



Director's Report for May 2023

Meeting Date: May 11, 2023
Department: Director's Office
www.lrapa.org

Agenda Item No. 13
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April 2023 AQI charts and stats

04/01/2023 to 04/30/2023

April

Site	Date	Max AQI	Pollutant
Eug/Spfld	28-Apr-23	44	O3
Oak	3-Apr-23	44	PM
CottGrv	28-Apr-23	41	O3

AQI	Eug/Spfld	Oak	CottGrv	AQI Range
Good	30	30	30	0-50
Moderate	0	0	0	51-100
USG	0	0	0	101-150
Unhealthy	0	0	0	151-200
Very Unhealthy	0	0	0	201-300
Hazardous	0	0	0	301-500

Attachment No. 1: Air Quality Index (AQI) charts for Lane County (April 2023)

Attachment No. 2: PM_{2.5} index charts for Lane County (April 2023)

COMPLAINTS: 04/01/2023 TO 04/30/2023 [TOTAL 24]**Smoke complaints: 13**

- 10 – Outdoor burning
- 3 – Home wood hearing

Industry: 4

- 3 – IP
- 1 – Emerald Forest Products #3

Miscellaneous complaints: 6

- 2- General AQ
- 3 – Unknown Odor
- 1 - Asbestos

Slash Burning: 1

- 1 – Slash burning

Year	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	*2023
Dust	30	14	25	32	25	26	15	17	26	12	1
Ag Burning / Spraying	17	4	12	9	1	0	6	2	7	2	2
General Air Quality	26	30	15	20	14	6	12	4	8	1	8
Home Wood Heating	219	121	342	130	197	126	128	74	57	67	25
Industry	122	127	52	58	74	50	170	100	336	198	36
Outdoor Burning	321	279	251	266	281	351	402	423	243	292	86
Slash Burning	5	7	11	26	13	24	16	12	10	6	9
Miscellaneous	52	57	85	164	138	66	67	59	40	102	10
Unknown	14	35	46	56	63	29	39	74	71	45	22
Total	806	674	839	761	806	678	855	765	798	725	199

*** Year-To-Date**

ENFORCEMENT: 04/01/2023 to 04/30/2023

Category of Violation	New	Follow-Up Action	Pending	Closed	Total
Asbestos	1	-	2	-	3
Industrial	4	-	3	-	7
Outdoor Burning	-	-	2	-	2
Fugitive Dust	-	-	-	-	-
Home Wood Heating	-	-	-	-	-
Totals	5	-	7	-	12

NEW/OPEN ENFORCEMENT ACTIONS STATUS REPORT

4/1/2023 -- 4/30/2023

Report of open and actions initiated since last report

NEW: 4/1/2023 -- 4/30/2023

1. **KYLE MCLENNAN, BRUCE R MCLENNAN (VENETA) 88680 LYNETTE LANE**
 - A. Violation: Failure to obtain an asbestos survey from an accredited asbestos inspector prior to conducting the demolition of a facility; Burning construction/demolition waste without first obtaining an LRAPA letter permit.
 - B. Initial Action Taken: NON #3880 issued 4/11/2023
 - C. Subsequent Action: NCP #2023-3880 (\$3,650) issued 4/11/2023:
 - D. Resolution: PENDING

2. **THABET MANAGEMENT INC. (SPRINGFIELD) 316 42ND STREET**
 - A. Violation: The permittee failed to submit in a timely manner performance testing records to LRAPA which demonstrate compliance with triennial vapor testing requirements outlined in permit conditions 5.1.a and 5.1.b. Prior test results relative to conditions 5.1.a and 5.1.b were submitted to LRAPA for testing conducted on January 12, 2020. Permittee submitted test results relative to conditions 5.1.a and 5.1.b for testing conducted on February 15, 2023, however, testing was required to have been conducted no later than January 12, 2023.
 - B. Initial Action Taken: NON #3881 issued 4/11/2023
 - C. Subsequent Action: NCP #2023-3881 (\$2,250) issued 4/11/2023: request for reduction approved and reduced to \$1,126 on 4/19/2023
 - D. Resolution: CASE CLOSED on 4/24/2023

3. **APRO LLC DBA UNITED PACIFIC (SPRINGFIELD) 1795 5TH STREET**
 - A. Violation: The permittee failed to submit performance testing records to LRAPA which demonstrate compliance with triennial vapor testing requirements outlined in permit conditions 5.0. Permittee last submitted testing results relative to conditions 5.1.a and 5.1.b on March 11th, 2020, and therefore is required to have testing conducted by March 11th, 2023. Condition 7.1.c of the permit requires notification of upcoming testing be submitted to LRAPA and condition 7.2 requires test results be submitted to LRAPA no later than 30 after testing has occurred.
 - B. Initial Action Taken: NON #3883 issued 4/25/2023
 - C. Subsequent Action: PENDING
 - D. Resolution: PENDING

4. **ATKORE PLASTIC PIPE DBA RIDGELINE (EUGENE) 2220 NUGGET WAY**

- A. Violation: Respondent failed to notify and obtain approval from LRAPA prior to construction or modification of any new or existing stationary source in accordance with condition G20. of Respondent's ACDP and LRAPA 34-034.
 - B. Initial Action Taken: NON #3885 issued 4/26/2023
 - C. Subsequent Action: PENDING
 - D. Resolution: PENDING
5. **APRO LLC DBA UNITED PACIFIC ROCKET (SPRINGFIELD) 5720 MAIN STREET**
- A. Violation: The permittee failed to submit performance testing records to LRAPA which demonstrate compliance with triennial vapor testing requirements outlined in permit conditions 5.0. Permittee last submitted testing results relative to conditions 5.1.a and 5.1.b on February 4th, 2020, and therefore is required to have testing conducted by February 4th, 2023. Condition 7.1.c of the permit requires notification of upcoming testing be submitted to LRAPA and condition 7.2 requires test results be submitted to LRAPA no later than 30 after testing has occurred.
 - B. Initial Action Taken: NON #3886 issued 4/25/2023
 - C. Subsequent Action: PENDING
 - D. Resolution: PENDING

PENDING (Enforcement actions issued prior to 4/1/2023 with no subsequent action in reporting period):

1. **FORREST PAINT COMPANY (EUGENE) 1011 MCKINLEY STREET**
- A. Violation: Failure to operate and maintain the air contaminant collection unit, biofilter, in a manner which minimizes air contaminant discharges, and failure to update the biofilter Operation and Maintenance (O&M) Plan once knowledge was acquired of insufficient maintenance and parametric data monitoring was discovered to ensure the biofilter is operated at the highest reasonable efficiency and effectiveness.
 - B. Initial Action Taken: NON #3860 issued 6/22/2022
 - C. Subsequent Action: On schedule with submitting status reports biweekly.
 - D. Resolution: PENDING
2. **PETROCARD INC. (GOSHEN) 85947 FRANKLIN BVLD**
- A. Violation: The permittee failed to submit in a timely manner performance testing records to LRAPA which demonstrate compliance with vapor testing requirements outlined in permit conditions 5.1.a and 5.1.b. On 2/25/2022 the permittee was notified by LRAPA that they had exceeded the annual throughput threshold of 480,000 gallons of gasoline in 2019 and were therefore subject to the vapor recovery testing requirements outlined in the permit. On 4/8/2022 LRAPA was advised that vapor recovery testing could not be completed since the lines were manifolded and the issue was escalated to construction to isolate the lines. On 7/7/2022 LRAPA called and emailed the permittee requesting an update. On 8/2/2022 LRAPA called and emailed the permittee requesting an update. The permittee responded advising that they were still working to fix the issue. On 10/5/2022 LRAPA emailed the permittee requesting an update. On 10/26/2022 LRAPA called and emailed the permittee requesting an update.

- B. Initial Action Taken: NON #3872 issued 11/3/2022
 - C. Subsequent Action: NCP #2022-3872 (\$3,000) issued 12/8/2022: request for reduction under review
 - D. Resolution: PENDING
3. **MEYER, TAYLOR (VENETA) 87061 GREENRIDGE DRIVE**
- A. Violation: Outdoor burning of any materials which normally emits dense smoke, noxious odors, and hazardous air contaminants and for not promptly extinguishing any burning that is in violation of LRAPA's Title 47-015(e).
 - B. Initial Action Taken: NON #3873 issued 11/16/2022
 - C. Subsequent Action: NCP #2022-3873 (\$3,496) issued 11/16/2022: returned by USPS; reissued by Legal Server; request for reduction approved and reduced to \$3,196 on 04/19/2023
 - D. Resolution: PENDING
4. **ANDERSON-MORTENSEN, ELLEN (SPRINGFIELD) 85 NEPTUNE AVENUE**
- A. Violation: Outdoor burning of any materials which normally emits dense smoke, noxious odors and hazardous air contaminants.
 - B. Initial Action Taken: NON #3875 issued 2/22/2023
 - C. Subsequent Action: NCP #2022-3875 (\$250) issued 2/22/2023: no response, default order judgment in process for a lien on the property.
 - D. Resolution: PENDING
5. **VENIAMIN TODORIKO (EUGENE) 5039/5041 BARGER DRIVE**
- A. Violation: 43-015(7) - Failure to obtain an asbestos survey from an accredited asbestos inspector prior to conducting the demolition of a facility.
 - B. Initial Action Taken: NON #3876 issued 1/13/2023
 - C. Subsequent Action: NCP #2022-3876 (\$2,200) issued 1/13/2023: no response, default order judgment in process for a lien on the property
 - D. Resolution: PENDING
6. **JOHN A. RANKIN AND STEVE FOWLKES (SPRINGFIELD) 2035/2041 MAIN STREET**
- A. Violation: 43-015(10)- ASBESTOS ABATEMENT NOTIFICATION REQUIREMENTS. Except as provided for in 43-015-8, written notification of any asbestos abatement project must be provided to the Agency on a form prepared by and available from the Agency, accompanied by the appropriate fee; 43-015(11)(C)- Enclose the area of the asbestos-containing materials to be abated, in a negative pressure enclosure prior to abatement unless prior approval has been granted by the agency; 43-015(11)(G)- The asbestos abatement project area shall be adequately cleaned at the conclusion of the project to assure removal of all asbestos debris; 43-015(11)(N)- Open storage or open accumulation of friable asbestos-containing

material or asbestos containing waste material is prohibited; 43-015(11)(P)- No person shall conduct an asbestos abatement project unless they possess a current asbestos abatement Contractors license or worker's certification, issued by the Department under OAR 340-248-040 or OAR 340-248-0120 and OAR 340-248-0130, respectively, unless exempted by 43-015-8 and/or 43-015-9; 43-015(11)(S)- A certified supervisor is required to be present on each asbestos abatement project other than a small-scale short-duration activity; 43-015(11)(T)- An owner or operator of a facility shall not allow any persons other than those employees of the facility owner or operator who are appropriately certified or a licensed asbestos abatement contractor to perform an asbestos abatement project in or on that facility unless exempted by 43-015-8 or 43-015-9; 43-015-19(B)- Persons disposing of asbestos-containing waste material must notify the landfill operator of the type and volume of the asbestos-containing waste material; 43015(19)(B)(1)- All asbestos-containing waste materials must be adequately wetted to ensure that they remain wet until delivered to an authorized landfill, and either: (a) processed into non-friable pellets or other shapes; or (b) packaged in leak-tight containers such as two plastic bags with a minimum thickness of 6 mil., or fiber or metal drum. Containers must be labeled as follows: (i) the name of the asbestos waste generator and the location where the asbestos waste was generated; and (ii) a warning label that states: DANGER Contains Asbestos Fibers Avoid Creating Dust Cancer and Lung Disease Hazard Avoid Breathing Airborne Asbestos Fibers Alternatively, warning labels specified by 29 CFR 1926.1101(k)(7)(8/19/94) may be used; 43-105(19)(E)- All asbestos-containing waste material must be deposited as soon as possible by the waste generator at: (1) An asbestos-containing waste disposal site authorized by the Department and operated in accordance with the provisions of this rule.

- B. Initial Action Taken: NON #3877 issued 3/6/2023
- C. Subsequent Action: NCP #2023-3877 (\$10,400) issued 3/6/2023: request for reduction approved and reduced to \$5,200 on 04/19/2023 with a payment schedule of \$400 per month
- D. Resolution: PENDING

7. **FOX LUMBER (COTTAGE GROVE) 77676 HW 99**

- A. Violation: Conducted outdoor burning in violation and prohibited by General Air Contaminant Discharge Permit #202836 (ACDP 202836) in Condition 10.6.
- B. Initial Action Taken: NON #3879 issued 3/6/2023
- C. Subsequent Action: NCP #2023-3879 (\$2,600) issued 3/6/2023: request for reduction approved and reduced to \$1,800 on 04/19/2023
- D. Resolution: PENDING

For a perspective of the total number of enforcement actions for calendar year 2023 compared to previous years

Year	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	*2023
Notices of Non-compliance and Warnings	51	36	38	41	39	41	55	15	21	24	9
Notices of Violation with Civil Penalties	23	28	37	37	28	43	37	26	17	24	6

OUTDOOR BURNING LETTER PERMITS: 04/01/2023 to 04/30/2023

There was one Outdoor Burning Letter Permit (OBLP) issued in April.

1. Issued Special Letter Permit 20B23-04-01 on April 18 to Eric Niederhieser, 88012 Woodlands Drive, Florence, to burn 20 cubic yards of Land Clearing debris located at the same address.

ASBESTOS ABATEMENT: 04/01/2023 to 04/30/2023

During April, LRAPA received 34 notices of asbestos removal projects, none of which were schools.

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 2023 compares to previous years:

Year	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	*2023
Total Asbestos Abatement Notices	351	352	426	444	543	428	488	439	408	465	152
School Asbestos Abatement Notices (NESHAP)	24	21	24	27	28	24	16	25	20	16	2
Number of Asbestos Abatements Inspected	96	67	89	82	120	770	94	93	104	115	35

* Year-To-Date.

PERMITTING (TITLE V AND ACDP): 04/01/2023 to 04/30/2023

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
New	-	5	-	5
Renewals	2	15	-	17
Modifications	2	6	-	8
Constructions	1	-	-	1
Registrations	-	-	-	-
Terminated Permits	-	-	-	-
Total Issued Permits Year-to-date	1	19	-	20

April 2023 Public Affairs, Monthly Summary

Smoke management from wood stoves, outdoor burning, and wildfires

During April, smoke management efforts shifted from limiting residential wood heating during extended air stagnation periods to overseeing outdoor burning and preparing for the upcoming wildfire season. The relatively active weather pattern has eliminated the need for restrictions on home wood heating or outdoor burning. Extended forecasts do not predict any lengthy periods of air stagnation, so LRAPA does not anticipate the need for home wood heating curtailment or outdoor burning restrictions through early May.

The home wood heating season lasts until May 31, and LRAPA continues to publish daily advisories for Eugene/Springfield and Oakridge. In this period, LRAPA prioritizes staff resources to evaluate potential air stagnation episodes and determine the necessity for yellow/red advisory days.

The spring outdoor burning season began on March 1 and extends until June 15, unless the Oregon Department of Forestry or Lane Fire Defense Board decides to curtail it based on fire danger conditions. LRAPA provides daily burning status advisories on their website throughout the season.

In early April, LRAPA participated in a Rivers to Ridges (R2R) ecological prescribed fire planning work session. This collaboration precedes an outdoor burn permit application from R2R for ecologically prescribed burning in 2023. LRAPA's responsibility is to issue burn letter permits with specific ignition conditions designed to prevent smoke from deteriorating air quality and affecting individuals.

Public outreach efforts

LRAPA staff physically attended and presented at the Environmental Protection Agency's (EPA) National Residential Wood Smoke Training Workshop in Denver Colorado, which is a comprehensive event focusing on residential wood combustion, discussing regulatory and voluntary programs, emerging technologies, funding opportunities, and various initiatives aimed at reducing wood smoke emissions and improving air quality. LRAPA's presentation was centered on the Agency's work in the Oakridge-Westfir airshed funded by two EPA Targeted Airshed Grants.

LRAPA staff virtually attended and presented at the EPA's Smoke Management in the Northwest Conference aims to review the landscape of smoke management, expand collaboration, and identify a shared vision for successful smoke management involving ecological and human health protection. LRAPA's presentation was centered on communicating Air Quality Index information during wildfires as well as the collaborative resource sharing group called Northwest Air Quality Communicators (NWAQC) of which LRAPA is a member.

LRAPA staff virtually attended a DEQ Clean-Up update meeting Trainsong Park in Eugene. This meeting informed interested Core Team members about recent soil sampling results taken at the park, discussed next steps, and addressed questions and comments from attendees.

LRAPA staff physically attended and presented at an Active Bethel Community general meeting which provided a platform for discussing J.H. Baxter updates from regulatory agencies, as well as featuring a presentation on a health assessment report from the Oregon Health Authority. This meeting included a Q&A session, and an opportunity for attendees to meet cross-agency representatives working on pollution reduction in West Eugene.

Public Meetings, Hearings, and Events

Public affairs were present or participated in the following events:

- DEQ Trainsong Park Update – Tuesday April 18, 2023, | 6:00 pm – 7:30 PM
- Active Bethel Community General Meeting – Saturday April 22, 2023, | 12:00 pm – 5:00 pm
- LRAPA asbestos presentation to Building Deconstruction Institute – Friday April 27, 2023

**Media
Contacts**

DATE	MEDIA	REPORTER	TOPIC
04/07/2023	KEZI	Robert Desaulniers	JHB Permit Renewal
04/21/2023	KEZI	Robert Desaulniers	ABC General Meeting on JHB

**Press
Releases**

N/A	N/A
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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.

May 2023:

- Final Budget meeting.
- Dashboard Report.
- Status report on Oakridge Air Project.
- Discuss process for Director's Performance Review.

June 2023:

- Director's Performance Review (Executive Session).
- Oakridge Air Report
- Bylaws motion
- Budget adjustment FY23
- Board meeting time discussion.

July 2023:

- Audit Report.
- Rivers 2 Ridges Presentation

August 2023 – No Meeting

September 2023:

- Status report on Oakridge Air Project.

October 2023:

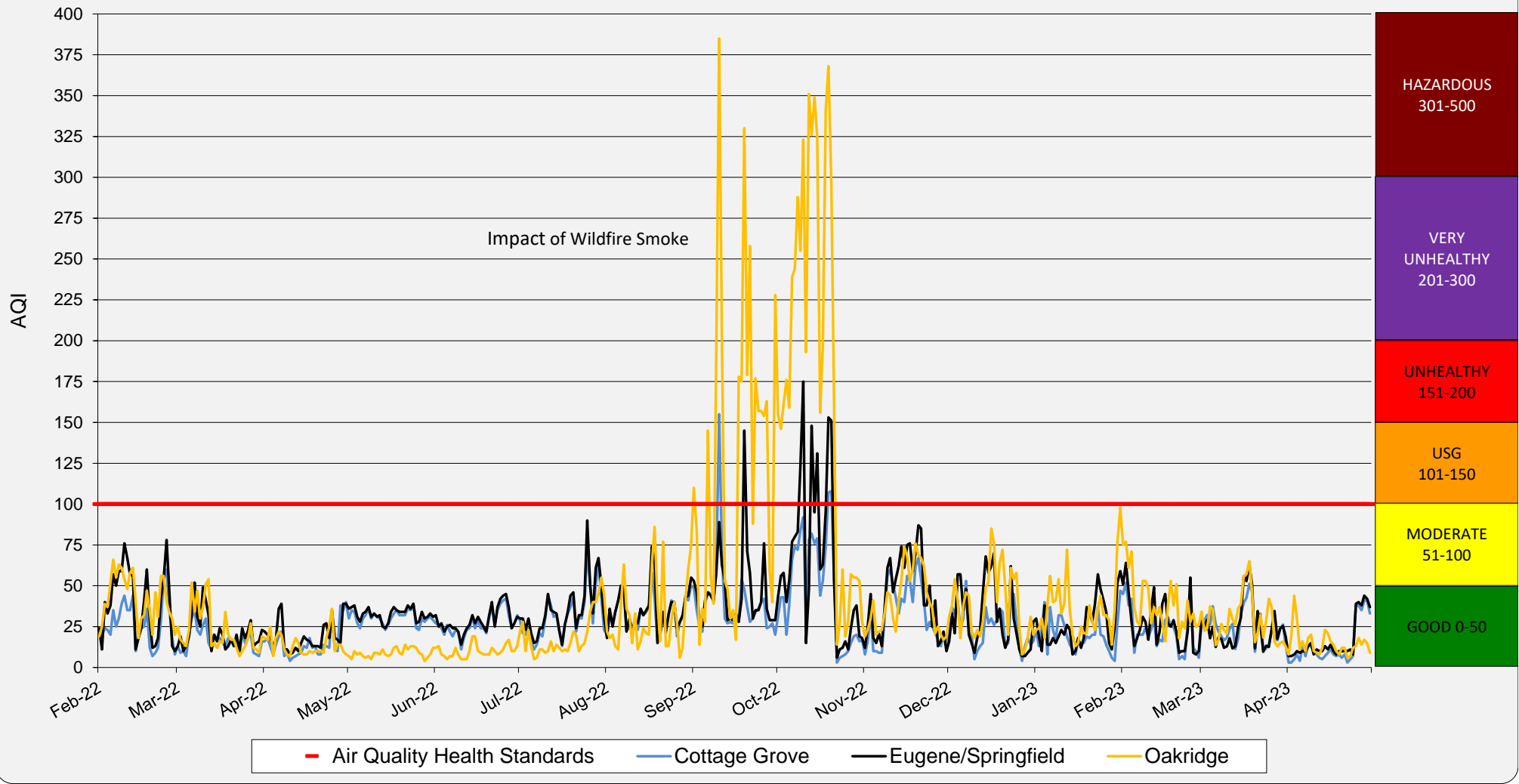
- Dashboard Report

November 2023:

- Budget up-date

Daily Air Quality Index Chart

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



Daily PM2.5 Levels

Daily Sampling, NAAQS Exceedance is Triggered on the 8th High

AQI LEVEL

