



**LRAPA BOARD OF DIRECTORS  
AGENDA ITEM SUMMARY**

**Director's Report for September 2021**

**Meeting Date: October 14, 2021**  
**Department: Director's Office**  
**www.lrapa.org**

**Agenda Item No. 8**  
**Staff Contact: Steven A. Dietrich**  
**Contact Telephone: 541-736-1056 x 216**

**AIR QUALITY: 09/01/2021 to 09/30/2021**

**September**

Site	Date	Max AQI	Pollutant
Eug/Spfld	4-Sep-21	113	PM
Oak	7-Sep-21	205	PM
CottGrv	7-Sep-21	124	PM

AQI	Eug/Spfld	Oak	CottGrv	Range
Good	22	17	24	0-50
Moderate	6	5	5	51-100
USG	2	1	1	101-150
Unhealthy	0	6	0	151-200
Very Unhealthy	0	1	0	201-300
Hazardous	0	0	0	201-300

***Attachment No. 1: Air quality index charts for Eugene/Springfield (September 2021)***

***Attachment No. 2: Air quality index charts for Oakridge (September 2021)***

***Attachment No. 3: Air quality index charts for Cottage Grove (September 2021)***

**COMPLAINTS: 09/01/2021 to 09/30/2021 [TOTAL: 42]**

- Smoke** – 12 total smoke complaints: 7 for outdoor burning; 2 for home wood heating; 2 for wildfire smoke and 1 for agricultural burning.
- Industry** – 16 total complaints: 12 for International Paper; 2 for JH Baxter; 1 for Murphy Plywood and 1 for Andreason Crematory.
- Miscellaneous/Unknown/Dust** – 14 total miscellaneous complaints: 4 for fugitive dust; 1 for general air quality; 2 for asbestos; and 7 for unknown odors.

For perspective, here is how the total number of complaints received for calendar year 2021 compares to previous years:

Year	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	*2021
Fugitive Dust	33	44	30	14	25	32	25	26	15	17	26
Ag/Field Burning	13	1	17	4	12	9	1	0	6	2	6
General Air Quality	6	6	26	30	15	20	14	6	12	4	8
Home Wood Heating	135	95	219	121	342	130	197	126	128	74	37
Industry	169	128	122	127	52	58	74	50	170	100	258
Outdoor Burning	341	268	321	279	251	266	281	351	402	423	178
Slash Burning	16	7	5	7	11	26	13	24	16	12	10
Miscellaneous	101	79	52	57	85	164	138	66	67	59	37
Unknown	25	17	14	35	46	56	63	29	39	74	45
<b>Total</b>	<b>839</b>	<b>645</b>	<b>645</b>	<b>806</b>	<b>839</b>	<b>761</b>	<b>806</b>	<b>678</b>	<b>855</b>	<b>765</b>	<b>605</b>

\* Year-to-date.

**ENFORCEMENT: 09/01/2021 to 09/30/2021**

Category of Violation	New	Follow-Up Action	Pending	Closed	Total
Asbestos	-	-	-	-	-
Industrial	-	-	2	1	3
Outdoor Burning	1	-	-	1	2
Fugitive Dust	-	-	-	-	-
Home Wood Heating	-	-	-	-	-
<b>Totals</b>	<b>1</b>	<b>-</b>	<b>2</b>	<b>2</b>	<b>5</b>

**Attachment No. 4: Enforcement activities during these reporting periods for case details. For a perspective of the total number of enforcement actions for calendar year 2021 compared to previous years, this table is located on the last page of Attachment No. 4 on the last page.**

**OUTDOOR BURNING LETTER PERMITS: 09/01/2021 to 09/30/2021**

There was one Outdoor Burning Letter Permit (OBLP) issued in September to Rivers 2 Ridges Partnership for wetlands burning in multiple locations in Lane County.

**ASBESTOS ABATEMENT: 09/01/2021 to 09/30/2021**

During September, LRAPA received 40 notices of asbestos removal projects, 1 of which was for Lowell School District..

**For perspective, here is how the total number of asbestos abatement notices filed, how many were schools and the number of notices inspected for calendar year 2021 compares to previous years:**

Year	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	*2021
<b>Total Asbestos Abatement Notices</b>	357	324	351	352	426	444	543	428	488	439	323
<b>School Asbestos Abatement Notices (NESHAP)</b>	61	53	24	21	24	27	28	24	16	25	19
<b>Number of Asbestos Abatements Inspected</b>	106	90	96	67	89	82	120	77	94	93	87

\* Year-to-date.

**PERMITTING (TITLE V AND ACDP): 01/01/2021 to 08/31/2021**

LRAPA currently permits 14 Title V sources and approximately 275 Air Contaminant Discharge Permit (ACDP) sources. Below are the total numbers of permit activities that are new, renewals, modifications, construction approvals, registration applications, terminated and/or total issued permits the Operations staff currently have in process.

Category of Permit Activity	Title V	ACDP	Registration	Total Active
<b>New</b>	-	3	-	3
<b>Renewals</b>	8	27	-	35
<b>Modifications</b>	2	1	-	3
<b>Constructions</b>	-	-	-	-
<b>Registrations</b>	-	-	-	-
<b>Terminated Permits</b>	-	-	-	-
<b>Total Issued Permits Year-to-date</b>	7	35	-	42

## UPDATE ON SOME NATIONAL ISSUES OF LRAPA INTEREST

The National Association of Clean Air Agencies (NACAA, the organization of state and local air directors) publishes an information packed Washington Update every Friday. Here are the weekly highlights from recent weeks.

### **Week of September 18-24, 2021**

See: <https://www.4cleanair.org/wp-content/uploads/WashingtonUpdate-2021-09-24.pdf>

- South Coast AQMD Publishes Air Sensors Guidebook

### **Week of September 25-October 1, 2021**

See: <https://www.4cleanair.org/wp-content/uploads/WashingtonUpdate-2021-10-01.pdf>

- EPA Reinstates 2015 Policy on Startup, Shutdown and Malfunction SIP Provisions
- Nebraska and Lane Regional, OR Air Directors Named as NACAA Agriculture Committee Co-Chairs

## PUBLIC INFORMATION – Travis Knudsen

### **On-Going**

#### ***Smoke management and wildfire efforts***

September was the month Lane County transitioned out of Wildfire Season. Heavy rain on the third week of the month dramatically reduced wildfire activity in the Cascades and across the Pacific Northwest. This smoke production reduction unofficially ended the wildfire season. LRAPA public affairs remained engaged and was an active participant on the daily Middle Fork Complex Cooperator meetings through August and into September. These meetings concluded September 22<sup>nd</sup>.

#### ***Public outreach efforts***

September was a productive month for information sharing and outreach. LRAPA remains engaged with interested community members and advocacy groups on industrial facilities in Lane County.

In early September LRAPA hosted an informational community meeting on Seneca Sustainable Energy, LLC's (SSE) cogeneration-plant off HWY 99. This information sharing session presented information gathered during the Cleaner Air Oregon (CAO) process. It shared the preliminary Risk Assessment (which was low) and prompted the community to review exposure categories to improve the accuracy of the Risk Assessment. The potential health risk from SSE was low enough that community engagement was not required by CAO rules, however due to the public's interest in the facility LRAPA hosted a meeting anyway.

LRAPA remains engaged with interested community members on J.H. Baxter's progress through Cleaner Air Oregon. LRAPA staff presented at a meeting in September detailing the facility's progress through the program, outlining the steps and measure LRAPA is taking to assure an accurate and complete Emissions Inventory.

Public affairs time and effort remains devoted to a collaborative effort between the Oregon Department of Environmental Quality (DEQ), Oregon Health Authority (OHA), City of Eugene, and Oregon State University (OSU) to create an ArcGIS "Storymap" of the regulatory coordination and actions surrounding J.H. Baxter in west

Eugene. The intent of this storymap is to provide the public with a resource depicting the historical narrative of the facility, community concerns, and regulatory actions. LRAPA's a large contributor to the development of this storymap and is tasked with generating content (informational images and graphics) and implementing them into the storymap.

**Other notable details**

LRAPA intends to redesign the agency's webpage to improve the intuitive use and ease of access to information. LRAPA has meet with potential vendors and received proposals for a website redesign. The Citizen Advisory Committee has been asked to evaluate the website and highlight improvements to be implemented in a new site. LRAPA's next step is to choose a vendor and begin the process which is expected to take between 6-9 months.

**Public Meetings**

In September, public affairs participated in two community meetings:

- SSE informational meeting – Wednesday September 8<sup>th</sup>, 2021
  - Shared SSE's Risk Assessment and requested community review and feedback.
  - Answered specific questions the facility and Cleaner Air Oregon
- J.H. Baxter Community Core Team – Tuesday September 7<sup>th</sup>, 2021
  - Presented J.H. Baxter's progress through CAO.
  - Answered questions and addressed concerns.

**Media Contacts**

DATE	MEDIA	PERSON	TOPIC
9/3/2021	KVAL	Angelina Dixson	Poor air quality
9/3/2021	Eugene Weekly	Taylor Perse	Poor air quality
9/3/2021	KLCC	Rachael McDonald	Poor air quality
9/7/2021	KEZI	Chris Lindsay	Poor air quality
9/8/2021	RG	Adam Duvernay	SSE in CAO
9/9/2021	RG	Adam Duvernay	SSE in CAO
9/10/2021	KLCC	Brian Bull	Lane County/Oakridge Air Quality
9/18/2021	KVAL/KMTR	Olivia Young	Rain, Wildfires, & Air Quality

**Press Releases**

9/3	Air Quality Advisory issued for Lane County through late Saturday due to wildfire smoke impacting parts of the region.
9/29	Fire season delays opening of the fall outdoor burning until Friday, October 15th, 2021.

## UPCOMING LRAPA BOARD AGENDA ITEMS

This schedule outline is a preview of upcoming agenda items, and we will update it as the time frames for additional issues become firmer.

### September 2021:

- ~~Review 2021 Legislative Session and state general fund decisions.~~
- ~~Reminder about local dues request to IGA partners for FY2023.~~  
South Coast Releases Results of Comprehensive Air Toxics Study
- ~~2020 Wildfire Variance Extension~~

### October 2021:

- Dashboard update and priorities review.
- Status report on Oakridge Air Program.
- November meeting date change from 11/11/2021 to 11/17/2021.
- 2021 Wildfire Cleanup Rule
- Six-Month Review of Accomplishments & Goals

### November 2021:

- Approve local dues request to IGA partners for FY2023.
- Status report on Oakridge Air Program.

December 2021: No meeting.

### January 2022:

- Preview upcoming appointments on board and committees.
- Status report on Oakridge Air Program.
- Review multi-year budget forecast for FY2022-2026.
- Auditor report for FY2021

### February 2022:

- Elect board chair and vice-chair.
- Appoint new budget committee members and budget officer.
- Status report on Oakridge Air Project
- Review multi-year budget forecast for FY2022-2026

### March 2022:

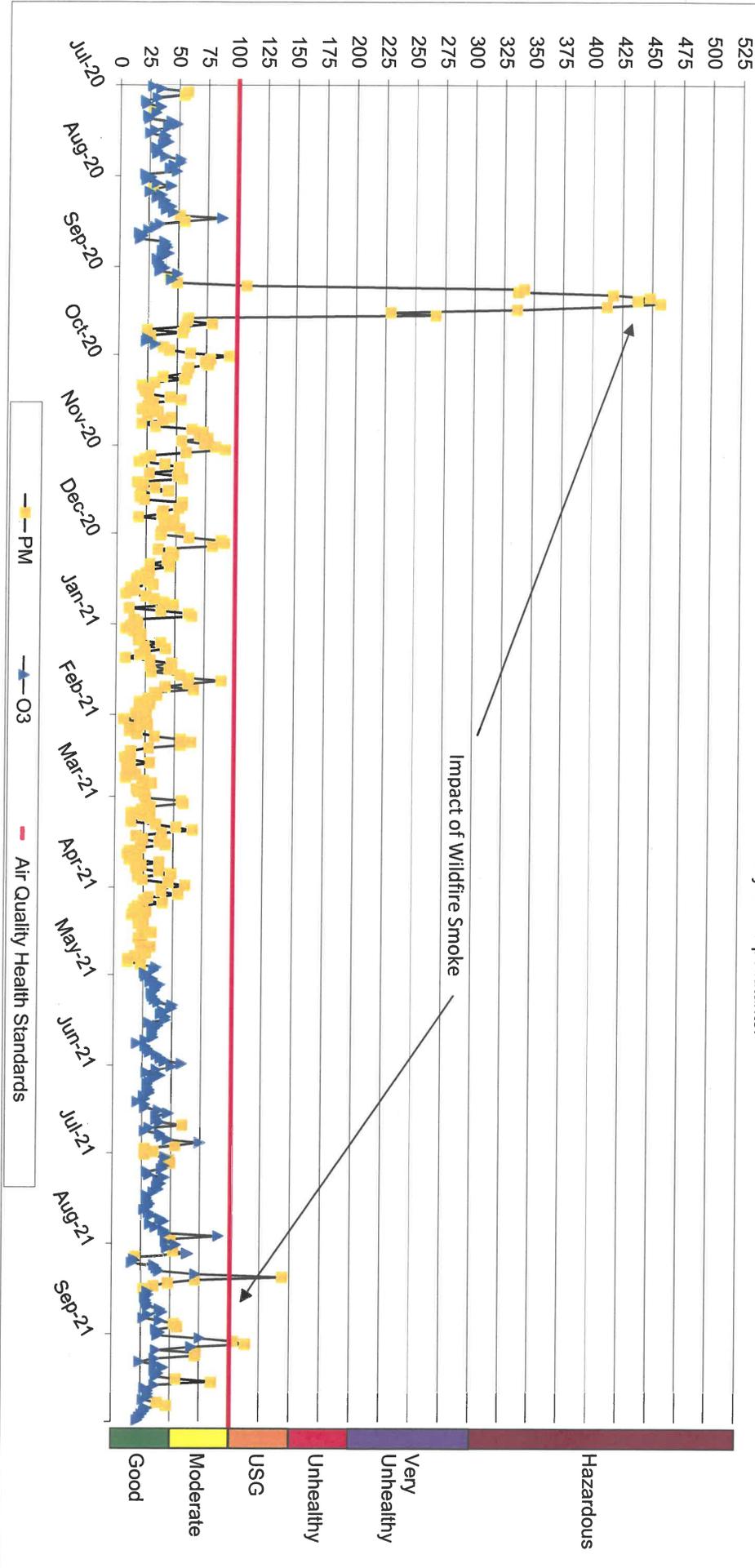
- First budget meeting on proposed budget for FY2023 (July 2022 – June 2023).

### April 2022:

- Second budget meeting on proposed budget for FY2022.
- Status report on Oakridge Air Project.
- Dashboard update.

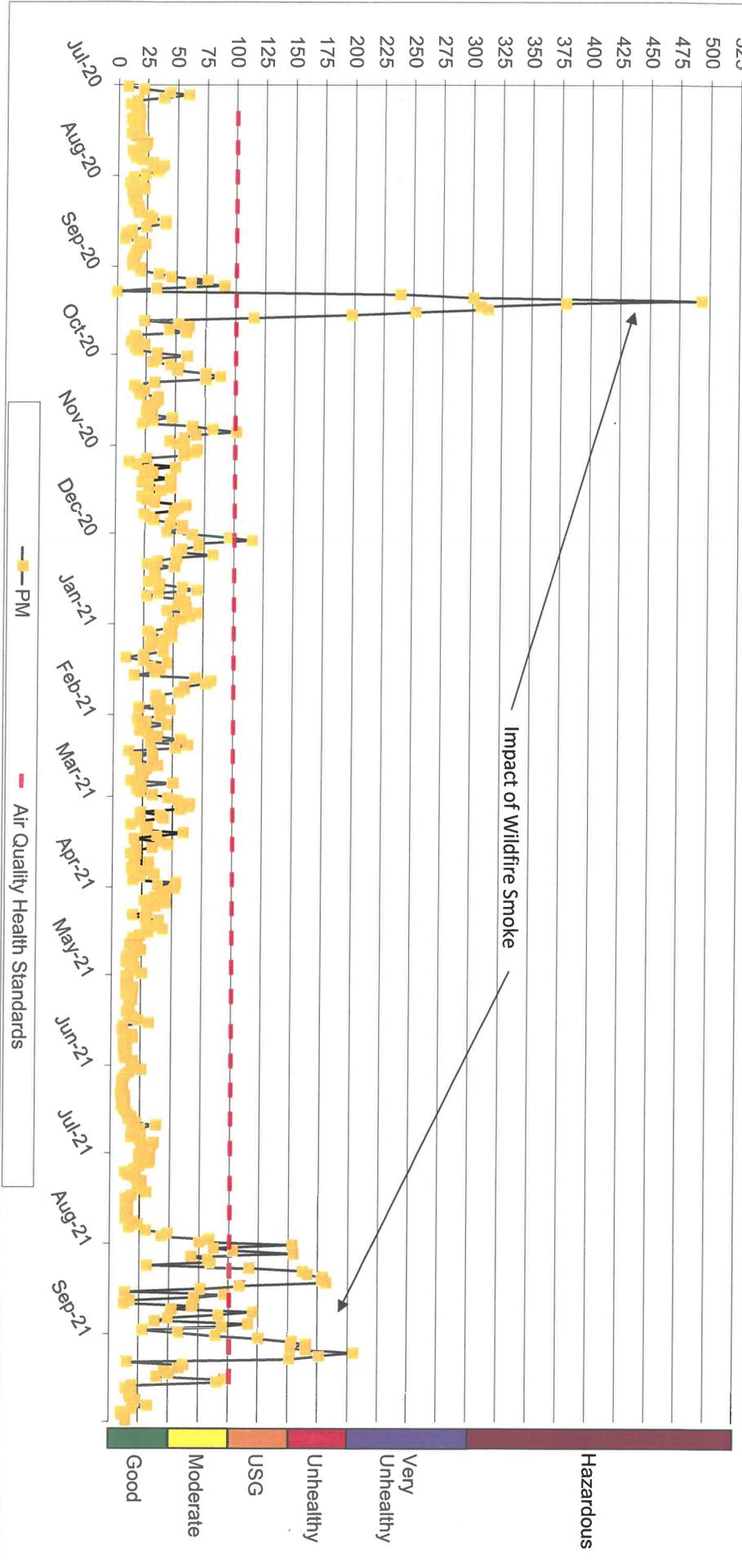
### Air Quality Index Chart - Eugene/Springfield

This 15-month chart demonstrates the seasonality of the pollutants.



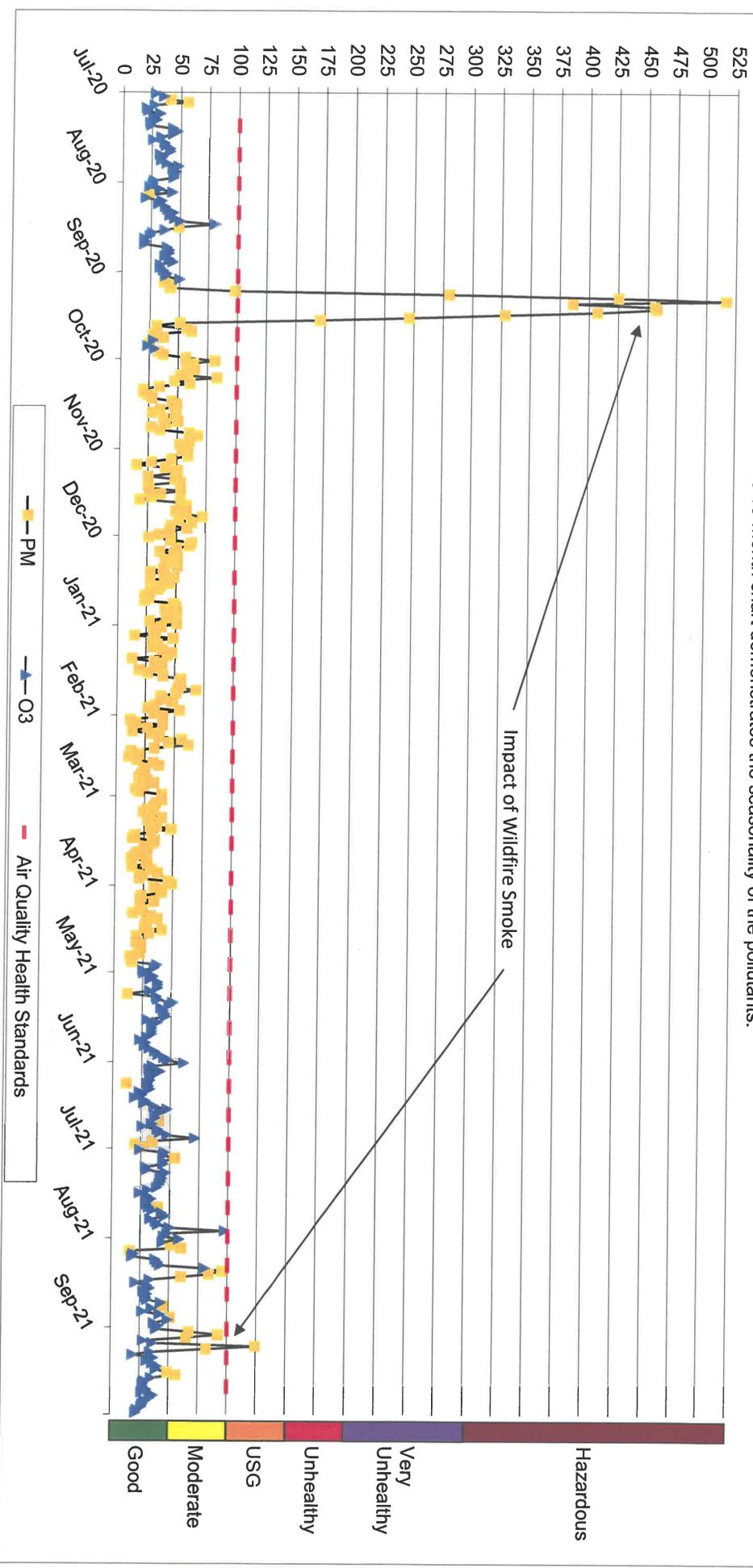
### Air Quality Index Chart - Oakridge

This 15-month chart demonstrates the seasonality of the pollutants.



### Air Quality Index Chart - Cottage Grove

This 15-month chart demonstrates the seasonality of the pollutants.



## **NEW/OPEN ENFORCEMENT ACTIONS STATUS REPORT**

**9/01/2021 -- 09/30/2021**

Report of open and actions initiated since last report

### **NEW Enforcement Actions:**

1. KUYKENDALL, ROBERT & DAVE COOPER & ESTATE OF JOHN L. GRAHAM (FALL CREEK)
  - A. Violation: Outdoor burning when prohibited; outdoor burning such as to create a nuisance or hazard to public safety; outdoor burning of prohibited materials (plastics, metal cans, glass, etc.)
  - B. Initial Action Taken: NON #3840 issued 09/30/2020
  - C. Subsequent Action: NCP #2021-3840 (\$600) issued 09/30/2021
  - D. Resolution: PENDING

### **ACTIONS PERFORMED (NON issued prior to 09/01/2021 with current action in reporting period):**

1. J.H. BAXTER & CO., EUGENE PLANT (EUGENE)
  - A. Violation: 43-015-7- Failure to provide for an asbestos survey prior to commencing renovation or demolition of a facility; 43-015-10 - failure to abide by asbestos abatement notification and fee requirements; 43-015-11.C - failure to abide by asbestos abatement negative pressure enclosure requirements; 43-015-11.D.- failure to adequately wet asbestos containing material; 43-015-11.G.- failure to adequately clean project area at conclusion of abatement project; 43-015-11.H.- failure to secure asbestos containing waste at project site; 43-015-11.N.- open storage of asbestos containing waste; 43-015-11.P.- conducting an asbestos abatement without possessing a current license or certification; 43-015-19 - failure to abide by friable asbestos disposal requirements. LRAPA Title 43 "Asbestos Requirements" enclosed. J.H. Baxter & Co. may submit by June 11, 2021, an account of the events related to the violations alleged in this NON, action(s) to correct and remedy to prevent recurrence.
  - B. Initial Action Taken: NON #3834 issued 06/02/2021
  - C. Subsequent Action: NCP #2021-3834 (\$7,800) issued 06/24/2021: request for reduction approved by LRAPA for \$5,200 with LRAPA providing asbestos awareness training to JHB personnel and signed Stipulated Final Order. Asbestos awareness training conducted by Aaron Speck, LRAPA Asbestos Inspector, on 05/19/2021. The SFO was signed and JHB paid \$5,200 on 08/23/2021.
  - D. Resolution: CASE CLOSED on 8/23/2021

2. JONES, ANTHONY R. (VENETA)

- A. Violation: Failure to promptly extinguish illegal outdoor burning; outdoor burning when prohibited; outdoor burning such as to create a nuisance; outdoor burning of prohibited materials (grass clippings); failure to conduct outdoor burning in an efficient manner
- B. Initial Action Taken: NON #3818 issued 05/15/2020
- C. Subsequent Action: NCP #2020-3818 (\$700) issued 05/27/2020: request for hearing scheduled and held on 11/13/2020; On 12/15/2020, the Hearing's Officer held up the violations however, adjusted the civil penalty from \$700 to \$600; Respondent has 30 days from 12/29/2020 to request an appeal or pay the \$600 adjusted civil penalty; 01/13/2021 Respondent request an Appeal to the LRAPA Board; 1/14/2021 Respondent was sent letter with details on requirements for the Request for Appeal to the Board - Respondent has 30 days from 02/13/2021 to submit Exceptions and Brief, Respondent submitted Appellee's Brief 02/11/2021; On 03/01/2021, LRAPA's attorney submitted LRAPA's Answering Brief; no Reply Brief was submitted by Respondent; the Appeal to the LRAPA Board of Director's was scheduled and held on 07/08/2021; On 7/8/2021 LRAPA Board upheld the Hearing's Officers Decision; Respondent has 60 days from 7/8/21 to file for State Judicial Review; On 9/7/2021 Respondent and LRAPA entered into a SFO to settle the case for \$-0-.
- D. Resolution: CASE CLOSED on 09/07/2021

**PENDING (Enforcement Actions issued prior to 09/01/2021 with no subsequent action in the current reporting period):**

1. LANE COUNTY SHORT MOUNTAIN LANDFILL (EUGENE)

- A. Violation: Failure to cover active asbestos containing waste materials (ACWM) disposal area at the end of each day that new ACWM is disposed of with tarp that is identical to, or equivalent of, materials used to cover active areas of the general landfill.
- B. Initial Action Taken: NON #3830 issued 06/17/2021
- C. Subsequent Action: PENDING
- D. Resolution: PENDING

2. OREGON INDUSTRIAL LUMBER PRODUCTS, I (SPRINGFIELD)

- A. Violation: Respondent continues to operate wood fired boiler in such a manner as to cause the deposition of ash fallout on the property of other persons and has failed to correct the issue in a timely manner.
- B. Initial Action Taken: NON #3838 issued 06/21/2021
- C. Subsequent Action: PENDING
- D. Resolution: PENDING

**For perspective, here is the total number of enforcement actions for calendar year 2021 compared to previous years:**

Year	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	*2021
Notices of Non-compliance and Warnings	64	41	51	36	38	41	39	41	55	15	14
Notices of Violation with Civil Penalties	42	29	23	28	37	37	28	43	37	26	12

\* Year-to-date.