stand out as areas of air stagnation in the winter months.

Monk agreed with Patterson's point about temperature inversions, adding that the federal government has established the standard, and it is LRAPA's legal obligation to be as creative as possible in finding ways to help Oakridge reduce their PM_{2.5} levels in a way which is respectful of the businesses operating there. He said he thinks the woodstove replacement program will have a larger effect than what is being seen now when it is fully mature. Monk added that Eugene is right at the edge of compliance, and he thinks there are a lot of small opportunities that, together, would enable LRAPA to get both Oakridge and the Eugene/Springfield areas into compliance and keep them there.

Carpenter asked if particulates from diesel emissions have been driven down by any kind of motor controls. Hough said the major benefits are not yet being seen from the tightened technology on new trucks starting with the 2007 model year, and he estimated that it will take 20 or more years of truck replacements to realize significant benefits from the new technology. He said the ultra low-sulfur diesel requirement that took effect in September of 2006, and LRAPA's efforts to get the fuel in earlier and get fleets to agree to use it before the September implementation date, as well as

encouraging use of biofuels, have a more immediate benefit. Hough referred to the reductions in CO levels that have been tied to cleaner fuels over the past twenty years and speculated that the current push to reduce diesel particulate levels will eventually rival that rate of improvement.

Stewart asked if the changes in requirements for sulfur in diesel fuel over the last twenty years, or so, have contributed to the reductions in PM, and Hough said they are helping. Hough added that when you look at the data for the four seasons of the year, the most dramatic improvement is during the winter, from home wood heating improvements. But all seasons have an improving trend, so all of those actions are helping. But Hough said he thinks the biggest improvements from diesel fuel are yet to come.

- (2) Ozone is a summertime problem which happens when strong sunlight and high temperatures react with pollutants (hydrocarbons and oxides of nitrogen emissions) in the air. The area has been within the standards, although there is not much margin of safety; and ozone, therefore, is a lower priority than PM_{2.5}. Hough said the standard is different now than it was in the mid-1980s, but when the 8-hour average from those years is calculated, it appears the area would have been slightly above the current 8-hour standard. Hough said strategies in place to reduce ozone have basically offset the effects of growth so that the area is still below the standard and just has a slightly improving trend, when there has been significant growth over that period of time. Hough added that there is some indication that EPA might reduce the ozone standard in future years. LRAPA has an ozone monitor at the Amazon site in southeast Eugene and another at Saginaw. The Saginaw site is the optimum distance for ozone formation downwind of the Eugene-Springfield urban area.

Johnson asked how much of Lane County's ozone might come from outside the county. Hough said it is thought to be significant. He said any ozone reduction strategies should be done on a regional basis for Western Oregon and Western Washington. LRAPA operated the Coburg monitoring site through the last few summers and would, on high ozone days, register levels similar to the Amazon site or the Saginaw site. The levels were consistently fairly high and reflected primarily air coming into this area from urban areas to the north.

Monk commented that DEQ is preparing the Portland and Salem ozone maintenance plans and that there is a growth allowance in those plans. DEQ is providing opportunities for public comment whenever DEQ decides to bump up that growth allowance. Monk said he thinks that LRAPA should make its position known, that it is obviously a regional issue and that what is done in Salem affects Lane County air quality. He said LRAPA should be talking to DEQ about their adjustments.

- (3) CO levels have responded well to cleaner vehicles and cleaner fuels, over time.

B. The next briefing was on the program operations section which includes permitting and enforcement & compliance. Hough described some activities to be taken on by the operations staff in the next year:

- (1) Industrial rules and air toxics rules. Hough said it looks as though the most effective, efficient way to achieve this is to adopt the DEQ rules by reference. That issue will be brought to the board in the future.

- (2) Emissions Inventory (EI). Staff is also in the early process of an updated industrial point source EI which will be combined with EI for area sources such as woodstoves.
- (3) Air Toxics. EPA puts out a National Scale Air Toxics Assessment, which is a model estimate of concentrations which is used to prioritize air toxics problems. The information in that report supports Monk's comment about benzene being ten times over the benchmark, which is verified by the data collected by LRAPA at the Amazon monitoring station. Benzene, Polycyclic Organic Matter (primarily from combustion), and diesel particulate matter have been identified as the three highest Oregon priorities, and they would also be Lane County priorities.
- (4) Implementation of Maximum Achievable Control Technology (MACT) rules for industrial sources. Federal MACT rules for all major sources have been adopted, and they need to be put into the permits. Those are to be fully implemented by October of 2008. In addition, EPA is under a court schedule to develop area source MACT, with completion for all area sources by June of 2009. Hough commented that this illustrates that some of the things that staff is already deeply immersed in are out there on a multiple-year schedule.

Ralston asked if that would require more monitoring by LRAPA or if the sources would be required to self-monitor. Hough said the sources need to demonstrate how they are complying with those rules, by the required dates.

- C. The next briefing concerned air monitoring. Hough explained some of the acronyms used in the background document for this item. SLAMS are State and Local Air Monitoring Stations. NAMS are National Air Monitoring Stations, of which there are only a few across the United States. SLAMS are the critical part of LRAPA's core network. There are also special-purpose monitors (SPMs), which are shorter-term and not part of the overall airshed strategy monitoring, such as the Baxter neighborhood sampling which LRAPA has done.

Responding to a question from Fortune during the earlier break, Hough said the way LRAPA gets the air monitoring information is that anything that is measured continuously, such as gaseous pollutants like CO or ozone or oxides of nitrogen, or the nephelometers that measure PM levels are acquired automatically. LRAPA's Data Acquisition System uses telephone lines, over which the computer contacts the monitoring stations and downloads the data. The information is then used to update LRAPA's records and the agency's website. Hough commented that a lot of that is fully automated, so that the information gets from the monitoring site to the agency and then to the website without having been processed by a person. The critical part of that is Quality Assurance, which LRAPA does very well. Hough said LRAPA and DEQ and, in fact, EPA Region 10 are considered outstanding in their QA programs. There is high confidence that the data is measured consistently and accurately.

Hough and staff member Tim Sawyer reviewed the locations LRAPA monitors for the three main pollutants of interest for Lane County. CO is measured at 11th & Willamette in Eugene. Ozone is measured at Amazon and Saginaw. PM₁₀ is measured at the Key Bank site in West Eugene (a SLAMS site), at the 11th & Willamette site in Eugene, and in Oakridge. Hough added that LRAPA is now relying on PM_{2.5} data since that is the basis for the new federal standard, and that it is monitored at Amazon and Oakridge and at Cottage Grove this time of year.

Fortune, referring to a chart depicting LRAPA's air monitoring for PM10, asked if the wording, "Maximum Population Exposure," was correct under the "Monitoring Objective" column, or if it should be "Maximum Concentration." He said the site where the monitor is located is not the maximum population concentration in the city. Sawyer explained that different sites monitor for different purposes. The Key Bank site in Eugene monitors for maximum concentration, whereas the Oakridge site monitors for maximum population exposure. Sawyer agreed that the site of the Oakridge monitor is not the area of maximum population but said there is a note at the end of the document that explained that LRAPA cannot always meet every criterion for every pollutant. Sometimes they just go for the best estimate between the two. Sawyer added that LRAPA has done saturation studies and found that the site is the maximum exposure location. Fortune reiterated his point that everyone is in agreement that the site is probably the highest concentration in town, but it is not an area of maximum population, and it should be re-labeled. Hough said staff needs to review that and determine if there is a better description category for that site.

Carpenter asked if there isn't a long approval process that EPA has to buy into before one of LRAPA's sites might be moved and still be an approved monitoring site to record information to show compliance. Sawyer said EPA leaves that to the locals to decide if the chosen site meets the criteria, but there are requirements which need to be met. In an instance like Oakridge, with an established site which records high concentrations, if the agency tried to re-site that equipment, it would be necessary to first get significant comparison data from the potential new site to confirm that the new site would accurately characterize compliance status.

Hough commented that Lane County, and Oregon, have been leaders in the use of nephelometers for measuring fine particulate. For wood smoke-type problems, nephelometers can provide real-time data to be used on the agency's website. Hough said it is amazing how well the nephelometer data correlates with the actual, official filter data for PM_{2.5}.

Hough also reviewed the locations of meteorological sites which the agency operates at different locations in the county. Patterson commented that when the ozone monitoring site was established at Saginaw there seemed to be a blank spot between Goshen and Oakridge. He said at one time there was consideration given to putting in a site to show the weather patterns going through the area. He said he has often wondered if perhaps some of the air quality problem in Oakridge is being brought in with the different wind patterns from urban areas on the valley floor, north of Eugene. He said he wondered about the possibility of establishing a met station somewhere in the Jasper-Lowell area around Highway 58, such as just under Dexter Dam, to show how winds travel through that area and up toward Oakridge. He said there is a substation in that location, owned by utilities, that might be accessible for a station which would in the right location to capture that data. Hough responded that Oakridge has had occasional wildfire smoke impacts; but during the winter months the concentrations in Oakridge will go very high during the dark hours and will generally drop to much lower levels during mid-day, confirming that the high PM levels come from local home wood heating. Hough asked staff if the agency has ever done ozone mobile monitoring to confirm that Saginaw is a reasonable location for ozone monitoring. Sawyer said there was an ozone study done in 1995 which confirmed that Saginaw is the right position for the ozone monitor. There is no real drainage or topography that would draw chemicals from the Eugene-Springfield urban area toward Oakridge. The emissions are directed toward Cottage Grove during the summertime, and Saginaw is the correct distance for the chemical transformations to create ozone.

- D. Public Affairs. The Public Affairs briefing segment included key projects the agency hopes to accomplish in the next few years, tied as well as possible to the goals document. The Public Affairs staff focuses its activities to complement the general priorities of the agency. The activities are broken into four areas: contacts with media; responding to issues; overall communications; and public education and different outreach supporting different programs.
- E. Special Projects. The briefing document for special projects was fairly long and included things that are not required of the agency but are done when supplemental funding becomes available to allow the agency to accomplish them.

Mandatory Vs. Optional. Hough said staff went through the goals and objectives and highlighted the activities that LRAPA is committed to do under its agreement with EPA for the 105 grant, which is the base grant received from EPA each year. He showed board members which goals are mandated and which are not. He said the things that are not mandated are generally the partnerships, special projects, and Airmetrics. Hough added that many of LRAPA's more resource-intensive core activities are mandated by federal Clean Air Act or state statutes or EPA national policies. Those activities would include such things as the air monitoring network, airshed strategy development, permitting, compliance, enforcement, and inspection programs. There may be some fine tuning that can be done on those activities, but they are mandated programs. Hough said it is important that the board recognize, early on, that there are certain core commitments that would be difficult to change, and the agency does not have a blank slate to plan strategic initiatives outside of those mandates.

Funding Considerations. Carpenter asked what percentage of the funding the agency receives goes to mandatory duties, and Hough he estimated said it would be about 90 percent. Mirhosseyni confirmed that estimate. The agency is currently doing some things that are not mandated, such as air toxics monitoring. Hough said that program is expensive, and staff has been scrambling to keep year-to-year funding for that because it is very important to have that continued baseline information. Hough explained further that the process for air toxics monitoring is accomplished using a stainless steel evacuated canister to collect a sample, and then shipping the canisters to another laboratory for analysis because the constituents of concern are in lower concentrations than those that are typically monitored, such as CO or ozone. The extensive laboratory chemical analysis is the most expensive part of air toxics monitoring.

Hough called attention to the relative percentages of the base budget which have been paid by the EPA federal base grant, local dues, and the state general fund. The agency's original budget (1968) shows federal base grant funding at 44 percent, state general fund at 19 percent, and local participant dues at 37 percent. That has changed over the years, with less on general funds and more on permit fees and other funds. The 1990 Clean Air Act mandated the Title V program for permitting of major sources, requiring an emission-based fee system adequate to operate that program. Those changes have reduced the local participant dues from 37 percent in 1968 to 15 percent in 2005. Special projects grants, and Airmetrics, have helped to reduce agency overhead and helped to reduce reliance on state and federal funding.

Carpenter asked how LRAPA's budget compares with DEQ's budget, with respect to permit fees vs. state and federal funding. Hough said it would be similar, except that in LRAPA's case there is a combination of local and state general fund dollars. He said when those two are added together, it would be a larger percentage than the state DEQ would have in state general funds, alone; however, LRAPA's piece of the state general fund is smaller than DEQ's. Hough said DEQ has also had a shift, over time, so that federal funds

provide a lower percentage than they did 30 years ago, and permit fees are contributing a bigger and bigger percentage.

A. Critical Issues

- (1) **PM_{2.5} Compliance.** Hough said funding challenges will include things such as compliance with the new PM_{2.5} standard. The new standard is so stringent, compared to the old standard, that just maintaining compliance in Eugene/Springfield will take some work. It would not be difficult for Cottage Grove or Springfield to get close to that more restrictive standard; therefore, maintenance of compliance with the standard must be emphasized throughout Lane County. Hough said LRAPA will need to change the Air Quality Index to reflect the new PM_{2.5} standard. That will affect the open burning advisories, and the home wood heating advisories. EPA is expected to provide guidance on that in February to provide national consistency, and LRAPA will wait to make formal changes until that guidance is given. Once that is done, the local home wood heating ordinances adopted by the cities of Eugene, Springfield, Oakridge and by Lane County will also need to be amended to reflect the new PM_{2.5} standard.

Hough then explained the process for compliance with the new standard. By December of 2007, the state will be required to make recommendations to EPA regarding which areas of the state will be out of compliance with the new standard, based on data from the three-year period of 2004 through 2006. EPA will make the final designations by December of 2009. Any areas of non-compliance would then have two more years to make progress toward compliance. If sufficient progress is made, those areas might avoid having to go through the process of developing a State Implementation Plan to achieve and maintain compliance. Any area which has been designated by EPA to be non-compliance would have to submit a plan by April of 2010 and would have to meet the standard two years later, though there are some provisions to extend that compliance date to as last as April of 2020, if necessary.

- (2) **Air Toxics.** Hough said another critical issue is to find funding to continue air toxics monitoring. Right now air toxics monitoring is on a one-in-twelve-day schedule, which is basically a skeleton monitoring in order to keep some continuity of data. It should be on a one-in-six-day schedule to have statistically reliable data. Hough said it is unusual to have the air toxics data base that LRAPA has, and that Eugene has the only air toxics monitoring site in the state, outside the Portland area. [Clarification note: EPA also funds a national rural background site operated by DEQ in LaGrande, Oregon.] LRAPA would also like to have a second site, or perhaps a second site that could be moved after a couple of years of monitoring in one location, to another location.

LRAPA also needs to adopt air toxics rules and implement Maximum Achievable Control Technology (MACT) into the industrial permits. LRAPA is not required to have an emissions inventory for Hazardous Air Pollutants but is probably the agency that would be best able to do that. It would be good to have that available so that it could be included in EPA's next National Scale Air Toxics Assessment which will be based on 2005 data; however, it is a resource issue for LRAPA.

- (3) **Lane County Funding for LRAPA.** Stewart received a telephone call at this point in the meeting and related to the board, after that call, that the federal government had announced that they have gotten a one-year extension of the bill for Secure Rural Schools, which is a critical part of Lane

County funding. He said the county should be able to pay the LRAPA dues for the next year and, potentially, further because the federal government is talking about funding at something like the first year at 100 percent, the second year at 90 percent, the third at 80 percent, and the fourth at 70 percent, and the fifth year at 60 percent, after which those funds would no longer be available at all. He said the proposal would give some assurance for the immediate future and would allow some time to put together a citizens group to look at how to address future funding for Lane County. Stewart said the county will still need to cut \$4-million from its budget, but he does not think it will affect the dues to LRAPA.

- (4) EPA Base Grant Funding. Hough said the EPA proposed last year to reduce state and local grants by 15 percent. The national groups of state and local air agencies submitted information regarding why that is not a good idea, and Congress ended up basically keeping the grants at 2006 levels. But the Administration has proposed a similar reduction for the 2008 year that will begin October 1 of 2007. Hough said that could affect LRAPA's budget for FY 2008/09, depending on what action Congress takes.
- (5) State General Fund. Hough spoke about the fact that the amount of state general funds in LRAPA's budget has shrunk over time, but LRAPA was invited by DEQ to integrate its needs into the DEQ budget which has been submitted to the current Legislative session. Hough said the Governor's recommended budget would restore LRAPA's general fund amount to what it was several years ago, if the Legislature approves the Governor's recommendation. For comparison, Hough said the \$45,000 in state funds in the current LRAPA budget is a single-digit percentage of the total budget, compared to the 19 percent represented in the 1968 budget. Hough said he is encouraged by the progress so far, but the end result will not be known until late in the Legislative session. Fortune commented that the federal government is thinking about developing additional more restrictive standards and requiring all areas to comply with those standard; but at the same time they are cutting funding for local agencies. In addition, DEQ has cut state funding for LRAPA over the years. He asked if LRAPA has any kind of response to that situation or any recourse regarding unfunded mandates. Hough responded that, as far as state funding is concerned, it is not DEQ that cuts LRAPA's funding. The amount of funding has to be approved by the Legislature as part of a budget package. He said LRAPA needs to make sure Lane County's legislative delegation understand the importance of these resource issues.

Monk commented that LRAPA needs to evaluate what is working well, and what is not working as well, and try to determine whether there are opportunities to reduce costs in some areas and transfer funds to others. He said once that assessment, and the strategic planning, are done, it might be possible to determine whether LRAPA is able to do all the mandatory work. Hough said that one change, over time, has been that there is more flexibility to target and shape the program according to where LRAPA's priorities are. Under the current budget structure, there are certain activities that are permit fee-related; and it might be difficult to use permit fee funds to invest in some other activity such as an area source category which the agency viewed as a priority. The bad part of state and federal funding is that the money comes with restraints as to how it can be used. Its use cannot be based on LRAPA's priorities, alone.

Mirhosseyni said he had looked to see what effect loss of or reduction of Lane County's contribution would have on LRAPA's budget. He explained that the local contributions, as well as permit fees and other fees, and state general fund, make up what EPA calls "maintenance of effort," which basically

means that they will match the amount of money you spend. EPA has mandated that LRAPA keep the local match at least 40 percent, or at the previous year's budget level—whichever is greatest—in order to receive the same base grant amount. If funding is lost from any other source, it must be made up in order to maintain even the current level of funding from EPA. Mirhosseyni repeated that mandated activities represent about 90 percent of the agency's budget, which leaves only about 10 percent of the funding with some flexibility of spending capability. Mirhosseyni said other options are to generate other funds, such as supplemental federal grants, or diversification with something like Airmetrics. Airmetrics has helped with budget issues in the past because it not only pays for itself, but also provides about 30 percent of LRAPA's overhead costs. It also provides funding for capital items which LRAPA would not otherwise be able to acquire. Regarding diversification, Mirhosseyni said that also requires hiring additional people to do the work.

Regarding Airmetrics, Hough agreed that the enterprise fund has been a good resource in the past, and LRAPA hopes it will help to rebuild the agency's reserve fund so that LRAPA can have the three to six months' reserve recommended by the auditor. He cautioned, however, that LRAPA cannot come to rely on that funding because, even though the sampler has been refined over time, it is a technology that is dated, and it might have seen its peak year last year, with 500 units sold. Mirhosseyni said breakeven is figured at 170 samplers sold per year. The sales are at about 300 so far for the current fiscal year which ends June 30. Hough said he wants to be sure LRAPA does not assume that Airmetrics will always bring in a profit. Carpenter asked if there is an R & D budget for Airmetrics, and Hough said there is about \$25,000 in the budget for fine-tuning and improving the existing sampler. Carpenter said Airmetrics has been a valuable resource in the past, and it sounds like the technology is getting dated. There should be more R & D money to develop newer-technology samplers. Mirhosseyni said staff has discussed that, and the next generation of the MiniVol would require resources at a level not available to Airmetrics.

Monk asked if LRAPA is going to be able to complete the emissions inventory by the 2007 deadline, and Lopez said it is a challenge but staff is trying to do that. Monk asked about the staff member who was recently hired to do EI. Lopez said Cory Fulton is working full time on a temporary basis. Monk commented that EI has been a priority for a long time, and the lack of funding has caused it to be delayed. He asked if there couldn't have been some additional funds put into this effort before now, to accomplish it earlier. Johnson said he knows that EI serves as a cornerstone in an air quality program and that, with the current position being a temporary 12-month position, he sees securing funding to make this a permanent position as a priority. Hough said the governor-recommended budget for state general fund money includes funding for EI.

Johnson said the documents provided to the board as background information for this strategic planning discussion do not help him much, because he does not know how much each activity costs or how much money is coming from different sources. The pie charts indicating revenue sources show percentages of the total but not actual dollar amounts. He said it is unclear how a priority set by the board would be funded. Monk said he agreed with Johnson, that funding is an important part of determining priorities. He said he does not like the idea of setting a priority and having staff come back the next year and say they couldn't do it because there was no funding. He said if there is no chance of getting the funding, he would rather know that up-front. Hough said there were two messages he wanted to communicate at this meeting. One was to be sure that everyone recognizes that LRAPA does not have a blank sheet of paper, that there are certain sideboards on some of the funding the agency receives. On the other hand, if there are clear priorities, current lack of funding should not discourage those. He said

he wants to identify the priorities and then see what is necessary to accomplish them, as far as shifting funding or getting additional funding. Taylor said she agreed with Hough's point of view, that the priorities and goals should be set without thinking about funding. She said determination of whatever the board would like the agency to do should not be constrained at the initial stages by how much funding might be available. Hough suggested that the board level discussion shape the priorities, and then staff can work through whatever tactical plans or operational plans are needed to try to achieve those priorities. He said if the board worries too much about funding at the front end, it will bog down the overall effort of seeing further down the road.

B. Emerging Issues. There are some things which are not as critical but will involve LRAPA.

- (1) Regional haze and the concept of Best Available Retrofit Technology (BART) on some of the largest industrial sources. DEQ has been working on this with other Western states and looking at the largest industrial sources. Weyerhaeuser is one out of seven in Oregon, and LRAPA will have to go to the next level of analysis for that. He said the regional haze goal is to get down to natural conditions in Class I wilderness areas and national parks by the year 2064, and there is supposed to be a uniform rate of progress between now and then.

Fortune asked if they are making a distinction between regional haze and smog. Lopez said they are not the same thing, that regional haze has to do with particulate as well as ozone.

- (2) Ozone. Lane County has a small margin of safety with the current standard, but EPA and its Clean Air Scientific Advisory Committee are discussing alternative standards. LRAPA needs to do emissions inventories for ozone precursors (Volatile Organic Compounds and Oxides of Nitrogen). If a new standard is tightened, that will probably mean a new strategy for LRAPA to develop and implement to reach that standard. Hough said it would take several years to fully address all the steps in that process if the new standard would trigger non-attainment for Eugene/Springfield. Because of the nature of ozone, it would affect Portland, Salem, Eugene and Medford, and probably Seattle, Tacoma, Olympia and Vancouver.

Stewart commented that, in dealing with the issue of reducing emissions of PM and ozone, he would like to try find ways to encourage people to change their ways through incentive programs, rather than just regulating them. For instance, with benzene, Stewart asked if it would be possible to keep an eye out for programs that might have worked in other areas that could be implemented here to encourage people to cooperate to improve the air quality. He gave the example of the first director of LRAPA who, in trying to deal with the wigwam burners that burned woodwaste from wood products industries, did some research and got the Kingsford briquette manufacturing plant to locate in Springfield and use that woodwaste to make its product. Stewart said that, instead of fining people for open burning of yard debris or land clearing debris, or charging them very high fees to burn it, he would like to see this agency encourage a cooperative effort to use that material in a biomass program, taking advantage of some of the federal funding that is currently available for biomass programs. Stewart said he would like to see staff pursue those types of partnerships to resolve air quality problems, adding that the agency has been very successful in the past in getting grant money. He also said he would like to find a way to utilize the waste that is now going into Short Mountain in some kind of biomass production, rather than just building a mountain with that material. Johnson said he agreed with Stewart and that he has thought about getting a grant to buy a chipper and having some sort of organization take the chipper to

properties where the material is located and chip the piles. But he also knows what it would cost to do that and keeps coming back to the funding question.

Monk said that, along that line, DEQ is working on a regional approach to their air toxics program. He said they plan to make their way around the state, essentially convening stakeholder groups to determine what the more critical air quality issues are and explore opportunities to address them. Monk said he wondered if LRAPA has the funding or staff to start a similar process in Lane County, inviting the stakeholder groups to discuss what the critical air quality issues are, based on LRAPA's data and analysis, and what could be done about those issues.

Hough said he believes that would be a natural part of the process of developing air toxics rules for Lane County. He asked staff member Max Hueftle, who has worked with DEQ on its air toxics rules, to comment further. Hueftle said that DEQ worked with local transportation representatives and did a detailed emissions inventory of mobile sources and stationary sources so that they would potentially have all emissions in that demographic area to use in developing air toxics rules. Hueftle said LRAPA would need to do something like that. Monk asked if it would be appropriate to convene a stakeholder group once that emissions inventory was complete. Lopez suggested, and Hueftle confirmed, that DEQ received grant funds to help with that effort for the Portland area.

Carpenter said that, in looking at long-term planning, the board needs to look at getting the most benefit for the most people, from a health standpoint, and balance that with the equitable needs of a viable economic community. He said everyone is concerned about Oakridge possibly exceeding the PM2.5 standard; but he said that is only about fifty families, totaling about four people per household, or 200 people, out of 250,000 in Lane County. He said when you look at the 10 percent discretionary funding, he thinks that should be used for projects that will benefit the most people, such as reducing benzene in downtown Eugene, affecting 50,000 people. Carpenter said we have the federal standard, and we know there is potential for Oakridge to exceed that standard; however, if it is only a small cluster of people, LRAPA should not throw \$150,000 at, maybe, 200 people when that same amount of money might get equivalent health benefits for 15,000 to 20,000 people if used elsewhere. He said he does not know if the LRAPA board should have this inherent fear that Oakridge might someday be in non-attainment of the standard if the number of people who will be affected is so small. The board needs to be sure it prioritizes the use of valuable resources in a way that provides health benefits for the most people possible.

Monk said he has often thought that just meeting the federal standards is not fully protective of public health. In fact, he said, many studies show that any exposure to particulate matter is unhealthy for healthy individuals. He said he would like to see LRAPA keep particulate levels below 30 micrograms as opposed to the 35 microgram daily standard. He pointed out that some of the individuals on the EPA's own advisory group thought that the standard should come down farther than the 35 micrograms they ultimately agreed upon. Ralston said that is a great idea in principle, but he would not be willing to mandate that because he thinks it would be unreasonable. He said he thinks that many businesses, if they have an opportunity and the technology to improve air quality by reducing their emissions, will do so. Johnson agreed with that, stating that if people know what can be done and how they can do their business better, they will be willing to do that. He said LRAPA's approach should be one of communicating that information and using creative incentives to help bridge the gap between what people are doing now and how they can get to where that better practice is without LRAPA having to mandate that better practice.

Ralston asked how much money is normally collected in permit fees, and Hough said it would be in the area of \$500,000+. Ralston then asked if those are increased periodically. Hough said the Title V permit fees are automatically adjusted according to the annual Consumer Price Index. He said there is a proposal at the Legislature now to increase those fees because they have not been keeping up fully with the costs of doing the program. The request is for an increase of 24 percent. Because LRAPA's Title V program operates under DEQ's rules and fee schedule, LRAPA will also charge the same fees. LRAPA has its own rules and fee schedule for Air Contaminant Discharge Permits, and those fees increase on July 1 of each year by 4 percent. Asbestos fees also increase annually by 4 percent. Monk asked if open burning permit fees also increase, and staff said that they do not currently increase, and it is not yet known whether an automatic annual increase will be included in the rule revisions which are currently in process. Ralston said LRAPA cannot just raise its fees to very high levels without being unresponsive to citizen needs.

Hough told the board that LRAPA's ACDP fee schedule, which is now independent of DEQ's, will likely change in the near future, because LRAPA is planning to adopt DEQ's streamlined permitting rules. DEQ is in the process of adopting a second wave of permit streamlining rules, and LRAPA's goal is to adopt both waves in one action. He said he expects LRAPA fee structure to be closely aligned with DEQ's once that happens. Patterson said the permit fees should be reasonable to pay for the program to keep industries informed of rules with which they'll need to comply, but should not be raised higher than is necessary. If it is necessary to raise the fees, it should be explained that it is needed because of the higher cost of labor, equipment, materials, etc. Hough pointed out that permit fees were not included as a critical issue in the briefing document. Staff is much more concerned about the county's budget situation and about the 15 percent cut and the increasing stringency of the match requirements for EPA funding.

Suggested Advisory Committee Projects for the Board. One of the things the board wanted to do was to identify some issues for the advisory committee to work on for the board and provide their comments or recommendations. During its discussion, several items were suggested by board members for referral to the committee:

- (1) Asthma. Carpenter said he had heard that Lane County has a higher incidence of asthma, per capita, than anywhere else in the state, and he wondered if that would be a good issue for the advisory committee to study, to see whether that is true and whether it is an emerging trend, as well as how much higher the incidence in Lane County is than the rest of the state. Fortune said he would question how much of the asthma problem is a result of toxic emissions in the air vs. pollen. Ralston said he would like the cause of the high rate identified, because if it is from allergies to grass and pollen there would not be much LRAPA could do about that. Stewart speculated that most of the people who move here from California have problems with it. He said he started out without allergies but, over time, has developed allergies to grass pollen. Fortune said he grew up with allergies but outgrew them. Carpenter argued that allergies are one thing, and asthma is another. Johnson acknowledged that but said that allergies can trigger asthma. The damage to the lungs might be from something else, but the pollen might trigger a reaction.
- (2) Air Toxics Rules. Monk suggested that the advisory committee be asked to look at air toxics rule development. LRAPA needs to adopt the federal rules and then will need to implement them in permit requirements.

- (3) Most Significant Air Quality Issues. Monk suggested that the advisory committee could do an assessment of what are the most significant air quality issues, in terms of public health, for the largest number of people in Lane County, and what can be done about them.
- (4) Federally Mandated Programs. Monk suggested an assessment of the federal programs that LRAPA is mandated to implement and whether they are sufficiently addressing the problems. If not, he suggested looking again at the possibility of an automobile Inspection/Maintenance program. He said DEQ has just laid off 30 people from its I/M program because they have found that the computer chips have become very efficient in assessing emissions. The program is very mature and well designed, and Monk said he does not see why LRAPA should not think about having such a program as a long-term goal, say five years out.

Miscellaneous. Patterson told the board that both he and Koenig had gone to the open house for Cascade Sierra Solutions in Coburg and that it is very impressive. He encouraged any board member who has the time to visit the site and see how far the modern trucking industry has come toward reducing emissions and conserving energy. Hough said the work being done with diesel trucking overlaps with PM_{2.5}, ozone, and air toxics and should be helpful with all of those issues.

Koenig said he would like to make one of the long-range goals getting LRAPA into better quarters. He said he was appalled when he first came to the office and saw how cramped the conditions are.

During the strategic planning discussion, Kim Metzler wrote down ten major points, as follows:

- A. Incentive programs—biomass
 - B. Regional air toxics priorities—stakeholders and asthma causes—advisory committee
 - C. Assess funding priorities—mandates/optional
 - D. Rulemaking—advisory committee
 - E. Expansion of office facilities
 - F. Long-term funding of EI position
 - G. Use Health as top criterion—maximize population benefit
 - H. How far out is “long-term”?
 - I. Air quality standards—long-term goal to go beyond standard
 - J. Assess top concerns—populations benefits—advisory committee
11. ADJOURNMENT: Hough announced that the April, May and June board meetings would be held in the Library Meeting Room of the Springfield City Hall. The room has been reserved to accommodate meetings which start at 11:00 a.m. and run until 3:00 p.m. The April and May meeting dates will include both board and budget committee meetings, and the June meeting will include the strategic planning meeting with Stan

Biles to bring together all of the information the board has discussed to that point, as well as the advisory committee's comments and recommendations.

Dinteman noted that the first Thursday of July is the 5th and asked if board members wanted to keep that date or change to a different day because of the Fourth of July holiday. Stewart asked her to e-mail board members and ask for their preferences. [*The subsequent e-mail exchange resulted in the date being moved to the following Thursday, July 12. That meeting will be back in the LRAPA meeting room.*]

The meeting adjourned at 2:34 p.m. The next regular meeting of the LRAPA Board of Directors is scheduled for Thursday, April 5, 2007. A meeting of the LRAPA Budget Committee will begin at 11:00 a.m., followed by the Board of Directors Meeting, which is scheduled to run until approximately 3:00 p.m. Because the LRAPA Meeting Room is not large enough to comfortably accommodate the entire LRAPA Budget Committee, the meeting will be held in the Library Meeting Room at the Springfield City Hall, 225 5th Street, Springfield, Oregon.

Respectfully submitted,

Merrie Dinteman
Recording Secretary