

A G E N D A



LRAPA
Lane Regional Air Protection Agency

LANE REGIONAL AIR PROTECTION AGENCY
MONTHLY BOARD OF DIRECTORS MEETING
THURSDAY JULY 14, 2022
12:15 P.M.

Note Location → VIA ZOOM

By Video: <https://us02web.zoom.us/j/82551664224>

By Audio: +1 253 215 8782

Meeting ID: 825 5166 4224

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

1. (12:15 p.m.) CALL TO ORDER
2. (12:15 p.m.) ADJUSTMENTS TO AGENDA
3. (12:20 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.)

C. Comments from Board Members (Note: This is an opportunity for Board Members to bring up unscheduled items regarding today's public comments, and/or written/electronic comments they have received. The board may not act at this time but, if it deems necessary place such items on future agendas.)

ACTION ITEMS:

4. (12:25 p.m.) Consent Calendar
 - A. Approval of Minutes June 9, 2022 Board of Directors Meeting [VIEW MATERIAL](#)
 - B. Approval of Expense Report June 2022 [VIEW MATERIAL](#)

REPORTS:

5. (12:30 p.m.) Financial Audit Report Follow-Up [VIEW MATERIAL](#)
6. (12:40 p.m.) Status Report Oakridge Air Project [VIEW MATERIAL](#)

7. (12:50 p.m.) Advisory Committee [VIEW MATERIAL](#)
8. (1:00 p.m.) Director's Report of Agency Activities in the Month of June 2022 [VIEW MATERIAL](#)

DISCUSSION AND POSSIBLE ACTION:

9. (1:10 p.m.) Action item: Result of Director's Performance Evaluation and Merit Review
10. (1:25 p.m.) Old Business:
 - A. Clean Air Scrubbers Follow-Up
 - B. Beyond Toxics Meeting (June 8th) in Springfield Follow-Up
11. (1:30 p.m.) New Business
12. (1:35 p.m.) Adjournment

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MINUTES
LANE REGIONAL AIR PROTECTION AGENCY
BOARD OF DIRECTORS MEETING
THURSDAY JULY 14, 2022
MEETING VIA ZOOM

ATTENDANCE

Board: Joe Pishioneri, Chair; Jeannine Parisi, Vice Chair; Joe Berney, Terry Fitzpatrick, Mike Fleck, Matt Keating, Howard Saxion.

Absent: Chrissy Hollett, Jenna Knee.

Staff: Steve Dietrich, Katie Eagleson, Cassandra Jackson, Travis Knudsen, Julie Lindsey, Robbye Robinson, Colleen Wagstaff.

Others: Jim Daniels, Peter Dragovich, Paul Nielson, Mary Bridget Smith, Justin Overdevest.

1. Call to Order

Chair Joe Pishioneri called the meeting of the Lane Regional Air Protection Agency (LRAPA) Board to order at 12:16 p.m. **Travis Knudsen** took roll for the Board and other attendees. A quorum was present.

2. Adjustments to the Agenda

There were no adjustments made.

3. Public Participation

There was no public participation or comments from Board Members.

ACTION ITEMS:

4. Consent Calendar

- A. Approval of Minutes June 9, 2022, Board of Directors Meeting
- B. Approval of Expense Report June 2022

MOTION: Mike Fleck moved, seconded by **Howard Saxion**, to approve the consent agenda as presented. The motion passed – 7:0.

REPORTS:

5. Financial Audit Report Follow-Up

Paul Nielson said that an updated report and a letter stating two material weaknesses had been distributed to the Board. He noted that during the audit they noticed that the accounts receivable software and general ledger did not match.

Howard Saxion thought that when mistakes were found during an audit staff usually included a statement about how they would avoid a similar mistake in the future. **Paul Nielson** replied that they were waiting on a management response to the changes that were made to prevent more issues. **Julie Lindsey** voiced that they had implemented some reporting and balancing rules for different accounting processes.

Mike Fleck wondered if the Board would be approving the changes. **Paul Nielson** responded that the State only required a management response.

Mike Fleck asked to see the letter again once it was finalized.

Paul Nielson mentioned that the other weakness was in accounts payable. When reviewing the checks, they found that there were a few not included on the payable list.

Howard Saxion knew that a substantial portion of LRAPA's budget for that year was the Environmental Protection Agency (EPA) grant. He asked if the Good Company was under a fixed fee contract with LRAPA and if the Good Company had a federal audit agency that reviewed their billing. **Paul Nielson** responded that he did not find any unallowed costs. He was unsure if the Good Company was subject to the Single Audit Act which allowed for some exceptions. **Julie Lindsey** added that they were audited on the grant.

6. Status Report Oakridge Air Project

Justin Overdevest shared that they had a new Outreach Coordinator working half-time to help with outreach and engagement in the community. They also had **Grace Kaplowitz** joined the Good Company team as a University of Oregon Resource Assistance for Rural Environments (RARE) member. Grace was finish up her two ear RARE service for Oakridge Air and the City of Oakridge. Once she finished RARE, she would continue with Oakridge Air as part of the Good Company team.

Justin Overdevest mentioned that Oakridge would be a potential community for the EPA Targeted Airshed Grant (TAG) program.

There had been several calls over the last few months on the audit, specifically questions around the heating upgrades. EPA recently gave them guidance on a few of those questions. First was the accounting tracking for heating upgrades purchased to meet audit requirements. Second was they would be able use weatherization dollars to assist in the purchase of new manufactured home in cases of high need (program would provide resources to frontline organizations such as St. Vincent de Paul) in lieu of upgrades on a dilapidated mobile/manufactured dwelling. Third was that they could provide additional dollars to weatherization contractors if they were able to finish jobs faster to overcome delays. Fourth was that they could upgrade stoves that were 15 years or older.

Joe Berney asked for more information around the heating upgrades. **Justin Overdevest** told him that there were three categories for heating: certified wood stoves, ductless heat pumps, and weatherization. Due to the limitations on the caps for each category. He said that they were attributing some of the sub costs instead of rolling them together more efficiently.

Vice Chair Jeannine Parisi was excited to see the responses from EPA. She emphasized the need to get people into safer and more comfortable housing.

Vice Chair Jeannine Parisi asked if the "wood stove opt out" category was for people who were not having their wood stove replace but instead stay with all electric heat. **Justin Overdevest** replied that that was correct.

Justin Overdevest said that there was State funding coming down that would help address these needs.

Justin Overdevest said that Oakridge Air was more active with the Oakridge Police Department (OPD). They have started to receive monthly tallies of visits. In the Summer they would be meeting with OPD to decide on potential changes to the diversion program materials.

Oakridge High School CTE students had constructed 10 woodsheds and distributed them to community members in need. Additional materials were part of the TAG 2.0 funding and would support over 100 sheds.

Justin Overdevests shared that a lot had been done to reduce firewise and fuel. The Collaborative (SWFC), via Oregon DEQ and other funding sources, direct efforts the past few months treating 164 acres (including Laurel Butte) to help reduce fire risk. After some distribution there were now over 500 air purifiers in the community.

Matt Keating asked what the ratio of renters to homeowners they saw with the audit and distribution of air purifiers. **Justin Overdevest** responded that they were not tracking that data on air purifiers. However, generally through the community renters made up over 50% of residents.

7. Advisory Committee

Jim Daniels reported that the Advisory Committee's main topic was the regulated community survey that the Board asked them to start again. They were working to improve the questions. During that discussion they talked about expanding the survey to have the Survey Monkey branch off depending on if they had a permit or were a member of the public. They needed Board approval before moving forward.

Vice Chair Jeannine Parisi explained that the survey was originally for those with permits but had not been used in a few years. The survey provided some trend data. She asked the Board how important it was for the questions to stay the same so the trend data could continue to be collected.

Chair Joe Pishioneri thought they should pay for a professional business to put a survey together.

Mike Fleck pointed out that the Advisory Committee had been doing it for years and they could save some money by keeping it that way. He thought they should keep some questions for those with permits the same but could add more questions. **Matt Keating** agreed. They should keep questions the same and add more so they could keep collecting data.

Joe Berney inquired into if the Board knew that questions that were being discussed. **Jim Daniels** replied that they had seen them in the past. He could resend them to Board members for input.

Jim Daniels said that they would include a public comment opportunity for the PurpleAir monitoring in West Eugene. They wanted to do that soon, hopefully in July. He said that the Committee would not meet again until September.

8. Director's Report of Agency Activities in the Month of June 2022

Steve Dietrich reported that there had been good air quality throughout all of June. He said that they received a total of 73 complaints in June (39 smoke complaints, 23 industry complaints, and 11 miscellaneous/unknown/other/asbestos complaints).

Matt Keating asked why the monitoring of Eugene and Springfield was combined. **Lance Giles** replied that they posted the highest level AQI of the three monitoring stations (West Eugene, Amazon Park, and Springfield).

Steve Dietrich said that there was a total of eight enforcement actions made in July (two new, two follow-up actions, three pending, and one closed).

One of the new complaints was against the Forrest Paint Company. They failed to operate and maintain the air contaminant collection unit, biofilter, in a manner which minimized air contaminant discharges. A notice was given on June 22, 2022. They had submitted back a biweekly status report on June 30, 2022.

The other complaint was against DB Real Estate Investments LLC, Planktown Holdings LLC. They failed to obtain an asbestos survey from an accredited asbestos inspector prior to conducting the demolition of a facility. A notice was given on June 24, 2022. There had been no subsequent activity.

The first of the actions performed was against Kingsford MFG Company. They exceeded 20% opacity from EU03 and failed to notify LRAPA of excess emission. **Steve Dietrich** said that this was not considered a high priority violation from EPA. The notice was given on March 15, 2022. The civil penalty of \$6,600 was issued on June 27, 2022. The case was still pending.

The second action performed was against FPG Oregon LLC. They failed to maintain continuous monitoring data of final chamber exit temperature for all crematory incinerators at the facility. The notice was given on March 30, 2022. The civil penalty of \$2,600 was issued and paid on April 20, 2022. The case closed on June 17, 2022.

The third action performed was against Chris Johnson & Julie Renfro in Cottage Grove. They conducted outdoor burning of prohibited materials (households' garbage) that created a nuisance. The notice was given on April 6, 2022. The original civil penalty of \$375 was issued on April 6, 2022. The penalty was returned undelivered and was re-issued on June 27, 2022. The case was still pending.

The fourth action performed was against Ministry Construction LLC. They failed to obtain an asbestos survey from an accredited asbestos inspector prior to conducting the renovation of a facility. The notice was given on May 26, 2022. The civil penalty of \$6,600 was issued on June 1, 2022. The case was still pending.

The fifth action performed was against DB Real Estate Investments LLC, Planktown Holdings LLC. They failed to attend outdoor burning until extinguished and were burning materials when prohibited. The notice was given on November 29, 2021. The civil penalty of \$6,813 was issued on June 15, 2022. The case was still pending. **Steve Dietrich** said that LRAPA had to sought outside council on the matter.

There was a pending case where no action had been taken prior to June 1. That case was against Oregon Industrial Lumber Products. Their respondent continued to operate a wood fired boiler in such a manner as to cause the deposition of ash fallout on the property of other persons. The notice was given on June 21, 2021. **Steve Dietrich** said that they had been working with the company. There had been supply issues and they had trouble finding a contractor.

Steve Dietrich stated that LRAPA had 14 Title V permit sources and approximately 275 Air Contaminant Discharge Permit (ACDP) sources.

Travis Knudsen shared that they had coordinated with the Lane County Fire Defense Board and Oregon Department of Forestry on the closure of the spring outdoor burning season on Wednesday, June 15, 2022. He mentioned that they received some frustrated calls from people who hoped the fire season would start later since they had a wet Summer.

LRAPA would be participating in the "Fire Safety Night" in Oakridge the night of July 14, 2022.

Travis Knudsen said that they were working with neighbors and community members in West Eugene on the J.H. Baxter facility. LRAPA was invited to host a booth at the "Bethel Summer Fun" events that happened throughout June and July. He said that LRAPA was still working to finish their website.

Vice Chair Jeannine Parisi noted that there were a few complaints made in June about an odor coming from the J.H. Baxter facility. **Travis Knudsen** mentioned that they communicated to neighbors about

how no odors should be coming from the facility. He knew that some odors were coming from other sources but were being logged as coming from J.H. Baxter. When LRAPA received a complaint, they went out to see if the odor was coming from the facility.

Mike Fleck asked what they could do to change the date that fire season started on. **Travis Knudsen** noted that there would need to be a change to their rules, which stated June 15 as the start of fire season. **Steve Dietrich** added that it would not be a simple thing to change. **Mike Fleck** wanted them to add a conversation on changing the rules. **Chair Joe Pishioneri** thought they could have the Board decide each year what the date should be based on what the weather. **Joe Berney** noted that staff could create some conditional triggers for the Board to consider when changing the rule for flexibility. **Vice Chair Jeannine Parisi** was concerned with the Board overseeing setting the date.

Steve Dietrich noted that there would be no LRAPA Board meeting in August. In September, they would discuss local dues request to IGA partners for FY2024.

DISCUSSION AND POSSIBLE ACTION:

9. Action Items: Result of Director's Performance Evaluation and Merit Review

Chair Joe Pishioneri said that at the last Board meeting, which he was not present at, they discussed the Director's performance. They still had to decide on the compensation package.

Vice Chair Jeannine Parisi enjoyed the discussion and conversation the Board had with **Steve Dietrich**.

MOTION: Vice Chair Jeannine Parisi moved, seconded by **Joe Berney**, to provide a merit increase that would move the Director to Step 15 and provide a one-time contribution to the Director's deferred compensation account for \$1,500. The motion passed unanimously – 7:0.

10. Old Business

A. Clean Air Scrubbers Follow-Up

Steve Dietrich said that they looked into the Oregon Department of Human Services Resilience and Emergency Management department. They were offering grants to provide emergency shelters with air scrubbers. The shelters would be a safe space for individuals during times of unsafe air. LRAPA applied for the grant and had to fill out a survey sharing the location of their public building and saying they would allow it to be used as a clean air shelter. **Steve Dietrich** noted that LRAPA only had one building and it was not well set up to be a shelter. Therefore, they did not apply for the grant. They notified local partners and the Lane County Climate Strategist of the opportunity.

Joe Berney said that they should be reaching out to **Steve Adams** at the County level. Also, there was a lot of movement at the State level to create these resiliency centers. He pushed against having these huge centers and instead making smaller local sites.

B. Beyond Toxics Meeting (June 8th) in Springfield Follow-Up

Steve Dietrich shared that this was a virtual meeting with Springfield residents who had an interest in air quality or had air quality concerns. Beyond Toxics was considering putting together a community group to talk about concerns.

11. New Business

Matt Keating shared that the day before a press release was published that discussed moving air toxic monitoring equipment from Amazon Park to Oakridge. He wondered what the Board's role would be in that type of decision. Also, he thought it made more sense to get funding to add monitoring equipment to Oakridge instead of taking one away from Amazon Park. **Mike Fleck** agreed that the decision should have come to the Board. They were the body that approved the funds to buy the monitoring equipment.

Chair Joe Pishioneri proposed the Board schedule a work session based around how they were doing business and what approaches they wanted to make. This would include giving better thought-out guidance to the Advisory Committee, where they wanted LRAPA and the Director to be a few years down the road, and policies around how they work. He believed that the issue **Matt Keating** brought up was directly relevant to the potential work session. **Howard Saxion** thought a work session was a great idea. He did not remember them ever having a conversation about policy.

Howard Saxion emphasized that monitoring at Amazon Park was crucial and gave a lot of good information. Setting up the monitoring was complicated and expensive. He thought any changes to the system set up should be looked at more in-depth.

Howard Saxion mentioned that a lot of the Board materials are given out the day before the meeting. It was hard for them to look at everything. He hoped that could be included in the work session discussion.

Vice Chair Jeannine Parisi concurred with all the concerns raised by other Board members.

Joe Berney thought it would be beneficial to have work sessions a few times a year.

12. Adjournment

Chair Joe Pishioneri adjourned the meeting at 1:57 p.m.

(Minutes recorded by Lydia Dysart)