

AGENDA



LRAPA
Lane Regional Air Protection Agency

LANE REGIONAL AIR PROTECTION AGENCY
SPECIAL MEETING OF DIRECTORS MEETING
FRIDAY OCTOBER 9, 2020
1:00 P.M.

Note Location → VIA ZOOM

(Note: Start times for agenda items are approximate.)

1. (1:00 p.m.) CALL TO ORDER
2. (1:00 p.m.) ADJUSTMENTS TO AGENDA
3. (1:05 p.m.) PUBLIC PARTICIPATION (time limited to three minutes per speaker)

A. Comments on an Item on Today's Agenda

- B. Comments on a Topic Not Included on Today's Agenda** (Note: This is an opportunity for the public to bring up unscheduled items. The board may not act at this time but, if it deems necessary, place such items on future agendas. Issues brought up under this agenda item are to be limited to three minutes' speaking time by the person raising the issue. If additional time is necessary, the item may be placed on a future agenda.)

DISCUSSION AND ACTION ITEM:

4. (1:10 p.m.) Consent Calendar
 - A. Proposed order granting temporary variances from certain asbestos requirements for cleanup activities on properties burned by the 2020 wildfires. [View Material](#)

Related materials: Oct. 9, 2020, Special Meeting - Relating to Debris Removal Recovery from 2020 Oregon Wildfires Memorandum. [View Material](#)

11. (1:50 p.m.) Adjournment

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MINUTES
LANE REGIONAL AIR PROTECTION AGENCY
SPECIAL BOARD MEETING

October 9, 2020

VIA - ZOOM

ATTENDANCE:

Board: Joe Pishioneri – Board Chair - Springfield; Kathy Holston – Vice Chair - Oakridge; Jeannine Parisi - Eugene; Gabrielle Guidero – Springfield; Joe Berney – Lane County; Mysti Frost – Eugene; Saxion – Eugene; Mike Fleck - Cottage Grove

Absent: Betty Taylor – Eugene

Others: Kristina Kraaz - Assistant City Attorney, City of Springfield; Evelina Davidova – LRAPA CAC Member

Staff: Merlyn Hough; Debby Wineinger; Max Hueftle; Robbye Robertson; Colleen Wagstaff; Travis Knudsen; Beth Erickson; Katie Eagleson

1. **OPENING:** Pishioneri called the meeting to order at 1:05 p.m.
2. **ADJUSTMENTS TO AGENDA:** None
3. **PUBLIC PARTIPATION:** None
4. **DISCUSSION AND ACTION ITEM:**

Proposed order granting temporary variances from certain asbestos requirements for cleanup activities on properties burned by the 2020 wildfires.

Parisi asked if the restriction on four or more includes mobile home parks. Robbye Robinson commented that it does not apply to mobile home parks or apartment buildings. **Holston** asked if there were any special provisions for mobile home parks. There are several in the area. Robbye

Robinson said they are considered commercial. **Parisi** said then the park owner could contract the work, but the owners of mobile homes would not be able to do their own clean-up. Robbye Robinson said that was correct. **Parisi** said that it might be good to be sure that is understood with the public outreach. **Pishioneri** strongly suggested public outreach questions/concerns be directed to the FEMA teams because LRAPA is not the lead agency with this. **Hough** added that if you look at the flowchart that was provided yesterday, that is part of the prioritization.

Holston asked if FEMA had plans for a check off list, or will it be possible for people to just pile it on the property and leave it there forever? She did not want the environment to be in jeopardy, so she thinks it is the Board's responsibility to ask these questions. **Pishioneri** thinks that would just come back to haunt the people who try that. There are laws, and we really need to recommend that folks take the FEMA route. **Holston** asked what are the checks and balances that it is done correctly. **Pishioneri** said he was sure there would be inspections. **Holston** asked if that was a guess? That is a question she would like an answer to, if the Board is to sign off on this. **Pishioneri** said we are just saying yes to allowing them to follow DEQ rules and we are not giving them permission to do anything. **Holston** said she knew that, but she has a question and would like an answer. She asked Hough if it was possible to get an answer? She knows FEMA will make sure it is done, but she did not know if an individual property owner would make sure it is done. **Hough** said there is a two-fold reason why we ask people to go with FEMA. One is financial, the other is health and safety. That is the part he thinks Holston is emphasizing here. As far as the statutes read, they give homeowners more flexibility to do work on their own home that they are residing in. The clean-ups need to be done correctly or there are going to be consequences. **Holston** said she understands all of this. Her question is if they do it on their own, will someone come by and be sure that it is done correctly? Kristina Kraaz said she thinks that may come down to Lane County code enforcement. Same as if property owners stockpile trash or other materials that could be detrimental to the environment. She imagines this would be a higher priority for code enforcement from the normal things you would see. That would be legally where the main enforcement lies. **Holston** said she is really concerned about the asbestos. We are asking to give a waiver so people can work on this even if it has asbestos in it and they will be warned the material cannot be left there. What follow-up will there be to be sure the asbestos, not the other things, will be taken care of. **Hough** said LRAPA would be able to follow-up on exposed piles of asbestos material. **Holston** said she still did not feel like she got a good answer.

Berney said there have already been questions raised we don't have answers to. One of the key things to remember is the audience of any statements are the victims of this situation. We really cannot sign off on anything that we do not have answers for. He was not aware that manufactured homes were not included in this as written. It was the park owners that have to deal with it. He knows this a rush, but we really need to be clear with the statement. As we direct people to the right place, we need to provide an explanation and it should be linked to the part of the site that contains the issue. In response to the comments about it needs to be Lane County Code Enforcement, that should happen prior, so we know what the follow-up is and should be.

Fleck said he was surprised this has become an issue. It seems like a straightforward proposal to him. If we are going to abate asbestos in any situation typically, they are going to be hiring someone who knows what they are doing. This is a step that is going to allow people with some guidance to do it themselves. He doesn't know how this is much different than normal times. If

someone goes outside the rules in normal times, they get fined, it is either complaint driven, or compliance discovers it. He is not following the concerns; he is not seeing it as nothing other than allowing folks to save money by doing it themselves.

Pishioneri said this order is just aligning LRAPA up with DEQ. It is not changing process or enforcement. This is a simple process, and he thinks they are way into the “what ifs”.

Guidero said this is the perfect case of allowing government to get out of the way and neighbors helping neighbors. **Holston** said she is not trying to say people should not be able to clean their properties, but she is very aware that the County does not enforce codes outside the metro areas. It is a chore for people in rural areas to turn these things in. She is not saying that this is going to happen but falling back on the codes and enforcement is naive. If a homeowner does the work there is no follow through and codes may or may not be enforced. She is going to vote for it. But we need to be aware of the fact that we might be creating problems down the road that we could have addressed now.

Parisi agrees with **Holston**'s concerns. Is there a way we can relay our concerns to the team management? Is there some way to check folks who have not got their right of entry form that go through FEMA? Is it the County who is collecting those? There is a very short window of time that these need to be filled out. EWEB is going to be working with people who move waste away from the rivers and they are going to have a private contractor do the work. She is not sure what the solution is, but there should be one. **Berney** said when we are done with this discussion we need to formulate a priorities request from the County. He is asking staff to put this in a coherent statement and send it to him and all other members. He will then forward to the right people.

Frost wanted to know if there were any training or courses folks could take on how to handle asbestos material.

Pishioneri said that when people take asbestos to Short Mountain for disposal, they are given a receipt. That could serve as proof that it was disposed of properly. But he thinks we need to be encouraging people to go through FEMA as the cost of removal and having disposed will be covered.

MOTION: Fleck MOVED to approve the proposed temporary variance; Parisi SECONDED THE MOTION. VOTE ON MOTION: UNANIMOUS

The meeting adjourned at 1:42 p.m.

Respectfully submitted,

Debby Wineinger
Recording Secretary