



**LRAPA BOARD OF DIRECTORS
AGENDA ITEM SUMMARY**

Director's Report for February 2021

Meeting Date: March 11, 2021
Department: Director's Office
www.lrapa.org

Agenda Item No. 6
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AIR QUALITY: 02/01/2021 to 02/28/2021

February

Site	Date	Max AQI	Pollutant
Eug/Spfld	10-Feb-21	64	PM
Oak	11-Feb-21	62	PM
CottGrv	11-Feb-21	62	PM

AQI	Eug/Spfld	Oak	CottGrv	Range
Good	25	25	26	0-50
Moderate	3	3	2	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

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

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

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

COMPLAINTS: 02/01/2021 to 02/28/2021 [TOTAL: 34]

- Smoke** – 21 total smoke complaints: 12 for outdoor burning and 9 for home wood heating.
- Industry** – 9 total complaints: 7 for JH Baxter; 1 for International Paper and 1 for Swanson Group Mfg.
- Miscellaneous/Unknown/Dust** – 4 total miscellaneous complaints: 1 for odor from idling motorcycle; 1 for asbestos; 1 for unknown sewage odor and 1 unknown odor.

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	4
Ag/Field Burning	13	1	17	4	12	9	1	0	6	2	0
General Air Quality	6	6	26	30	15	20	14	6	12	4	2
Home Wood Heating	135	95	219	121	342	130	197	126	128	74	15
Industry	169	128	122	127	52	58	74	50	170	100	23
Outdoor Burning	341	268	321	279	251	266	281	351	402	423	27
Slash Burning	16	7	5	7	11	26	13	24	16	12	0
Miscellaneous	101	79	52	57	85	164	138	66	67	59	8
Unknown	25	17	14	35	46	56	63	29	39	74	7
Total	839	645	645	806	839	761	806	678	855	765	86

* Year-to-date.

ENFORCEMENT: 02/01/2021 to 02/28/2021

Category of Violation	New	Follow-Up Action	Pending	Closed	Total
Asbestos	-	-	-	-	-
Industrial	-	-	1	-	1
Outdoor Burning	-	3	10	-	13
Fugitive Dust	-	-	-	-	-
Home Wood Heating	-	-	-	-	-
Totals	-	3	11	-	14

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 2021 compares 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	2
Notices of Violation with Civil Penalties	42	29	23	28	37	37	28	43	37	26	3

* Year-to-date.

OUTDOOR BURNING LETTER PERMITS: 02/01/2021 to 02/28/2021

There were no Outdoor Burning Letter Permits (OBLPs) issued in February.

ASBESTOS ABATEMENT: 02/01/2021 to 02/28/2021

During February, LRAPA received 31 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 2021 compares to previous years:

Year	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	*2021
Total Asbestos Abatement Notices	357	324	351	352	426	444	543	428	488	439	68
School Asbestos Abatement Notices (NESHAP)	61	53	24	21	24	27	28	24	16	25	0
Number of Asbestos Abatements Inspected	106	90	96	67	89	82	120	77	94	93	13

* Year-to-date.

PERMITTING (TITLE V AND ACDP): 02/01/2021 to 02/28/2021

LRAPA currently permits 14 Title V sources and approximately 300 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 issued permits the Operations staff currently have in process.

Category of Permit Activity	Title V	ACDP	Registration	Total Active
New	-	3	-	3
Renewals	6	14	-	20
Modifications	-	4	-	4
Constructions	-	1	-	1
Registrations	-	-	-	-
Terminated Permits	-	-	-	-
Issued Permits	1	7	-	8
*Total	7	29	-	36

* Year-to-date.

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 January 30 - February 5, 2021

See: <http://www.4cleanair.org/sites/default/files/Documents/WashingtonUpdate-2021-02-05.pdf>

- Michael S. Regan Meets Bipartisan Questioning, Support in EPA Confirmation Hearing
- Buttigieg Confirmation Brings Climate Focus To DOT
- Federal Court Vacates and Remands EPA's "Science Transparency" Rule
- EPA and NHTSA Ask Court to Hold in Abeyance Litigation Challenging Trump-Era SAFE Vehicles Rule Part 1 Pending Conclusion of Potential Reconsideration
- State Respondent-Intervenors Oppose Motion to Hold in Abeyance SAFE Vehicles Rule Part 1, Automaker Group Respondent-Intervenors Withdraw from Suit
- New DOJ Memo Withdraws Bans on SEPs, Settlement Limits
- New Administration Withdraws Previous Administration's Proposed FY 2021 Budget Cuts
- Carper Takes Chairmanship of EPW
- Bipartisan Congressional Group Calls for Immediate Administration Action on PFAS
- EPA Seeks Nominations for National Environmental Justice Advisory Council
- EPA Announces More Appointments
- NAS Academic Experts: Midcentury Decarbonization Challenging But "Feasible"

Week of February 6-12, 2021

See: <http://www.4cleanair.org/sites/default/files/Documents/WashingtonUpdate-2021-02-12.pdf>

- D.C. Circuit Orders One National Program Rule (SAFE Vehicles Rule Part 1) Litigation Held in Abeyance
- NACAA Recommends that EPA Establish Certification Program for Aftermarket Catalysts
- Emissions from Fossil Fuel Combustion Responsible for Nearly One in Five Total Global Deaths in 2018
- EPA Pulls Back Recent PFAS-Related Toxicity Assessment Due to "Political Interference"
- D.C. Circuit Begins Granting Motions to Halt Cases While EPA Reviews Challenged Rules
- EPA Inspector General to Examine Grant Flexibilities Provided During COVID-19
- Ninth Circuit Declines to Rehear Kids' Climate Suit
- Environmental and Public Health Organizations Challenge EPA's Retention of 70-ppb Ozone NAAQS
- Researchers Find Rush Hour Levels of PM2.5 in Northeastern Subway Stations Higher than Outdoors
- EPW Advances Regan to Full Senate Floor Vote
- Oregon Senator Merkley to Chair Appropriations Subcommittee on Interior and Environment
- White House Convenes First Climate Task Force Meeting

Week of February 13-19, 2021

See: <http://www.4cleanair.org/sites/default/files/Documents/WashingtonUpdate-2021-02-19.pdf>

- Following ACE Rule Vacatur, EPA Does Not Expect States to Submit CPP Plans; Asks Court to Clarify that CPP is Not Back in Effect
- D.C. Circuit Places More CAA Cases in Abeyance While EPA Reviews Challenged Rules

- States Challenge NHTSA Interim Final Rule Delaying Increases in Fines for Auto Manufacturers that Fail to Comply with Fuel Economy Standards
- Amicus Briefs Seek to Boost VW Software Tampering Case to SCOTUS
- EPA Power Sector Emissions Data Shows "Improvement"
- US Returns to Paris Agreement

Week of February 20-26, 2021

See: <http://www.4cleanair.org/sites/default/files/Documents/WashingtonUpdate-2021-02-26.pdf>

- D.C. Circuit Order Provides Assurance that Clean Power Plan Is Not Back in Effect Due to ACE Rule Vacatur
- EPA Inspector General Requests Again that EPA Communicate Significant Ethylene Oxide Risks to Nearby Communities
- Petitioners Ask EPA to Reconsider Final PM NAAQS
- More Cases Challenging Trump-Era CAA Rules Placed in Abeyance by D.C. Circuit
- EPA Extends Public Comment Periods for Six Proposed Risk and Technology Review Standards
- EPA Announces Support for 2020 Tenth Circuit Ruling on Small Refinery Exemptions Under the RFS Program
- Virginia General Assembly Passes Clean Cars Bill
- Researchers Conclude Exposure of Elderly Population to Air Pollution at Lower Levels Poses Significant Health Risks
- Model Shows U.S. Pathway to 1.5° C Possible With Relatively Few Policies
- US / Canada Joint Statement Heralds Cooperation on Transportation Emission Reductions Granholm confirmed as Secretary of Energy

PUBLIC INFORMATION – Travis Knudsen

On-Going

February flew by as the Public Affairs department made meaningful progress on many ongoing items at the agency.

Home Wood Heating season continued through February, though an active weather pattern has prevented any concerning issues of reduced air quality in Eugene, Springfield, and Oakridge. No "Yellow" or "Red" Home Wood Heating (HWH) advisories were issued for the Eugene/Springfield area and 1 "Yellow" HWH advisory was issued in Oakridge.

A significant portion of Public Affairs attention over February was devoted to coordinating interviews with the three candidates for LRAPA's Executive Director. These sessions included staff interviews, public and stakeholder interviews, and Board of Director interviews. Time was also devoted to coordinating two additional Board meetings as succession planning process marched onward. Extra attention was given to assure opportunities for public engagement and provide an avenue for the Board of Directors to receive feedback on the candidates. Public Affairs created a webpage to host a recording of the public meeting. This provided additional opportunity for the public and stakeholders to review the candidates and provide feedback.

Public Affairs staff continue to work with the Oregon Department of Environmental Quality (DEQ), Oregon Health Authority (OHA), 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 third community engagement meeting that involved members of the Bethel Neighborhood took place in early February. Public Affairs spent time over February

to create a presentation on Cleaner Air Oregon, which will be presented to this group on the fourth meeting in early March. These meetings are in preparation of a larger public meeting on J.H. Baxter & Co. in the late spring/early summer of 2021.

LRAPA is hosting and organizing reoccurring meetings with DEQ and OHA to plan and prepare for 2021's Air Quality Awareness Week (May 3-7) public information campaigns. LRAPA is also participating with EPA Region 10, and other regional clean air agencies to coordinate public messaging for Smoke Ready Week, 2021 (June 14-21) in preparation of the upcoming wildfire season.

Work continues to improve the public's access to information. LRAPA's email subscription and notification portion of our website has been overhauled. Providing more categories for people to subscribe to and receive updates of work done by LRAPA. Additional work will take place over March on the technical side of the website to assure these systems are functioning correctly. As well as review and modify, if needed, staff workflows to best utilize these expanded notification categories. This effort increases LRAPA's transparency and allows the public to be more informed with our daily work.

LRAPA public affairs and monitoring departments continue to work with LCOG on to update our contract with CivicPlus and receive a website redesign in 2021.

Media Contacts

Date	Media	Person	Topic
None	None	None	none

Meeting/Events

2/1	LRAPA Coordinating Call on J.H. Baxter
2/2	CAC Subcommittee Meeting on Outdoor Burning Brochure
2/3	Challenge Planning "Cleaner Indoor Air During Wildfires"
2/4	DEQ/LRAPA Monthly Air Toxics Technical and Communications Call
2/4	LRAPA Staff, Executive Director Candidates Interviews
2/4	J.H. Baxter Coordinating Agency Technical Team
2/4	Southeast Neighbors Association: Lessons of the Wildfire Season
2/5	Oakridge Air: all payers all claims data coordination meeting
2/5	J.H. Baxter Cross Agency Managers Meeting
2/8	J.H. Baxter facility Tour
2/8	Linguava interpretive services coordinating call for public stakeholder interview of Director candidates
2/9	LRAPA Executive Director candidates, "Meet & Greet" interviews for public & stakeholders
2/9	Oakridge Air: all payers all claims data coordination meeting
2/10	Air Quality Awareness Week, DEQ/LRAPA Planning
2/10	LRAPA/SWFC Check-in meeting
2/10	Cleaner Air Oregon (CAO) Community Engagement Workshop Planning Team
2/11	LRAPA's Board of Directors Meeting with Executive Session
2/11	J.H. Baxter Coordinating Agency Technical Team
2/12	LRAPA's Board of Directors Meeting with Executive Session
2/16	Building Willamette Valley Prescribed Fire Capacity, preseason planning
2/16	Smoke Ready Week, PNW coordinating planning meeting
2/17	Oakridge Air: Smoke, Health and Safety Workgroup

2/18	J.H. Baxter Coordinating Agency Technical Team
2/22	EPA/LRAPA/ODEQ Check-in
2/22	Good Company/LRAPA Check-in
2/23	LRAPA/EPA Oakridge Targeted Airshed Grant Audit Discussion
2/23	Residential Wood Smoke Working Group monthly call Info
2/23	Citizen Advisory Committee Meeting
2/23	Oakridge Air: Quarterly Meeting
2/23	MAREA Live Presentation: How to Build a Better Fire
2/24	Cleaner Air Oregon (CAO) Community Engagement Workshop Planning Team
2/24	Monthly Compliance/Operations Meeting
2/25	February's LRAPA Board of Directors Meeting
2/25	J.H. Baxter Coordinating Agency Technical Team
2/26	DEQ/LRAPA Preparation meeting for March 3rd J.H. Baxter Core Team Meeting

Press Releases

2/2/21	LRAPA Board seek public and stakeholder feedback for Executive Director
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General Programs and Projects

- Oakridge Air Progress (MH, NM, LG, TK) *In progress*
- Purple Air Sensors in Oakridge (TK) *In progress*
- Community Response Plan for Oakridge (TK) *In Progress*
- Coordinate with DEQ/Lane County on Asbestos Cleanup (TK, AS, RR) *In Progress*
- Continued JHB Community Engagement Meeting (TK, MH) *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.

March 2021:

- First budget meeting on proposed budget for FY2022 (July 2021 – June 2022).
- Director Recruitment Update

April 2021:

- Second budget meeting on proposed budget for FY2022.
- Auditor report for FY2020.
- Status report on Oakridge Air Project.
- Dashboard update.

May 2021:

- Adopt budget for FY2022 (July 2021 – June 2022).
- RFP/RFQ for Auditors.

June 2021:

- R. Anthony Jones Appeal to Board for NCP 20-3818

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.

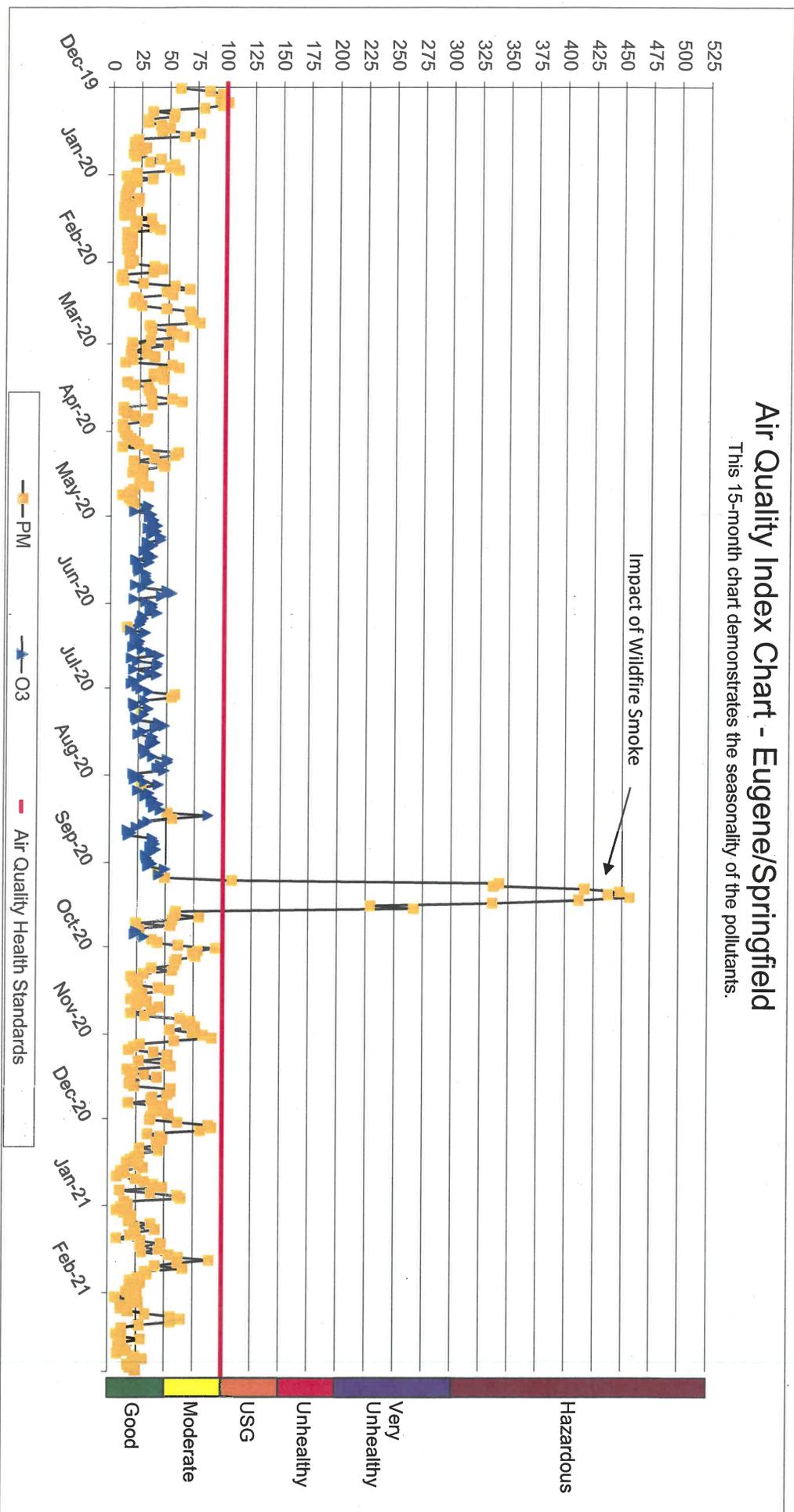
January 2022:

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

MLH:MKH/cmw

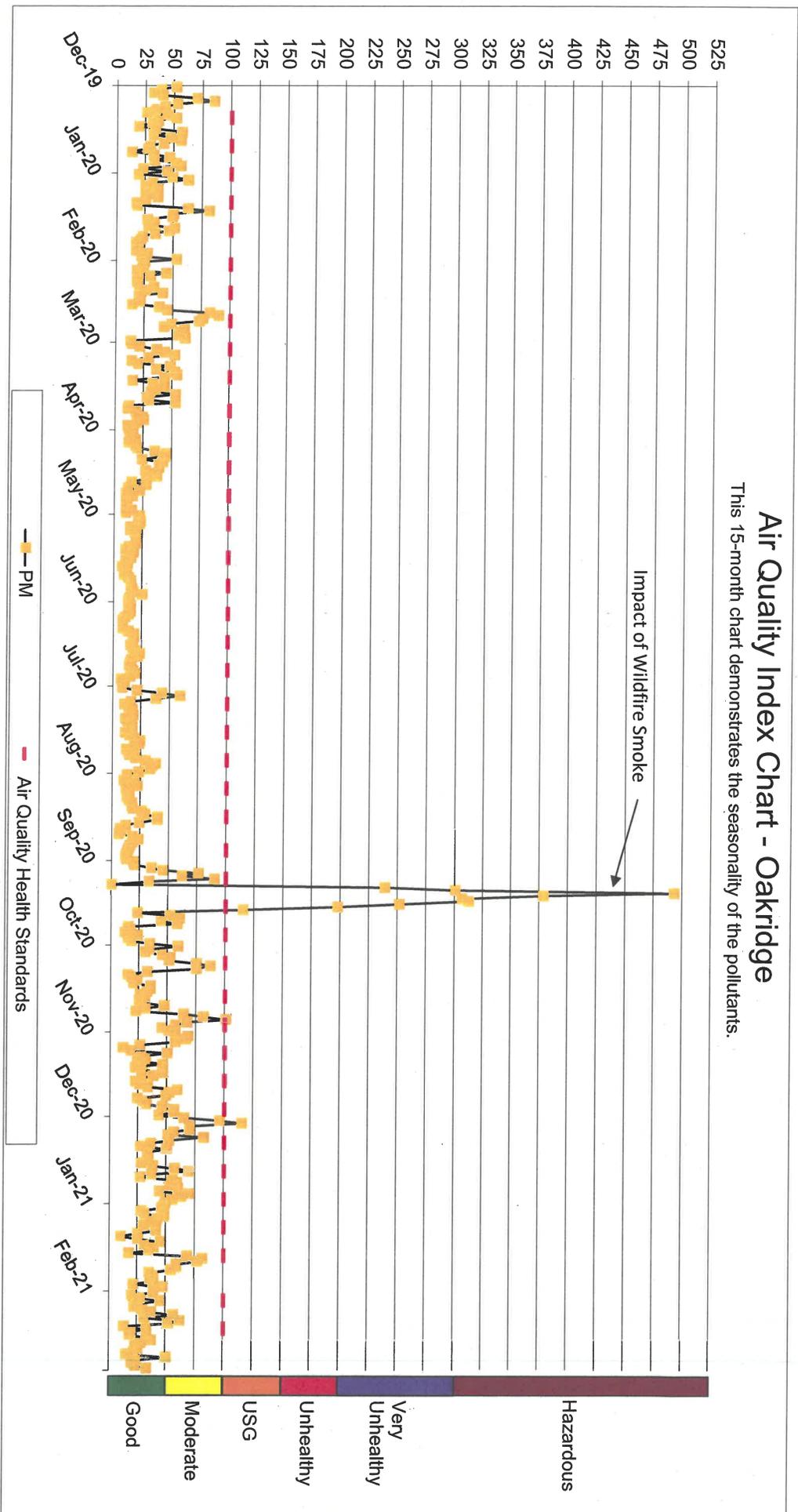
Air Quality Index Chart - Eugene/Springfield

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



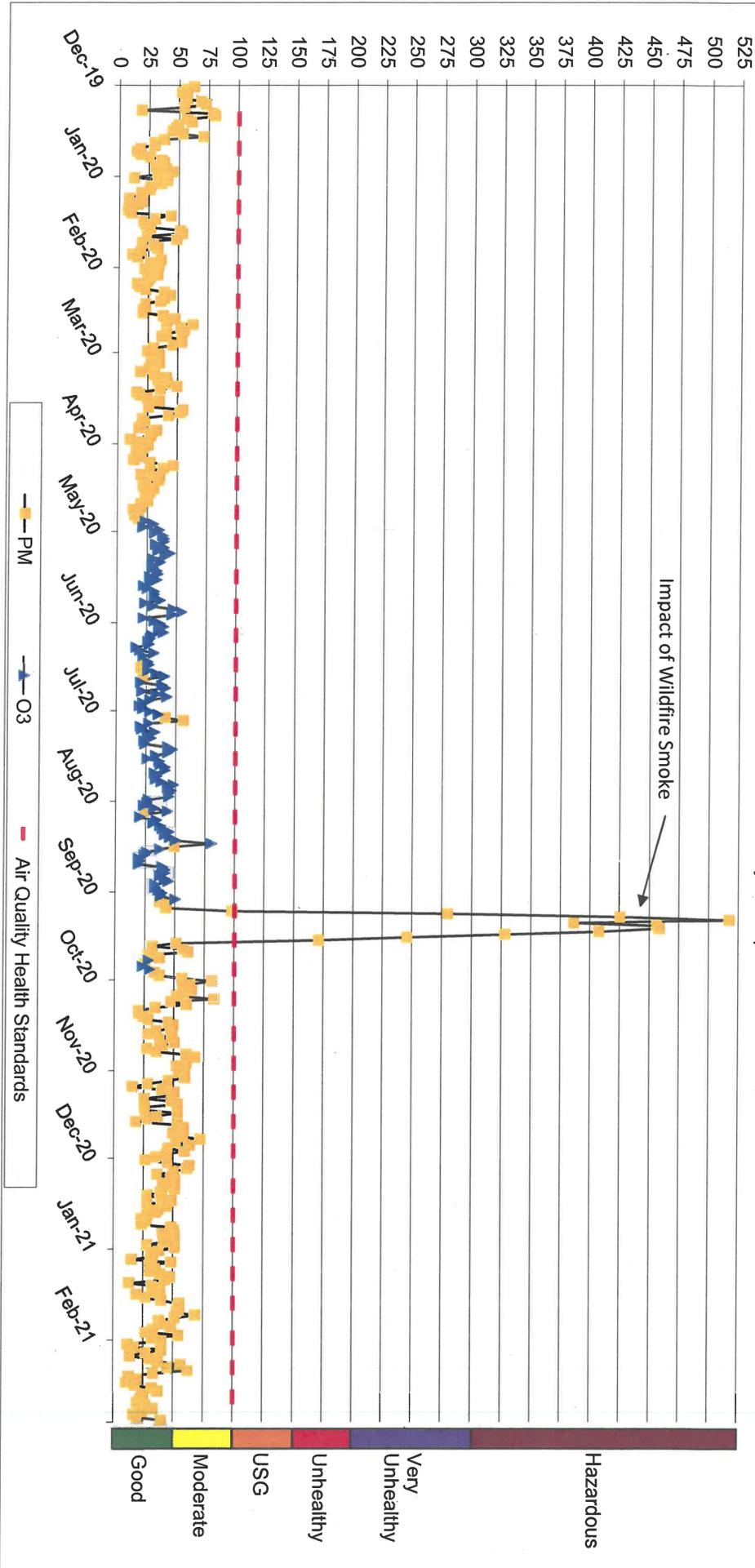
Air Quality Index Chart - Oakridge

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

02/01/2021 -- 02/28/2021

Report of open and new actions initiated since last report

NEW ACTIONS: (No new actions in the current reporting period).

ACTIONS PERFORMED (Enforcement actions issued prior to 02/01/2021 with subsequent action in the current reporting period):

1. KNECHT, WALLIS N. (EUGENE)
 - A. Violation: Outdoor burning when prohibited; outdoor burning such as to cause a public nuisance; outdoor burning of prohibited materials; failure to conduct efficient outdoor burning; outdoor burning of construction/demolition debris without first obtaining a Letter Permit from LRAPA.
 - B. Initial Action Taken: NON #3826 issued 01/28/2021
 - C. Subsequent Action: NCP #2020-3826 (\$600) issued 02/10/2021
 - D. Resolution: PENDING

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 heldup 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; 01/12/2021 Respondent requested 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 01/12/2021 to submit Exceptions and Brief - Respondent submitted Exceptions and Brief, LRAPA submitted reply Brief, Respondent has 30 days

from 03/01/2021 to submit last reply; Appeal Hearing to Board of Director's to be tentatively scheduled for June 2021 Board meeting.

D. Resolution: PENDING

3. MOORE, STEPHEN (EUGENE)

A. Violation: Failure to promptly extinguish illegal outdoor burning; outdoor burning when prohibited; outdoor burning such as to create a nuisance or hazard to public safety; outdoor burning of prohibited materials; failure to conduct outdoor burning such as to promote efficient combustion.

B. Initial Action Taken: NON #3829 issued 01/28/2021

C. Subsequent Action: NCP #2020-3829 (\$500) issued 01/28/2021: request for hearing or reduction under review.

D. Resolution: PENDING

PENDING (Enforcement actions issued prior to 02/01/2021 with no subsequent action in reporting period):

1. 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 an Outdoor Burning 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

2. 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 in process for a lien on the property
 - D. Resolution: PENDING

3. 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 in process for a lien on the property
 - D. Resolution: PENDING

4. 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 in process for a lien on the property
 - D. Resolution: PENDING

5. 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 an Outdoor Burning 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: request for hearing - TBA; Settlement proposal offer 5/29/2020 for \$875, response due 06/22/2020; no response, default order judgment in process for a lien on the property
 - D. Resolution: PENDING
6. 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 in process for a lien on the property
 - D. Resolution: PENDING
7. 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 in process for a lien on the property
 - D. Resolution: PENDING

8. 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 an 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 in process for a lien on the property
 - D. Resolution: PENDING
9. 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; no response, default order judgment in process for a lien on the property
 - D. Resolution: PENDING
10. 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; no response, default order judgment in process for a lien on the property
 - D. Resolution: PENDING

11. ATKORE PLASTIC PIPE COMPANY (EUGENE)

- A. Violation: Failure to operate all air contaminant generating processes and all contaminant control equipment at full efficiency and effectiveness (failed to assure and affirm that baghouse filter cartridges were installed and operating correctly).
- B. Initial Action Taken: NON #3825 issued 11/30/2020
- C. Subsequent Action: NCP #2020-3825 (\$2,200) issued 01/14/2021; submitted request for reduction and maintenance and supporting documents which are currently under review
- D. Resolution: PENDING