



**LRAPA BOARD OF DIRECTORS  
AGENDA ITEM SUMMARY**

**Director's Report for November and December 2020**

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

**Agenda Item No. 9**  
**Staff Contact: Merlyn Hough**  
**Contact Telephone: 541-736-1056 x 216**

**AIR QUALITY: 11/01/2020 to 12/31/2020**

**November**

Site	Date	Max AQI	Pollutant
Eug/Spfld	2-Nov-20	91	PM
Oak	2-Nov-20	68	PM
CottGrv	24-Nov-20	72	PM

AQI	Eug/Spfld	Oak	CottGrv	Range
Good	19	22	17	0-50
Moderate	11	8	13	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	201-300

**December**

Site	Date	Max AQI	Pollutant
Eug/Spfld	4-Dec-20	91	PM
Oak	3-Dec-20	115	PM
CottGrv	3-Dec-20	63	PM

AQI	Eug/Spfld	Oak	CottGrv	Range
Good	25	13	25	0-50
Moderate	6	17	6	51-100
USG	0	1	0	101-150
Unhealthy	0	0	0	151-200
Very Unhealthy	0	0	0	201-300
Hazardous	0	0	0	201-300

**Attachment No. 1: Air quality index charts for Eugene/Springfield (November & December 2020)**

**Attachment No. 2: Air quality index charts for Oakridge (November & December 2020)**

**Attachment No. 3: Air quality index charts for Cottage Grove (November & December 2020)**

**COMPLAINTS: 11/01/2020 to 12/31/2020 [TOTAL: 129]**

1. **Smoke – 104** total smoke complaints: 72 for outdoor burning; 21 for home wood heating; and 11 for slash burning.
2. **Industry – 15** total complaints: 6 for Hexion; 1 for BRB Enterprises (gasoline station); 7 for JH Baxter; and 1 for Arclin.
3. **Miscellaneous/Unknown/Dust – 10** total miscellaneous complaints: 1 for Hop Valley Brewery; 2 for odor from Creswell Waste Treatment Plant; 1 for asbestos; 2 for marijuana; 2 for fallout; and 2 unknown odors.

**For perspective, here is how the total number of complaints received for calendar year 2020 compares to previous years:**

Year	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	*2020
<b>Fugitive Dust</b>	34	33	44	30	14	25	32	25	26	15	17
<b>Ag/Field Burning</b>	9	13	1	17	4	12	9	1	0	6	2
<b>General Air Quality</b>	2	6	6	26	30	15	20	14	6	12	4
<b>Home Wood Heating</b>	62	135	95	219	121	342	130	197	126	128	74
<b>Industry</b>	265	169	128	122	127	52	58	74	50	170	100
<b>Outdoor Burning</b>	268	341	268	321	279	251	266	281	351	402	423
<b>Slash Burning</b>	5	16	7	5	7	11	26	13	24	16	12
<b>Miscellaneous</b>	77	101	79	52	57	85	164	138	66	67	59
<b>Unknown</b>	12	25	17	14	35	46	56	63	29	39	74
<b>Total</b>	<b>734</b>	<b>839</b>	<b>645</b>	<b>806</b>	<b>674</b>	<b>839</b>	<b>761</b>	<b>806</b>	<b>678</b>	<b>855</b>	<b>765</b>

\* Complete year.

**ENFORCEMENT: 11/01/2020 to 12/31/2020**

Category of Violation	New	Follow-Up Action	Pending	Closed	Total
Asbestos	1	-	-	-	1
Industrial	-	-	-	2	2
Outdoor Burning	2	-	9	-	11
Fugitive Dust	-	-	-	-	-
Home Wood Heating	-	-	-	-	-
<b>Totals</b>	<b>3</b>	<b>-</b>	<b>9</b>	<b>2</b>	<b>14</b>

**Attachment No. 4: Enforcement activities during these reporting periods for case details.**

For perspective, here is how the total number of enforcement actions for calendar year 2020 compares to previous years:

Year	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	*2020
Notices of Non-compliance and Warnings	57	64	41	51	36	38	41	39	47	55	15
Notices of Violation with Civil Penalties	39	42	29	23	28	37	37	28	43	37	26

\* Complete year.

**OUTDOOR BURNING LETTER PERMITS: 11/01/2020 to 12/31/2020**

There were two Outdoor Burning Letter Permits (OBLPs) issued in November for land-clearing debris and forest slash debris.

1. Issued Special Letter Permit 20B20-11-01 on November 3 to Mark Webb, 3060 Hayden Bridge Road, Springfield, to burn 40 cubic yards of land clearing debris located at 17-01-24-00-01602, Waltherville.
2. Issued Special Letter Permit 20B20-11-02 on November 23 to Staton Bosisto, 37296 Hwy 58, Pleasant Hill, to burn 35 cubic yards of forest slash debris located at the same address.

**ASBESTOS ABATEMENT: 11/01/2020 to 12/31/2020**

During November and December, LRAPA received 70 notices of asbestos removal projects, one of which was a school (Charlemagne at Fox Hollow).

**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 2020 compares to previous years:**

Year	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	*2020
<b>Total Asbestos Abatement Notices</b>	370	357	324	351	352	426	444	543	428	488	439
<b>School Asbestos Abatement Notices (NESHAP)</b>	70	61	53	24	21	24	27	28	24	16	25
<b>Number of Asbestos Abatements Inspected</b>	107	106	90	96	67	89	82	120	77	94	93

\* Complete year.

**PERMITTING (TITLE V AND ACDP): 11/01/2020 to 12/31/2020**

LRAPA currently permits 14 Title V sources and approximately 300 Air Contaminant Discharge Permits (ACDPs). Below are the total numbers of permit activities that are new, renewals, modifications, construction approvals, registration applications, terminated and/or issued permits the Operations staff currently have in process.

Category of Permit	Title V	ACDP	Registration	Total Active
<b>New</b>	-	3	-	3
<b>Renewals</b>	7	14	-	21
<b>Modifications</b>	1	5	-	6
<b>Constructions</b>	-	-	-	-
<b>Registrations</b>	-	-	-	-
<b>Terminated Permits</b>	2	3	-	5
<b>Issued Permits</b>	19	51	-	70
<b>*Total</b>	29	76	-	105

\* Complete year.

## **REQUESTED RESTORATION OF STATE GENERAL FUNDS**

A few years ago, LRAPA staff met with Senator Lee Beyer and Representative John Lively about the 40% reduction in State General Fund support to LRAPA during the 2008-2012 recession. We agreed to pursue restoration of these funds through the DEQ Agency Request Budget (ARB) and the Governor's Recommended Budget (GRB). LRAPA was successful in convincing DEQ and securing their support as one of the final five Policy Option Packages (POPs) forwarded in the DEQ-ARB to the Governor's Office.

Unfortunately, the Governor's Recommended Budget announced in December did not include the LRAPA Policy Option Package #112 to restore the General Funds lost to LRAPA during the recession. We recognize that the key budget in this progression is the Legislatively Approved Budget (LAB). We have contacted Senator Lee Beyer and Representative John Lively to get their advice, as well as all the other Lane County legislators. They have indicated it will be discussed at the next Lane County delegation meeting (not yet scheduled, but expected in the new few weeks). The attachment concisely describes POP #112 with supporting information.

***Attachment No. 5: Supporting information for Policy Option Package #112.***

## **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, from most recent to oldest.

### **Week of December 12-18, 2020**

See: <http://www.4cleanair.org/sites/default/files/Documents/WashingtonUpdate-2020-12-18.pdf>

- Biden Announces Intent to Nominate Michael Regan for EPA Administrator, Rounds Out Clean Air and Climate Team
- Congress Nears Final Consideration of FY 2021 Omnibus Funding Bill; Additional Short-Term CR Possible
- EPA Defends Rescission of Leak-Repair Requirements for Appliances Containing Substitutes to Ozone-Depleting Refrigerants in D.C. Circuit Brief
- House Select Committee on the Climate Crisis to Return in 117th Congress
- EPA Extends Public Comment Period for Proposed Polyvinyl Chloride and Copolymers Production Rule Amendments
- EPA Publishes Announcement of Vehicle and Engine Tampering Policy, Requests Information on 1986 Catalyst Policy
- Final PM NAAQS Rule Published in Federal Register; EPA's Response to Comments Is Available

### **Week of December 5-11, 2020**

See: <http://www.4cleanair.org/sites/default/files/Documents/WashingtonUpdate-2020-12-11.pdf>

- EPA Administrator Announces Final Decision to Retain Current PM NAAQS Without Revision
- EPA Issues Cost-Benefit Rule for Clean Air Act Rulemaking
- GAO Recommends EPA Action to Improve Nation's Ambient Air Monitoring System
- Congress Adopts One-Week Extension to Federal Funding, President Expected to Sign
- Study Finds EPA Regulatory Analyses May Significantly Undercount Air Pollution Health Costs
- Democratic Senators Host Virtual Appalachian Environmental Justice Forum
- States and Cities, Environmental and Public Health Groups File Opening Briefs in D.C. Circuit Challenge to EPA's Methane Rescission Rule
- DOE Issues Rule for Energy Efficiency, Using Manufacturer Self-Certification
- In D.C. Circuit Brief, Groups Challenge EPA's Exemptions for Small Refineries from RFS Requirements
- NACAA Members Jayme Graham and Tracy Babbidge Named as NACAA Committee Chairs

#### **Week of November 28 - December 4, 2020**

See: <http://www.4cleanair.org/sites/default/files/Documents/WashingtonUpdate-2020-12-04.pdf>

- EPA Celebrates Its 50th Anniversary
- Rep. Rosa DeLauro Selected to Chair House Appropriations Committee
- Democratic Lawmakers File Amicus Brief in NEPA Case
- Environmental Law Institute Releases Reports on Citizen Science at Environmental Agencies
- EPA Issues Vehicle and Engine Tampering Policy, Requests Information on 1986 Catalyst Policy
- EPA Publishes Final Fuels Streamlining Rule
- Senate Adds Two Commissioners to FERC

#### **Week of November 21-25, 2020**

See: <http://www.4cleanair.org/sites/default/files/Documents/WashingtonUpdate-2020-11-25.pdf>

- OECA Report: Diesel Pickup Truck Tampering Widespread, Pollution Effects Significant
- Kerry Named as Biden's Climate Envoy
- GM Abandons Administration in Lawsuit Challenging California Clean Air Authorities
- Environmental Groups Argue in D.C. Circuit Brief that EPA's Withdrawal of North Carolina SIP Call Is Part of Incremental Plan to Dismantle 2015 SSM Policy
- Deadline Delay for Landfill State Plans Remains Unjustified, Petitioners Argue in D.C. Circuit Reply Brief
- Project Emissions Accounting Rule for NSR Permitting Published in Federal Register

#### **Week of November 14-20, 2020**

See: <http://www.4cleanair.org/sites/default/files/Documents/WashingtonUpdate-2020-11-20.pdf>

- EPA Releases Draft Risk Assessment for Ethylene Oxide Pesticide Registration, Seeks Public Comment
- White House Moves to Dismiss Lawsuit Challenging NEPA Reforms

- Environmental Groups Argue in D.C. Circuit Brief that EPA's Reversal of 2015 SSM Policy and SIP Call Was Unlawful
- Environmental Groups, States Ask D.C. Circuit for Partial Stay of Oil and Gas NSPS Reconsideration Rule
- Oil Companies Seek to Broaden Issues Before Supreme Court in Climate Damage Case
- EPA Publishes Final Rule Rescinding Once-In-Always-In Policy
- New Association Advocates for Full Adoption of EVs by 2030
- FERC Nominees Advance to Senate Floor Vote
- House Bill Seeks to Require EPA Action on RFS Biofuel Registration Applications

### **Week of November 7-13, 2020**

See: <http://www.4cleanair.org/sites/default/files/Documents/WashingtonUpdate-2020-11-13.pdf>

- Senate Releases FY 2021 Funding Bill with Level Funding for State/ Local Air Grants
- Biden Establishes Agency Review Teams for Transition
- Early-Life Events Affect Lung Health of Young Adults
- EPA Publishes Proposed Polyvinyl Chloride and Copolymers Production Rule Amendments, Sets January 8 Comment Deadline

### **Week of October 31 - November 6, 2020**

See: <http://www.4cleanair.org/sites/default/files/Documents/WashingtonUpdate-2020-11-06.pdf>

- U.S. Exits Paris Agreement
- Research into Increased Exposure to PM<sub>2.5</sub> Resulting in Increased Chance of Death from COVID-19 Continues
- EPA Publishes Final Amendments to NSPS and NESHAPs for Certain Pulp Mills
- FERC Chairman Unexpectedly Demoted

## **PUBLIC INFORMATION – Travis Knudsen**

### **On-Going**

November and December were productive months for LRAPA's Public Affairs department. Outreach to community members impacted by the Holiday Farm Fire continues. In November and December LRAPA participated in multiple Facebook Live broadcasts providing cleanup information, as well as answered questions from those participating in the broadcast. In December, LRAPA was one of three panelists (with ODOT and Lane County Waste Management) on a virtual Town Hall discussing cleanup and debris management of properties effected by the Holiday Farm Fire. Efforts to aid and update the community on Oregon's "Step 2" cleanup program will continue well into 2021.

Home Wood Heating season is in full swing for LRAPA. 14 "Yellow" HWH advisories were issues for the Eugene/Springfield area in November and December. 1 "Red" and 13 "Yellow" HWH advisories were issued for Oakridge in November and December.

LRAPA worked with Oakridge partners and stakeholders, as well as utilized the "Oakridge Air" branding on social media, to increase community awareness of a red advisory issued for

12/4/2020. It's believed these efforts were successful as air quality conditions on 12/4/2020 were better than anticipated. It's believed the community worked to reduce woodsmoke which allowed LRAPA to issue a "Yellow" advisory on 12/5/2020 instead of a second "Red" advisory which was originally anticipated.

LRAPA's Public Affairs has coordinated with the Monitoring department on the process for determining yellow and red advisories in Lane County. Beginning in 2021 Public Affairs will support the monitoring department on this effort and begin sharing the responsibility of issuing HWH advisories dependent on current Air Quality levels and the forecast.

Public Affairs staff continue to work with the Oregon Department of Environmental Quality, Oregon Health Authority, local community members, and others to engage the community in meaningful ways. To answer and address concerns related elevated levels of dioxins collected in dirt samples along roadways in a neighborhood near J.H. Baxter & Co. The first community engagement meeting which involved members of the Bethel Neighborhood took place in December. More meetings will happen in preparation of a bigger public meeting in the Spring of 2021.

**Media Contacts**

Date	Media	Person	Topic
12/14/2020	KLCC	Brian Bull	J.H. Baxter & Dioxins

**Meeting/Events**

11/3	Coordinating meeting with ODEQ, LRAPA, OHA on JHB	11/24	LRAPA Citizen Advisory Committee meeting
11/3	PIO Partner Call - Lane County COVID-19 EOC	11/24	Jira Task Force/Western Region Technical Experts Check-in – ODEQ
11/3	Jira Task Force/Western Region Technical Experts Check-in – ODEQ	11/25	Air Stagnation event coordination call/NWS/AQ
11/3	Oakridge Air: Quarterly Meeting	11/30	Air Stagnation event coordination call/NWS/AQ
11/5	Monthly Air Toxics Technical and Communications Call	11/30	J.H. Baxter Community Engagement planning
11/5	J.H. Baxter Community Engagement planning	11/30	ODEQ Public Hearing - Daimler
11/5	HWH Red Day & COVID-19 Protocol Meeting	12/1	Oakridge TAG - EPA check in
11/9	EPA/LRAPA/ODEQ Check-in	12/2	ODEQ Public Hearing - Columbia Steel
11/9	J.H. Baxter Community Engagement planning	12/3	Monthly Air Toxics Technical and Communications Call
11/10	NACCA Public Outreach Committee	12/3	Oregon Clean Fuels Program Rulemaking Briefing
11/10	PIO Partner Call - Lane County COVID-19 EOC	12/3	Air Stagnation event coordination call/NWS/AQ
11/10	Jira Task Force/Western Region Technical Experts Check-in – ODEQ	12/3	Holiday Farm Fire Facebook Live re: Recovery
11/10	ODEQ Grant Administrator Check-in	12/7	Quarterly Conformity Conference Call
11/12	Training: 2020 Lessons Learned for Ensuring Business Continuity in 2021	12/7	J.H. Baxter Community Engagement planning

11/12	LRAPA Board of Directors meeting	12/8	EPA's Office of Transportation and Air Quality, MOVES3 Webinar
11/13	Oakridge Air Check-In with RARE participate	12/8	Jira Task Force/Western Region Technical Experts Check-in – ODEQ
11/13	State Historic Preservation Office: Programmatic Agreement for Oakridge Air	12/9	Electrify America, Eugene-Springfield Area NOP Follow-Up
11/16	Oakridge AIR - LRAPA/GC check in	12/9	Oakridge Air: Health Data meeting with APAC/OHA
11/17	Northwest Air Directors Meeting	12/9	Holiday Farm Fire: Debris Management Town Hall/Virtual Event
11/18	Northwest Air Directors Meeting	12/10	JHB Community Engagement Meeting
11/18	Wildfire Severe Smoke Response, Post-Season Call	12/11	LRAPA/LCOG review of agreement with CivicPlus for website.
11/18	Electrify America, Eugene-Springfield Area NOP	12/15	Springfield Chamber Government Issues/Economic Development Committee
11/18	Oakridge Air: Smoke, Health and Safety Workgroup	12/15	Medium and Heavy-Duty ZEV MOU Virtual Meeting
11/18	State Historic Preservation Office: Programmatic Agreement for Oakridge Air	12/15	LRAPA/ODEQ meeting on PM2.5 Notifications
11/19	Oakridge Air: Code Enforcement Meeting	12/15	ODEQ Public Hearing – NW Metals
11/19	Holiday Farm Fire Facebook Live re: Recovery	12/21	Oakridge AIR - LRAPA/GC check in
11/20	Lane County Climate Advisory Committee November Meeting	12/22	Springfield Chamber Government Issues/Economic Development Committee
11/20	Meeting with Tom Peck, Friendly Area Neighborhood CO-Chair & Neighborhood Leaders Council Board Member	12/30	LRAPA Special December Board of Directors meeting

**Press Releases**

11/25	"YELLOW" Home Wood Heating advisory issued for Eugene/Springfield and Oakridge, stagnant air to linger through the holiday weekend
12/03	"RED" smoke advisory issued for Oakridge; "YELLOW" advisory continues for Eugene/Springfield
12/04	"RED" smoke advisory reduced to "YELLOW" smoke advisory in Oakridge; "YELLOW" advisory continues for Eugene, and Springfield.

**General Programs and Projects**

- Oakridge Air Progress *in progress*
- Purple Air Sensors in Oakridge *In progress*
- Community Response Plan for Oakridge *In Progress*
- Coordinate with DEQ/Lane County on Asbestos Cleanup *In Progress*
- Indoor Air Quality web page *Completed*
- First JHB Community Engagement Meeting *Completed*

## 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.

### November 2020:

- ~~Succession planning update – revised recruitment profile by SGR, transition plan.~~
- ~~Budget updates.~~

### December 2020: ~~Succession Planning/Director recruitment continuity.~~

### January 2021:

- Preview upcoming appointments on board and committees.
- Review multi-year budget forecast for FY2021-2025.
- Approve dues request to IGA partners for FY2022.
- Succession planning update - executive session.

### February 2021:

- Elect board chair and vice-chair.
- Appoint new budget committee members and budget officer.
- Status report on Oakridge Air Project (postponed from January).
- Review multi-year budget forecast for FY2021-2025 (continued).
- Auditor report for FY2020.
- Succession planning update (if needed).
- RFP/RFQ for Auditors.

### March 2021:

- First budget meeting on proposed budget for FY2022 (July 2021 – June 2022).
- Succession planning update (if needed).

### April 2021:

- Second budget meeting on proposed budget for FY2022.
- Status report on Oakridge Air Project.
- Dashboard update.
- Succession planning update (if needed).

### May 2021:

- Adopt budget for FY2022 (July 2021 – June 2022).
- Succession planning update (if needed).

### June 2021:

- Succession planning update (if needed).

July 2021:

- Status report on Oakridge Air Project.

August 2021: No meeting.

September 2021:

- Review 2021 Legislative Session and state general fund decisions.
- Discuss local dues request to IGA partners for FY2023.

October 2021:

- Dashboard update and priorities review.
- Status report on Oakridge Air Project.

November 2021:

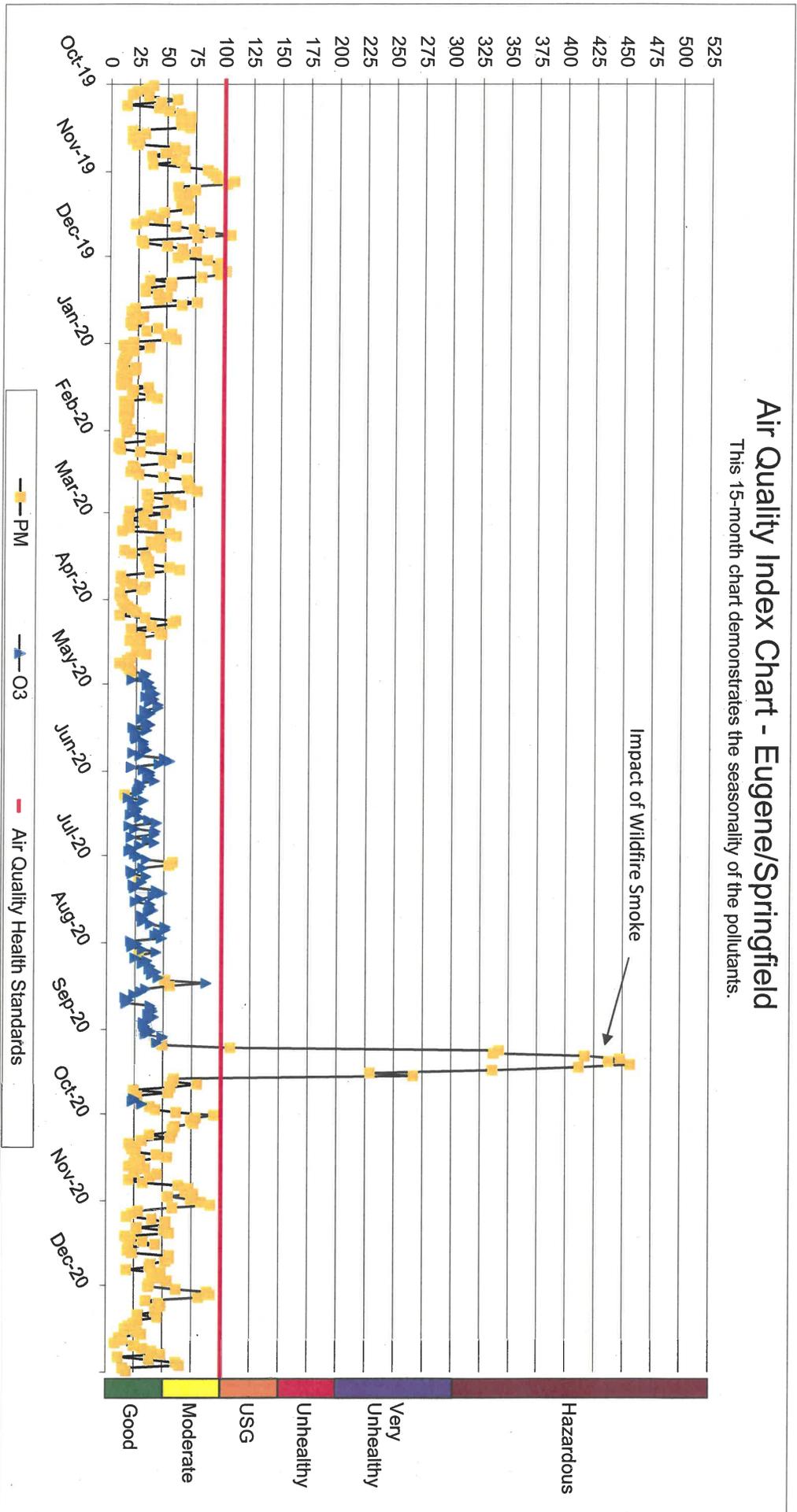
- Auditor report for FY2021.
- Approve local dues request to IGA partners for FY2023.

December 2021: No meeting.

January 2022:

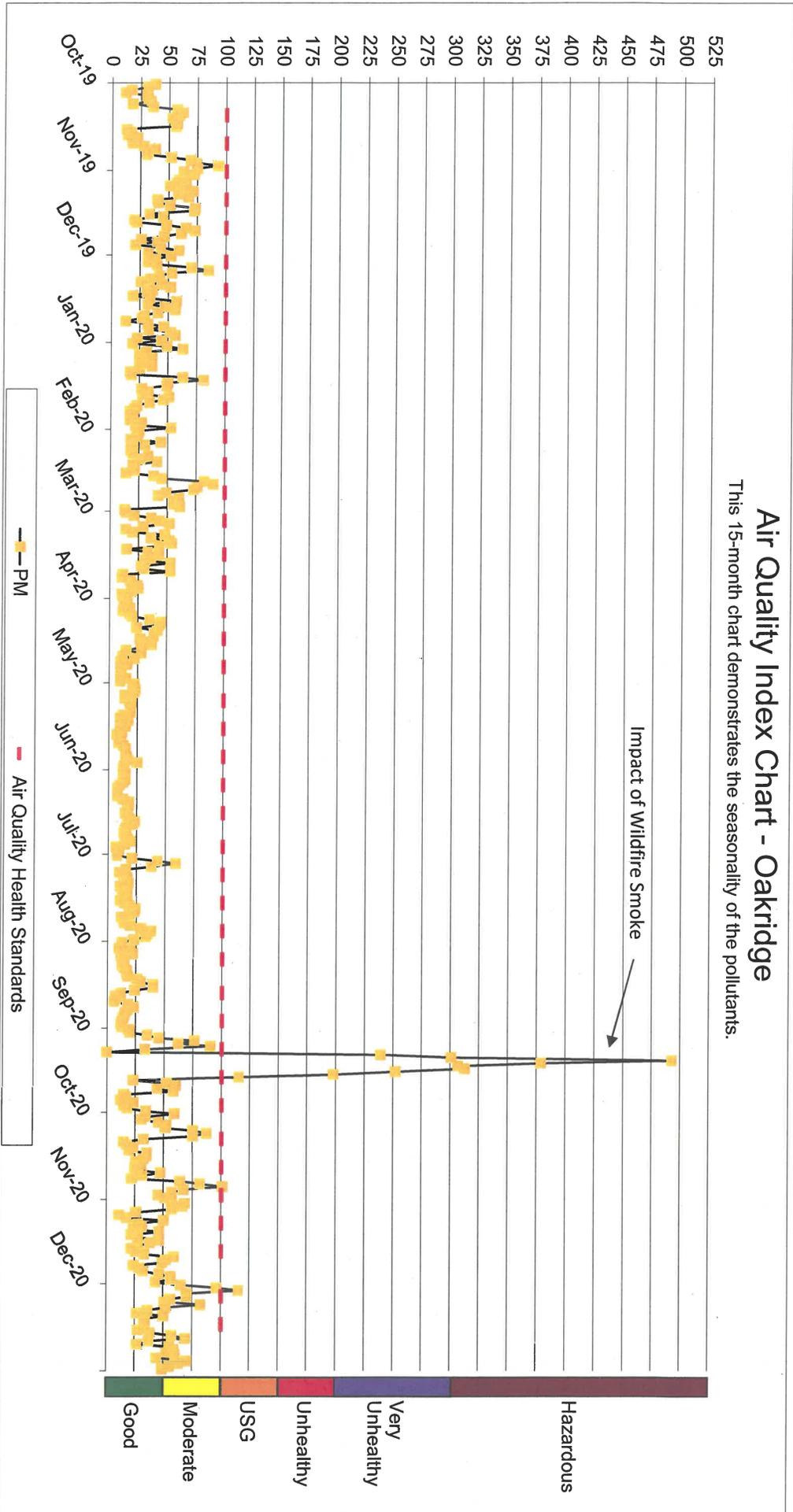
- Preview upcoming appointments on board and committees.
- Status report on Oakridge Air Project.
- Review multi-year budget forecast for FY2022-2026.

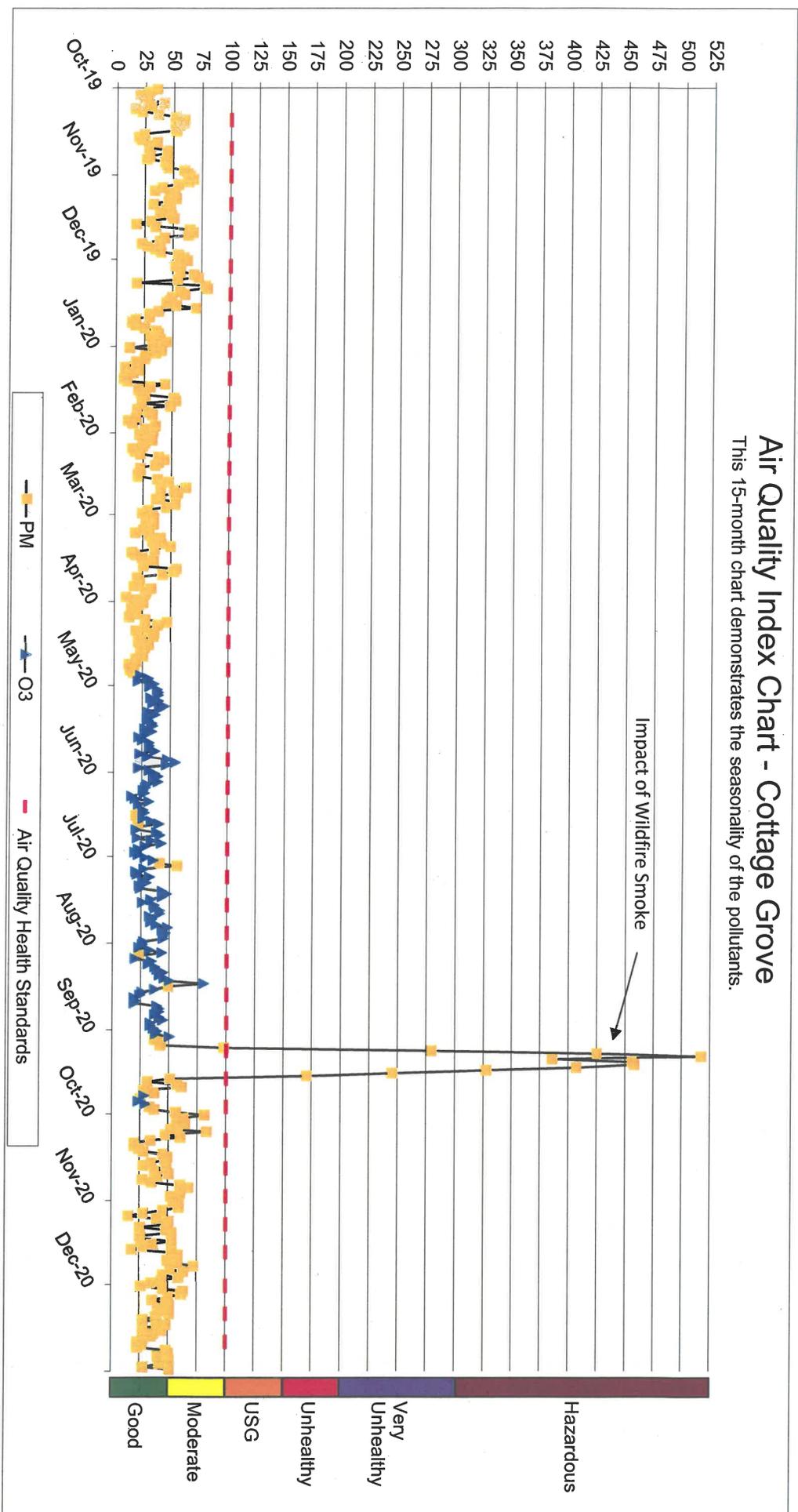
MLH/cmw



### Air Quality Index Chart - Oakridge

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





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

**11/01/2020 -- 12/31/2020**

**Report of open and actions initiated since last report**

### **NEW: 11/01/2020 -- 12/31/2020**

1. ALPHA ENVIRONMENTAL SERVICES INC. (EUGENE)
  - A. Violation: Conducted asbestos abatement activities inside a negative pressure enclosure on which a viewing window was not installed; failed to adequately clean and remove all asbestos debris at the conclusion of the project; allowed for the open storage or accumulation of friable asbestos containing materials or asbestos containing waste.
  - B. Initial Action Taken: NON #3820 issued 11/13/2020
  - C. Subsequent Action: NCP #2020-3820 (\$4,400) issued 12/01/2020
  - D. Resolution: PENDING
2. BACHMANN, MICHAEL (COTTAGE GROVE)
  - A. Violation: Failure to attend outdoor burning until extinguished, failure to promptly extinguish illegal outdoor burning; outdoor burning when prohibited; outdoor burning such as to create a nuisance; outdoor burning of prohibited materials (household garbage)
  - B. Initial Action Taken: NON #3823 issued 11/10/2020
  - C. Subsequent Action: NCP #2020-3823 (\$700) issued 11/23/2020
  - D. Resolution: PENDING
3. LADD, DENNIS (COTTAGE GROVE)
  - A. Violation: Failure to attend outdoor burning until extinguished, 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)
  - B. Initial Action Taken: NON #3824 issued 11/10/2020

- C. Subsequent Action: NCP #2020-3824 (\$700) issued 11/23/2020
- D. Resolution: PENDING

**ACTIONS PERFORMED (Enforcement actions issued prior to 11/01/2020 with subsequent action in the current reporting period):**

- 1. RON'S OIL CO. (SPRINGFIELD)
  - A. Violation: The permit holder failed to submit performance test records to LRAPA to demonstrate compliance with triennial vapor balance system requirements outlined in Permit Condition 5.0. Permit Condition 7.2 requires submittal of performance test reports to LRAPA within 30 days of test completion.
  - B. Initial Action Taken: NON #3767 issued 05/02/2019
  - C. Subsequent Action: NCP #2019-3767 (\$2,382) issued 02/06/2020: Submitted 2018 test on 2/7/20 and request for reduction approved to \$570 with signed SFO - paid
  - D. Resolution: CASE CLOSED on 12/04/2020

**PENDING (Enforcement actions issued prior to 11/01/2020 with no subsequent action in the current reporting period):**

- 1. SPACE AGE FUEL, INC. #19 EUGENE (EUGENE)
  - A. Violation: The permit holder failed to submit performance test records to LRAPA to demonstrate compliance with triennial vapor balance system requirements outlined in Permit Condition 5.0. Permit Condition 7.2 requires submittal of performance test reports to LRAPA within 30 days of test completion.
  - B. Initial Action Taken: NON #3769 issued 05/02/2019
  - C. Subsequent Action: NCP #2019-3769 (\$2,382) issued 02/06/2020; request for reduction approved and reduced to \$500 with signed SFO
  - D. Resolution: PENDING

2. VARGUS, RIGOBERTO (JUNCTION CITY)
  - A. Violation: Outdoor burning when prohibited; outdoor burning such as to create a hazard to the public; outdoor burning of prohibited materials; outdoor burning of construction/demolition/commercial waste without first obtaining a letter permit from LRAPA
  - B. Initial Action Taken: NON #3805 issued 12/04/2019
  - C. Subsequent Action: NCP #2019-3805 (\$1,075) issued 12/27/2019: request for reduction approved and reduced to \$500 with signed SFO and payment schedule; on schedule with payments
  - D. Resolution: PENDING
3. WOLF, STEVEN A (EUGENE)
  - A. Violation: Outdoor burning when prohibited; outdoor burning of prohibited materials; outdoor burning within Eugene city limits
  - B. Initial Action Taken: NON #3807 issued 01/13/2019
  - C. Subsequent Action: NCP #2020-3807 (\$350) issued 01/30/2020; no response, Default Order Judgment (DOJ) in process for a lien on the property
  - D. Resolution: PENDING
4. HARRIS, RYON (EUGENE)
  - A. Violation: Failure to promptly extinguish illegal outdoor burning; outdoor burning when prohibited; outdoor burning of prohibited materials; outdoor burning where prohibited; outdoor burning of construction/demolition waste where prohibited
  - B. Initial Action Taken: NON #3808 issued 02/01/2020
  - C. Subsequent Action: NCP #2020-3808 (\$600) issued 02/14/2020; no response, Default Order Judgment (DOJ) in process for a lien on the property
  - D. Resolution: PENDING

5. WOOD, JOSHUA T. (COTTAGE GROVE)
  - A. Violation: Outdoor burning when prohibited; outdoor burning of prohibited materials; outdoor burning such as to create a nuisance or hazard to public safety; outdoor burning adjacent to a flammable structure
  - B. Initial Action Taken: NON #3811 issued 02/10/2020
  - C. Subsequent Action: NCP #2020-3811 (\$650) issued 02/14/2020; no response, Default Order Judgment (DOJ) in process for a lien on the property
  - D. Resolution: PENDING
  
6. LITTEN, ED (VENETA)
  - A. Violation: Failure to promptly extinguish illegal outdoor burning; outdoor burning when prohibited; outdoor burning such as to cause a public nuisance; outdoor burning of prohibited materials; outdoor burning of construction/demolition debris without first obtaining a letter permit from LRAPA
  - B. Initial Action Taken: NON #3813 issued 02/20/2020
  - C. Subsequent Action: NCP #2020-3813 (\$2,025) issued 03/17/2020: Settlement proposal offer 5/29/2020 for \$875, response due 06/22/2020; no response, Default Order Judgment (DOJ) in process for a lien on the property
  - D. Resolution: PENDING
  
7. CROSMAN, ZACKERY RYAN (EUGENE)
  - A. Violation: Outdoor burning such as to create a nuisance outdoor burning of prohibited materials
  - B. Initial Action Taken: NON #3815 issued 05/08/2020
  - C. Subsequent Action: NCP #2020-3815 (\$700) issued 05/27/2020; no response, Default Order Judgment (DOJ) in process for a lien on the property
  - D. Resolution: PENDING

8. 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) served 06/19/2020; 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
  - D. Resolution: PENDING
9. DILLION, LEE (EUGENE)
  - 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 (household garbage)
  - B. Initial Action Taken: NON #3821 issued 10/01/2020
  - C. Subsequent Action: NCP #2020-3821 (\$450) issued 10/12/2020: no response, Default Order Judgment (DOJ) in process for a lien on the property
  - D. Resolution: PENDING
10. MOON, SHANNON (OAKRIDGE)
  - A. Violation: Outdoor burning when prohibited; outdoor burning such as to cause a public hazard; outdoor burning of construction/demolition debris without first obtaining a Outdoor Burning Letter Permit from LRAPA.
  - B. Initial Action Taken: NON #3822 issued 10/01/2020
  - C. Subsequent Action: NCP #2020-3822 (\$650) issued 10/12/2020: no response, Default Order Judgment (DOJ) in process for a lien on the property

D. Resolution: PENDING



October 13, 2020

Jason Miner, Governor Brown's Natural Resources Policy Director  
Amira Streeter, Governor Brown's Natural Resources Policy Advisor

Dear Jason and Amira:

My name is Merlyn Hough, Director of the Lane Regional Air Protection Agency (LRAPA) in Lane County, Oregon. I am writing you today to advocate that POP 112 (regarding LRAPA Support) be included in DEQ's section of the Governor's Recommended Budget. LRAPA is the regional air quality authority responsible for protection of air quality in the southern Willamette Valley, and was formed under state statutes (ORS 468A.105) in 1968.

A small but essential part of LRAPA's funding comes from Oregon GF (\$250,000 per biennium) that is used to leverage federal funds and local partner dues. Local partner dues must equal or exceed state GF, and in turn the state and local funds are needed to match federal funds. These leveraged state-local federal general funds are critical to air quality programs to attain and maintain national air quality health standards, especially in lower-income and other environmental justice communities in Lane County.

During the 2008-2012 recession, state GF to LRAPA was reduced by about 40%. LRAPA has not yet seen restoration of the state GF lost during the recession, while the rest of the state has benefited from significant state GF investment in the DEQ's air quality division. Thus, POP 112 is a request to restore an equitable level of services for Lane County communities.

I welcome an opportunity to "meet" with you to discuss all these air quality, equity and environmental justice issues in more detail. For references, DEQ Director Richard Whitman and Air Quality Administrator Ali Mirzakhali are both very familiar with LRAPA's programs and performance over the years. LRAPA would not be nearly as successful without the strong support of DEQ, and I believe LRAPA helps DEQ be more effective in its mission as well. I can provide many illustrations of how both agencies have been more successful by working together.

Other references are Senator Lee Beyer and Representative John Lively. They and other local legislators have been very supportive of LRAPA, receptive to LRAPA input on legislative issues, and extremely committed to keeping us and other community partners fully informed.

Please let me know of a good time to meet with you soon by teleconference or videoconference. Thank you for your support. We have greatly appreciated the environmental leadership of Governor Kate Brown in these difficult times.

Sincerely,

Merlyn L. Hough, LRAPA Director

[Merlyn@LRAPA.org](mailto:Merlyn@LRAPA.org)

# AIR QUALITY

## POLICY OPTION PACKAGE 112 NARRATIVE

TITLE: SUPPORT THE LANE REGIONAL AIR PROTECTION  
PRIORITY RANK – GENERAL FUND: 17

### PURPOSE

The purpose of this package is to restore General Fund support to the Lane Regional Air Protection Agency (LRAPA) to pre-recession levels. The agency experienced significant cuts in the mid-2000s and unlike the Department of Environmental Quality's Air Quality Division, LRAPA never saw restoration of these cuts, seriously limiting their ability to perform core work.

LRAPA is a local government agency that monitors and regulates air quality in Lane County, Oregon. LRAPA administers the federal Clean Air Act and Oregon DEQ requirements in the county, and operates seven air quality monitoring stations throughout the county. LRAPA was established in 1968 with the purpose of protecting public health, community well-being, and the environment. For the past 50 years, LRAPA has partnered with the cities, residents, and other public entities of Lane County to do just that. This local engagement makes LRAPA unique, as the rest of the state's monitoring is conducted by DEQ. LRAPA ensures that important decisions concerning air quality are made by people who live in Lane County.

LRAPA has relied on state General Funds as an important element of its budget during its entire 50-year history. Those funds have typically been delivered via a pass-thru in DEQ's budget. General Funds are used to leverage local funds provided by Lane County and the cities of Eugene, Springfield, Cottage Grove and Oakridge. Additionally, the General Funds are used to satisfy match requirements in order to access federal funding from the US Environmental Protection Agency (EPA).

In 2008, LRAPA's state General Fund budget was reduced by 40%, contributing to a 35% cut to the agency's staffing levels. The cuts were so severe that LRAPA needed a waiver from EPA match requirements. Since that time LRAPA's fees for permitted sources have slowly increased, as have dues paid by local governments. A modest increase in

General Fund restores equitable cost sharing across LRAPA revenue sources.

General Fund support is especially important for some of the most critical air quality issues facing Lane County. Issues that generally cannot be addressed using permit fees. Specifically:

### Particulate Matter (PM)

Particulate matter has historically been the most difficult air pollution challenge in the LRAPA territory. The Eugene-Springfield and Oakridge airsheds were nonattainment areas for particulate matter in the past, and remain at risk of violating national health-based standards. Failure to maintain compliance with the PM health standards, in addition to the obvious impacts on public health, would have major negative implications for businesses planning to locate or expand in the airsheds.

### Home Wood Heating

The most significant source of particulate emissions in the critical winter months during air stagnation episodes is home wood heating. LRAPA programs to reduce home wood heating emissions from woodstoves have been key to controlling particulate emissions in Eugene-Springfield and Oakridge. These wood smoke reduction programs depend on state General Funds revenue. Woodstove emissions are also a major source category for combustion-related air toxics.

### Air Quality Monitoring

LRAPA has innovated and leveraged resources to provide a more comprehensive air monitoring network than other similar population-size areas of Oregon and other airsheds in the Pacific Northwest. The LRAPA monitoring network, combined with website enhancements and social media outreach, is greatly appreciated by the public for comprehensive air quality reporting during summertime wildfire impacts as well as the wintertime woodstove impacts. Most recently, LRAPA has been a leader in the expansion of low-cost particulate sensors from McKenzie Bridge to Florence, including an extensive network in the Eugene-Springfield, Cottage Grove and Oakridge areas. Permit fees provide for most of the minimal core monitoring network, but general funds make possible the enhanced network that has been much appreciated by our partners and the public.

# AIR QUALITY

## Complaint Investigation

Complaint response is a key program that is expected and appreciated by LRAPA's partners and the public. Since its inception, LRAPA has made complaint response a priority. The most numerous complaints in recent years involve outdoor burning and home wood heating – not associated with permitted facilities. LRAPA provides a one-stop daily advisory for home-heating and outdoor burning that addresses the fire safety seasons established by the fire departments as well as the air pollution and stagnation forecasts by LRAPA. The daily advisory program and the complaint response program rely on general funds.

## Public Engagement

Public outreach and education are closely related programs to inform Lane County communities on how to access and understand the air monitoring information and how best to comply with the important home wood heating and outdoor burning programs. This public outreach-education is also dependent on general funds.

## HOW ACHIEVED

LRAPA, DEQ management and the legislature have long agreed that it is more efficient and cost-effective for LRAPA to continue to operate the air quality programs in its jurisdiction compared to the costs of DEQ assuming that work. In addition, by having at least one local air agency, Oregon has a second voice on national air quality issues involving the U.S. Environmental Protection Agency (EPA) and other state and local air quality agencies. These benefits however are reliant on adequate funding from the state, among other sources.

This package increases pass-thru General Fund support to LRAPA by \$250,000, ongoing. This represents an approximately 90% increase of the existing support provided by the state to LRAPA (\$277,000 in 2019-2021). This increase is just slightly above what General Fund support would be had it kept pace with inflation over the last 13 years. It is also an equitable response to the increased funding committed by LRAPA's local government partners and permitted sources.

Without additional General Fund support LRAPA lacks critical resources to address the some of the most pressing air quality issues in Lane County. Most importantly, General Fund supports work necessary

to ensure communities within Lane County remain in attainment with the federal health-based standards for fine particulate matter.

## QUANTIFYING RESULTS

Approval of this package will allow LRAPA to maintain and enhance the level of effort in key program area discussed above. LRAPA measures the success of their efforts in a variety of ways:

- LRAPA is accountable to a nine member board of directors and a Citizens Advisory Committee. LRAPA works with their governing boards and the Lane County community towards achieving goals related to air quality outcomes, service, partnerships, and public involvement. Progress on these goals is detailed in the agency's annual report, available on their website [www.lrapa.org](http://www.lrapa.org)
- LRAPA reports regularly to their funders, including the US EPA and Oregon DEQ, on key performance measures relating to permit issuance and timeliness, public engagement, complaint response and enforcement activities.
- Most importantly, LRAPA is accountable to the air quality conditions their work is focused on, such as compliance with federal air quality standards.

## 2021-23 STAFFING IMPACT

POSITION	TOTAL POSITIONS	POSITION #	FTE
No positions	0		0
<b>Total</b>	<b>0</b>		<b>0</b>

## REVENUE SOURCE

General Fund	\$250,000
Other Funds	-
Federal Funds	-
<b>Total</b>	<b>\$250,000</b>

# AIR QUALITY

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## 2023-25 STAFFING IMPACT

POSITION	TOTAL POSITIONS	POSITION #	FTE
No positions	0		0
<b>Total</b>	<b>0</b>		<b>0</b>

## REVENUE SOURCE

General Fund	\$260,000
Other Funds	-
Federal Funds	-
Total	\$260,000