



MINUTES LANE REGIONAL AIR PROTECTION AGENCY BOARD MEETING

September 8, 2022

VIA - ZOOM

ATTENDANCE:

- Board:** Joe Pishioneri, Chair; Joe Berney, Terry Fitzpatrick, Mike Fleck, Matt Keating, Howard Saxion.
- Absent:** Jeannine Parisi, Vice Chair; Matt Keating, Jenna Knee
- Others:** Jim Daniels-CAC Chair, Courtney Griesel-General Public, Mary Bridget Smith- City of Springfield attorney.
- Staff:** Steve Dietrich, Katie Eagleson, Lance Giles, Chantal Green, Max Hueftle, Cassandra Jackson, Travis Knudsen, Julie Lindsey, Aaron Speck, Colleen Wagstaff, Debby Wineinger, Jonathan Wright, Robbye Robinson, Chris Coulter.

1. Call to Order

Chair Joe Pishioneri called the meeting of the Lane Regional Air Protection Agency (LRAPA) Board to order at 12:17 p.m. **Travis Knudsen** took roll for the Board and other attendees. A quorum was present. He introduced LRAPA's new staff member, **Chantal Green**.

2. Adjustments to Agenda-None

3. Public Participation-None

A. Comments from Board Members-None

ACTION ITEMS

4. Consent Calendar

- A. Approval of Minutes July 14, 2022, Board of Directors Meeting
- B. Approval of Expense Report July – August 2022
- C. Board Work Session – Proposed Dates

MOTION: Joe Berney moved, seconded by **Howard Saxion**, to approve the consent calendar as presented. The motion passed unanimously – 5:0.

Steve Dietrich said that they needed to talk about the proposed dates for the Board Work session. He apologized for putting that item in the wrong section. **Chair Joe Pishioneri** said that they would need to amend the motion on the consent calendar.

MOTION: Joe Berney moved, seconded by **Howard Saxion**, to approve items A and B on the consent calendar with item C pulled from the consent calendar. The motion passed unanimously – 5:0.

Steve Dietrich reminded the Board that at their last meeting they expressed interest in scheduling some work sessions to explore some topics more in-depth. He wanted them to take time and pick out some dates. To start out it would be good to meet quarterly and meet every other month if there is demand for it.

Chair Joe Pishioneri asked LRAPA staff to pick out some proposed dates and send those out to Board members. He envisioned converting one of their already standing meeting times for the work session.

Joe Berney asked if they could meet in person for the work sessions. **Chair Joe Pishioneri** thought that would be a good idea. He asked staff to work on this and making sure an online version was available.

REPORTS

5. LRAPA Partners Meeting – August 19, 2022

Steve Dietrich said that this report was to inform the Board that the meeting happened. A virtual meeting was held with LRAPA staff and LRAPA partners. They introduced staff, talked about what services LRAPA provided, and explained partner dues and how they play into the State allocation.

Howard Saxion was glad that the conversation happened. He thought it was long overdue. **Steve Dietrich** said that they would continue to meet with partners going forward.

Chrissy Hollett joined the meeting at 12:37 p.m.

6. Advisory Committee

Jim Daniels, Chair of the LRAPA Advisory Committee, shared that they did not meet in August. At their July meeting they received a Purple Air Program presentation from **Travis Knudsen**.

7. Director's Report of Agency Activities in the Month of July and August 2022

Steve Dietrich said that in July and August the Eugene-Springfield, Oakridge, and Cottage Grove areas experience a combined 18 days of moderate air quality. The remaining days were all in good air quality. He said that these ratings were because the lack of rain and high temperatures created issues with the ozone.

Howard Saxion inquired into if the ambient air quality standard was exceeded on August 25, 2022, and if so, what the level was. **Steve Dietrich** replied that it was exceed, but he did not know what the level was.

In July LRAPA received 17 industry complaints. Of those complaints, 15 came from International Paper at the same address. In August there were 15 industry complaints, with 14 coming from International Paper at the same address.

Joe Berney asked if the 15 International Paper complaints from July and 14 International Paper complaints from August all came from the same address. **Steve Dietrich** replied that the 29 complaints all came from one address.

Steve Dietrich said that there were five new enforcement actions opened from July 1, 2022 – August 31, 2022.

The first action was against Alpine Abatement Service, Inc. The violation was against an open storage or open accumulation of friable asbestos-containing material. Initial action was taken on July 5, 2022, and the case closed on August 19, 2022.

The second action was against Brogan and Michelle Weybright. The violation was for a failure to obtain an asbestos survey from an accredited asbestos inspector prior to conducting the demolition of a facility, outdoor burning of prohibited materials, and burning construction/demolition waste without first obtaining a LRAPA letter permit. Initial action was taken on July 19, 2022. A fine was issued on July 22, 2022. There was a request for a hearing made, but it was denied because it was not submitted within the first 21 days. No payment or request for reduction has been received. The case was still open.

The third action was against Swanson Group MFG LLC. The violation was because they exceeded 20% opacity as a six-minute block average from wood fired boiler, they failed to conduct visible emissions observations during operating conditions and failing to report an excess emission event within one hour of onset. Initial action was taken on July 19, 2022. A fine was issued on August 30, 2022. The case was still open.

The fourth action was against Thabet Management – Barger Arco 005. The violation was because the permittee failed to submit in a timely manner performance testing records to LRAPA which demonstrated compliance with triennial vapor testing requirements. Prior testing results were submitted to LRAPA for testing conducted on May 10, 2019. The permittee submitted test results relative to conditions on July 11, 2022, but they needed to be submitted prior to May 10, 2022. A fine was issued on August 5, 2022. The case was still open.

The fifth action was against Brandon Joosse. The violation was a failure to provide for asbestos survey prior to commencing renovation or demolition of a facility. Initial action was issued on August 8, 2022. No subsequent action had taken place. The case was still open.

Steve Dietrich said that there were seven actions performed on enforcement actions issued prior to July 1, 2022.

The first action was against Kingsford MFG. The violation was because they exceeded 20% opacity from EU03 and failed to notify LRAPA. Initial action was taken on March 15, 2022. Subsequent action was taken on June 27, 2022, and the case was closed on July 5, 2022.

The second action was against Oregon Industrial Lumber Products. The respondent has continued to operate wood fired boiler in such a manner as to cause the deposition of ash fallen on the property and other properties. Initial action was taken on June 21, 2021, multiclone and ID fans were confirmed installed by LRAPA on July 15, 2022. Subsequent action was issued on August 15, 2022. The case was still open.

The third action was against Ministry Construction LLC. The violation was a failure to obtain an asbestos survey from an accredited asbestos inspector prior to conducting the renovation of a facility. Initial action was taken on May 26, 2022. Subsequent action was issued on June 1, 2022. The case closed on August 29, 2022.

Chair Joe Pishioneri asked if they had a system that provided a benefit if a violator corrected an issue. **Steve Dietrich** replied that the penalty cost factored in how cooperative the violator was.

The fourth action was against Daniel and Abigail Basaraba at DB Real Estate Investments LLC, Planktown Holding LLC. The violation was a failure to attend outdoor burning until extinguished and burning when in a prohibited zone. Initial action was taken November 29, 2021. Subsequent action was taken on June 15, 2022, and a hearing was requested on July 7, 2022. The case was still open.

The fifth action was against Chris Johnson and Julie Renfro. The violation was for outdoor burning such as to create a nuisance and burning prohibited materials. Initial action was taken on April 6, 2022. Subsequent action was taken on June 27, 2022 and had to be reissued. There was no response and on August 8, 2022, Titanium Legal Server served them. There was still no response. The case was still open.

The sixth action was against Forrest Paint Company. The violation was a failure to operate and maintain the air contaminant collection unit, biofilter, in a manner which minimized air contaminant discharges. Initial action was taken on June 22, 2022. The subsequent action was that they were on a schedule with submitting biweekly status reports. The case was still open.

The seventh action was against Daniel and Abigail Basaraba at DB Real Estate Investments LLC, Planktown Holding LLC. The violation was a failure to obtain an asbestos survey from an accredited asbestos inspector prior to conducting the demolition of a facility. Initial action was issued on June 24, 2022. Subsequent action was issued on August 8, 2022. The case was still open.

Joe Berney wondered if LRAPA published a list of businesses they were acting against without including details. **Steve Dietrich** replied that they did not. If the Board wanted, they could talk about adding some information to the website. **Chair Joe Pishioneri** noted that it would be a great topic for a work session.

Steve Dietrich shared that there was only one outdoor burning letter permit (OBLP) issued in July and August. There were 89 notices of asbestos removal projects in July and August. Three in July were from schools (Creswell Elementary, North Eugene High School, and Lane ESD). Three in August were also from schools (Mohawk High School, Oakridge School District, and Creslane Elementary School).

Travis Knudsen said that in the first week of August LRAPA began participating on near-daily cooperator meetings for the Windigo, Potter, and Big Swamp fires. They also joined cooperator meetings for the Cedar Creek Fire. On July 14, 2022, they participated in the second annual “Fire Safety Night” in Oakridge. They also participated in the “Bethel Summer of Fun” with a booth and gave a presentation on the Public Participation and Commenting process for LRAPA actions to the Santa Clara Community Organization.

Travis Knudsen mentioned that the Oakridge-Westfir redesignation from nonattainment to attainment for the National Ambient Air Quality Standards had been approved. It would go into effect on September 21, 2022.

Travis Knudsen announced that the LRAPA website redesign was nearly complete, the launch date would be Thursday, September 15, 2022.

Travis Knudsen provided a timeline for the Seneca Sustainable Energy, LLC and Seneca Sawmill Company permit renewals. For Seneca Sustainable Energy, LLC, there was a public comment period from June 3, 2022 to July 27, 2022. There was a public informational meeting and public hearing on July 11, 2022. A recording was available. For Seneca Sawmill Company there was a public comment period

from July 13, 2022 to August 22, 2022. There was a public information meeting and public hearing on August 10, 2022.

Chair Joe Pishioneri asked if the process for all renewals was similar to the Seneca renewals. **Steve Dietrich** replied that for the most part they were similar, but there was no one format. Since they were dealing with two permits there were some changes to make sure they were issued around the same time. **Chair Joe Pishioneri** thought that the process should always be the same and that information should be available on their website.

Steve Dietrich said that LRAPA was on course to be at less than 20% of their Title V backlog before the end of the year.

Steve Dietrich mentioned that the Airmetrics department was moving into a new location on Olympic Street.

Mike Fleck wanted to know when they would discuss a possible rule change to the outdoor burning season. **Chair Joe Pishioneri** thought that could be discussed at their next work session. **Steve Dietrich** said that there were a few new rule changes that would need to be incorporated from the Oregon Department of Environmental Quality (DEQ). He said that they could talk about including a change to the outdoor burning season when they approved the DEQ rules.

8. Old Business: none

9. New Business: none

10. Adjournment

Chair Joe Pishioneri adjourned the meeting at 1:24 p.m.

(Minutes recorded by Lydia Dysart)