M I N U T E S
LANE REGIONAL AIR PROTECTION AGENCY
BOARD OF DIRECTORS MEETING
THURSDAY–OCTOBER 9, 2007
LRAPA Meeting Room
1010 Main Street, Springfield, Oregon

ATTENDANCE

Board: Faye Stewart, Chair–Lane County; Earl Koenig, Vice-Chair–Eugene; Bill Carpenter–At-Large, Springfield; Glenn Fortune–At-Large, General; David Monk–Eugene; Pat Patterson–Cottage Grove/Oakridge; Dave Ralston–Springfield; Betty Taylor–Eugene
(ABSENT: Drew Johnson–Eugene)
Staff: Merlyn Hough–Director; Merrie Dinteman; Max Hueftle; Ralph Johnston; Sandra Lopez; Sally Markos; Kim Metzler; Nasser Mirhosseyni
Other: Russ Ayers, Chair, and Amy Peccia–LRAPA Advisory Committee; Landa Gillette–LRAPA Budget Committee

1. OPENING: **Stewart** called the meeting to order at 12:15 p.m.

2. PUBLIC PARTICIPATION: None

3. CONSENT CALENDAR:

MOTION: Fortune MOVED to approve the minutes of the July 12 and August 2 meetings and approve the expense reports through August 31, 2007. **Koenig** SECONDED THE MOTION.

Discussion of Motion. At the August 2 board meeting, there was some discussion regarding the minutes of the July 12 meeting, in response to an e-mail received by board members from **Drew Johnson**. At that time, since **Johnson** was unable to attend the August meeting and other board members were unsure as to the specifics of the conversation at the July meeting to which **Johnson** objected in the minutes of that meeting, the board elected to postpone action on the July 12 minutes until the next meeting. There was no meeting in September, and the July minutes were on today's agenda along with the minutes of the August 2 meeting.

Hough brought up **Johnson**'s requested correction to the minutes, noting that **Johnson** was unable to attend today's meeting. **Hough** said the board had the option to scratch the sentence stating that **Johnson** did not think LRAPA legal counsel's opinion letter was well written, since the statement is not clear on the audio tape of the meeting, and the statement was not key to the minutes.

Carpenter said his problem was that he had no recollection of the specific statement and so would not like to go against the tape recording. **Fortune** asked what was on the tape. **Dinteman** said it is difficult to hear what was said. She said that when she was listening to the conversation at the meeting, she thought he said he did not think the opinion as well written. He then went on to say he thought the opinion was incorrect, and she thought it seemed logical that he would have said it was not well written.

Carpenter said he also had a problem with the fact that neither **Johnson** nor **Monk** was at today's meeting to bring **Johnson**'s argument before the board. He said it amounted to three-time hearsay versus a reasonable interpretation of the tape.

Stewart said he would be fine with leaving the minutes as presented, if that was what the board would like to do. **Carpenter** agreed, adding that if there were better evidence and live testimony, he'd be more willing

to strike the sentence. **Taylor** said she thought the sentence should be taken out, since there was no clear evidence, and the person to whom the sentence is attributed says he did not say it.

Monk joined the meeting that this point, and **Stewart** told him what was being discussed. **Monk** said he believed he, himself, actually made the statement. He said the tape was unclear, and **Johnson** said he would not have said that. **Monk** said he, himself, had questioned whether the opinion was correct and researched it further, finding ultimately that the opinion was correct and he had confused it with something else.

MOTION: Ralston MOVED to delete the line from the July 12 minutes, as **Johnson** had requested. **Monk** SECONDED THE MOTION.

Carpenter said since someone who knew better what was said was here to give background, he would not object to striking the sentence. He said he had also noticed a typo in the August 2 minutes, on page 6 in the last paragraph, second line of **Maurie Denner**'s report. The word "stat" appears, and it should be "that."

AMENDMENT TO MOTION: Carpenter made a FRIENDLY AMENDMENT TO THE MOTION to correct the word to "that."

VOTE ON SECOND MOTION: **Stewart** restated the second motion by **Ralston** and seconded by **Monk** to strike the sentence from the July 12 minutes, page 4, fourth paragraph, "**Johnson** said he wanted to be clear that he did not think the legal opinion on this issue was well written." **Ralston** and **Monk** accepted a friendly amendment from **Carpenter** to correct "stat" to "that" in the August 2 minutes, page 4, Item 5, second paragraph, at the end of the second line. **Stewart** asked all in favor to signify by saying, "aye." **THE AMENDED MOTION WAS PASSED BY UNANIMOUS VOTE.**

VOTE ON FIRST MOTION: **Stewart** asked all those in favor of approving the minutes of the July 12 meeting, as amended, and the minutes of the August 2 meeting, as corrected; and approving the expense reports through August 31, 2007, as presented, to signify by saying, "aye." **THE MOTION PASSED BY UNANIMOUS VOTE**.

4. DIRECTOR'S REPORT: Several items were discussed.

A. Pesticide Analytical and Response Center (PARC). **Hough** said he wanted to be clear that his intent on reporting on his follow-up to a complaint at an earlier meeting and attending a PARC board meeting was to keep the board informed and let them know that there is an eight-agency group that is set up to address pesticide complaints. He said he believes the documentation which PARC supplied and which Hough presented to the board indicates that PARC takes seriously any complaints brought to their attention. It showed the ongoing investigations PARC has had in the general Blachly/Deadwood/ Greenleaf area. He said his intent was not to involve LRAPA deeper into that activity, but to keep everyone informed that there is a system.

Ralston commented that an apparent search of PARC's records over the past ten years had not shown any complaints substantiating what the board was told by a resident of that area who spoke at a recent board meeting. **Hough** said that Lane County Commissioner **Fleenor** had been to a PARC meeting at which he raised the issue in that area prior to the person coming to the LRAPA board, and that PARC representatives had encouraged **Fleenor** to direct the complainants to talk to PARC members. PARC has indicated that they welcome direct contact from complainants but they had not received complaints directly from the residents of the Blachly/Deadwood/Gleenleaf area.

Patterson commented that it seems that every time there has been any type of spraying, that grouping of people immediately become upset because someone is trying to kill the airshed. He said he finds it interesting that the area from which these complaints come has been this way historically. He said a lot of new people have moved into that area and don't understand what is going on. He said he does not know how to address this unless you knock on every door or send out a notice to every address in the area explaining, ahead of time, about a planned spraying action in a given area. **Patterson** added that he thinks that LRAPA should stay completely out of this type of situation and let the Department of Agriculture handle it.

Monk responded that he agrees with **Patterson**, in that LRAPA does not have jurisdiction in the area of pesticide and herbicide spraying and should leave it to PARC and to the Department of Agriculture and the Department of Forestry. However, **Monk** said, he was sure that **Patterson** would feel differently if he and his family and pets were being sprayed on. **Monk** said the people who are complaining live in the interface of the forested areas, and they are reporting what is happening to them. He said they do not trust PARC or Agriculture or Forestry because they don't seem to get anywhere with them. **Monk** went on to say that he has heard of all kinds of health effects, specifically cancers, principally among the people in the Deadwood/Greenleaf area, and these people feel strongly about this, from their own health perspective and from that of their families. **Monk** said he realizes that LRAPA likely cannot do anything for them, and that many of the board members would not want to get engaged in this; however, he asked that they be shown some respect because they are family folks who care about their community.

Carpenter noted that **Monk**'s comments might have to be diluted a little bit, because the PARC information shows that there are at least two reports from Deadwood residents over a seven-month period in '05 and'06. **Ralston** also noted that the area is mentioned in several places but that no violations were indicated. **Carpenter** agreed that, of the twenty incidents reported, it appeared that there was never a violation found, which could tell the reader of that report various things.

B. Stage I Vapor Recovery. **Hough** pointed out a section of the written report that summarizes things that are happening to expand on previous work done by Tyree Oil, Costco, Oregon Toxics Alliance and LRAPA, to encourage Stage I vapor recovery. He indicated a draft letter, attached to the report, that would go to both gasoline distributors and the receiving stations to encourage Stage I balancing equipment wherever possible. The letter also addressed not topping off and other practices that would reduce unnecessary gasoline vapor emissions from those facilities. **Hough** said that since these letters were prepared, the Western States Petroleum Association (the major oil companies) have expressed some interest and are considering also signing the letters. This would be a significant voluntary effort to reduce emissions that contribute to both ozone formation during the summer months, and to local air toxics impacts and exposures in the neighborhoods or to people going through the stations.

Koenig asked if LRAPA has the ability to make not topping off mandatory. **Hough** said emphasis has been on voluntary cooperation with station owners in the past, and that is what these letters would do. He said there is the ability to go with Stage II vapor recover which helps cars, but topping off is a problem with that equipment working to full effectiveness, as well. Metzler said city and county ordinances would probably be the only way to make not topping off mandatory. Hough said he hadn't really explored doing ordinances and is not aware of such ordinances anyplace. He added that it would be pretty difficult to monitor closely.

Stewart said that the county had, in the past couple of weeks, made a conscious choice to recognize this issue and limit emissions as much as possible. Working with its health advisory committee and through a partnership with the Oregon Toxics Alliance, the county has adopted policies that county employees are not to ask for or allow county-owned vehicles to be topped off; and limiting idling time in county vehicles to just a couple of minutes.

Fortune noted that Costco is listed as one of the participants in reducing emissions, and he said every time he has been there to put gas in his car, they have not asked if he wanted it topped off, and that they will not top off. **Hough** added that Costco also has a company policy to require the distributor to use Stage I vapor balancing, which is the main reason he had included them on the list in the report. The fact that they won't top off is another plus for them.

Taylor asked if LRAPA could print something about the dangers of topping off and ask station owners to distribute the information to customers. **Metzler** said LRAPA could do that, if there were buy-in from the station owners. She said LRAPA tried to do a similar program two summers ago and contacted every station owner in the community. There were only one or two responses at that time. She said she would be willing to produce a fact sheet if she could get the station owners to participate. **Hough** noted that the new partnership, especially having the Oregon Petroleum Association and, potentially the Western States Petroleum Association involved with it, may make the local station owners more receptive to the message than they were in the past.

Monk said the draft letter was a big surprise to him because the context in which this conversation started when he participated in a discussion with DEQ staff and **Hough** several months ago was that the letter was to say, "We are contemplating new rulemaking to require Stage I use, statewide, and we would like you to inform us if there are difficulties with doing that. And if there are, perhaps we will modify. This would help structure the potential rule that we might go forward with." Between that conversation and now, the program has become voluntary, and **Monk** said his sense of it is that people who understand this issue of volatilization of gasoline understand, that a voluntary program is likely not to be successful, even with the Oregon Petroleum Association on board. **Monk** said he would like to see some data over the next year, to see if the voluntary program has good effect.

Hough responded that the Stage I vapor recovery rule is still on DEQ's rulemaking list; however, with more pressing priorities, that rule is a few years down the road. This voluntary program was intended not to wait until the rulemaking could start, but rather to try to get as much voluntary effort as possible now. The impetus is not to wait any longer than necessary. **Monk** said he understood that. **Hough** added that the voluntary effort will get anyone who is willing to cooperate, and it is also an opportunity for a partnership effort, to see if that makes a difference compared to **Metzler**'s experience of two years ago. **Metzler**'s previous effort is well documented, and it will be interesting to compare how well this program works by comparison.

Ralston said it seems to him that topping off is only a problem if fuel is spilled by filling the tank too full, and **Monk** said topping off pushes the vapor out of the tank. **Ralston** said that if the tank is being filled, the vapors are going to be pushed out all the way up to the top, no matter how they fill it. **Ralston** said he sees **Monk**'s point; however, he does not know how you would ever fill a tank without pushing vapors out unless you had special equipment.

Patterson agreed that when a gas tank has no more fuel in it, there are still fumes, and he does not see how you can fill it without pushing those fumes out of the tank. He said there are a lot of other things

he thinks LRAPA should be involved in, rather than fumes coming out of gas tanks. He added that he doesn't know how a voluntary program to use Stage I vapor recovery could be monitored adequately.

Koenig asked if the trip point for the gasoline nozzle would vary with manufacturers of the nozzles, with some tripping off sooner that others. **Hough** said topping off is trying to get the tank all the way full by going past the first trip, and that there is no room for the vapor capture system that is part of the tank on newer cars to collect those vapors. Stage I is getting from the tanker truck to the underground tank, and Stage II is equipment on the nozzle which covers the gas intake on the vehicle and takes in the vapors which are displaced into a coaxial hose, where the vapors get condensed and put back into the tank. **Hough** said later-year models have systems on the vehicles, themselves, that temporarily collect the fumes as the gas tank is being filled. Then as the car runs, those condensed vapors get sucked back into the fuel line and are actually combusted in the car engine. He said that is why in recent years, even more severe ozone areas have not been installing new Stage II systems, because it would compete with what the cars are already designed to collect. **Hough** said it would not be practical for Lane County to consider a Stage II program at this time, even if the area had a worse ozone problem, because by the time it was adopted, implemented and in operation, there would be a high percentage of new cars that would be duplicating the effort to collect the same vapors, and the cost/effectiveness would be poor.

Carpenter commented that even some older cars are equipped with vapor collection systems, such as his 1976 BMW which has a charcoal canister in the trunk to collect fuel vapors; and everything manufactured after the early 1990s that has fuel injection has some kind of on-board vapor recovery system. He said those systems don't work if you get the fuel above where that sensor is; and that is the kind of topping off that is being discussed–where you get the gas all the way up to the top of the gas nozzle.

B. Home Wood Heating Curtailment Ordinances. **Hough** said staff has recommended to the cities of Eugene, Springfield and Oakridge, and to Lane County, that their respective city ordinances regarding home wood heating be updated. The reason for the recommended changes is because the new significantly tightened federal PM2.5 standards will have an effect on the number of "Yellow" and "Red" home wood heating advisory days, on average, in both Eugene-Springfield and Oakridge. **Hough** said "Red" days have been rare in Eugene-Springfield, but the number of "Red" days in a given season could rise to 11. Oakridge has averaged about 7 per season, but that number could rise to 33, on average. **Hough** said staff expects to be invited to work with city and, possibly, county staffs on providing supporting, detailed information for the ordinance amendment processes.

Stewart thanked **Hough** for sending the letter encouraging the county to update its code to bring it in line with the new federal standards and said the commission had directed staff to do that. **Hough** thanked **Stewart** and the city councilors on the LRAPA board for their efforts to get that attention.

C. Plywood MACT. **Hough** drew attention to a report prepared by LRAPA's Operations Manager **Sandra Lopez**, which was distributed at this meeting. He said it is an updated status report on EPA's loss of a couple of lawsuits regarding plywood and wood-fired boiler MACT (Maximum Achievable Control Technology). EPA had thought it could extend the MACT compliance date by a year, across the board, but the court's decision disallowed that option. State and local air agencies are now in the process of considering granting one-year compliance extensions, on a case-by-case basis. **Hough** said the results of the lawsuits will make things more complicated for the affected industries and for LRAPA and Oregon DEQ. The board has begun discussion of the plywood MACT decision which will have a direct effect on several plywood industries in Lane County.

Carpenter said he has a problem with this situation because, in his mind, the affected plywood facilities have been operating in violation as of the original official compliance deadline of five days before this meeting. He said Congress created the health-based standards, and EPA thought they could delay the standards; but the court told EPA that they could not do that. Consequently, **Carpenter** said he would like to make sure that any extensions given to local affected industrial sources be for the least possible amount of time, and that staff monitor the compliance status and include in each extension a compliance schedule that would achieve compliance as soon as possible.

Lopez said that part of the approval process is that there must be a very specific compliance schedule for each facility. She said the process includes all the specific criteria that each applicant needs to fulfill in order for LRAPA to consider the extension. The length of the extension can be up to a year, but it is not a blanket duration of one year. The specific conditions for each facility will go into the facility's permit.

Hough noted that a complicating factor is that, if a facility has more time to implement controls, there is more potential for better options. As an example, **Hough** said if everyone went with the quickest fix, which would be to add afterburners, they would be adding oxides of nitrogen emissions that contribute to ozone, and also CO2 emissions that would be part of the greenhouse gas equation. If they had more lead time, with limited vendors, there is more opportunity to consider bio-filters that would not have those offsetting negatives. **Lopez** said staff does anticipate that facilities will run into vendor problems because this is happening across the U. S., and there are only specific vendors available. It is not yet known what the specific demand–and supply–are going to be.

Carpenter accepted all of that but said his sense is that this is not something that these facilities just found out about; that the requirement was known in 2003 or 2004. Then in 2005 or so, EPA attempted to get this waiver which was subsequently denied by the court in 2007. The affected facilities should have been planning for this for the last three or four years. **Carpenter** said his concern is that there should be some requirement that this control equipment be expedited, and perhaps some premiums paid to get it in place quickly. He said he does not want to see facilities waiting until the vendor can get the equipment here, then taking several months to do the construction to get the equipment installed. He said he does not want to give them a lot of flexibility to take their time in getting the required control equipment installed.

Stewart suggested sending a letter to the six facilities that are applying for the plywood MACT compliance extensions to express that, even though there is a year's time frame, the board would encourage them to install the controls as quickly as possible due to the potential health risks. Staff could provide regular updates regarding their progress. **Lopez** said staff could do that; however, she does not know that LRAPA can require them to include the contractual incentives for premiums to the vendor to get equipment early or within a certain amount of time.

Carpenter commented that there is no reason that they would have to be given a year to comply. Compliance could be required six months from now. **Carpenter** said a board order to do that would program into the economics of how quickly the affected sources would respond, because they would be facing enforcement fines after that deadline. **Carpenter** said he would want to see something more, financially, before automatically giving the sources a year of grace to get the controls installed. **Lopez** responded that that is what is required in order to give the extensions, and **Carpenter** asked if the language in the requirement includes a burden of proof on the part of the applicant.

Lopez said she would e-mail to **Carpenter** the NESHAP rule (National Emission Standards for Hazardous Air Pollutants) which includes a list of requirements before an extension can be granted. The applicants must have chosen an abatement device and have a schedule for when it is will be installed. They must also show all the need they have along the way. It is a fairly lengthy list of requirements on the part of the applicant. **Lopez** said staff has reviewed two applications, so far, and that they include very extensive engineering requests for the one-year extension. She said, after looking at the time schedule and construction, and everything they are doing to comply, the requests look reasonable to her. In fact, she said, it appears to her that they will get the work done sooner than she would expect.

Carpenter asked if staff has a sense of how many people are affected, locally, by the industries that are operating out of compliance with the plywood MACT. He asked if staff has information regarding how many people in the community are in the zip codes where the facilities are located, to know, for example, whether a facility might be downstream of a Bethel subdivision or 400 yards from an elementary school; versus another facility being located in a forested area of Western Oregon where there are fewer people to be impacted. **Lopez** said that type of information is not in the application, but it is part of the first step in MACT which is selecting controls. The first step, Phase I, involves just looking at the top twelve percent of performing facilities in the U. S. and what kind of controls they are using. After that is determined, EPA will, in Phase II, do a residual risk analysis to see if some of those facilities are still causing a risk with the controls in place. **Carpenter** repeated that his concern is that the facilities have known about this requirement for some time and not prepared for it. **Lopez** responded that EPA revised its rule and put it in the *Federal Register*, changing their compliance date from October 1, 2007 to October 1, 2008. They also allowed a risk analysis basis to op out, and companies relied on the risk analysis and that extension; however, she thinks they did realize that they would be required to put on the control technology. She said she does not know if they anticipated that it would be required this soon.

Monk said he concurred with everything **Carpenter** had said, adding that he would like to see the low-risk analyses the facilities did. **Monk** said his understanding is that much of the analysis was done a long time ago, and the companies knew that they were not going to be able to satisfy the MACT requirements. He said it is disingenuous, in his mind, for these companies who are wanting the extensions to now say they are going to have to install all this equipment at the last minute. He said it is negligent in his mind. **Monk** said he would agree with **Hough**, that if the facilities have more time they could install better equipment. He said bio-filters are much better equipment than afterburners. He added that he thinks SierraPine is much to big for a bio-filter unless that technology has changed in the past couple of years. He said it was his understanding that SierraPine could not install a bio-filter a few years back because it would be too large. However, **Monk** said, he would hope that staff would have a very specific time frame and that the board know those time frames as soon as possible. He said he does not know if LRAPA has the staff time to confirm with the suppliers what the time frames would be for the equipment to be ordered, shipped, and installed, so that LRAPA is accomplishing a really meaningful control of equipment that many people have been waiting for, for a long time. He said it will be a big deal in the Eugene-Springfield Metropolitan area; and the soon it happens, the better. **Monk** said he thinks LRAPA should hold the industries' feet to the fire, within the context of getting the best possible control technology in place.

Patterson commented that these situations crop up over the years, where you have a set of "one size fits all" rules coming from Washington, D. C., with no consideration of situations on the West Coast and what this area needs. He said everyone is concerned about the air quality, but the meteorology of this area is very different from the East Coast. **Patterson** said he agreed that industrial facility owners

are smart enough to know when new requirements are going to come into play; however, he believes that it is the job of LRAPA and DEQ to know when these federal requirements are coming up and to communicate that information to local industrial facility owners and advise them of what the requirements will be and that they need to prepare to comply with them. That way, if they aren't ready, we know they have been warned. **Patterson** said it appeared to him that LRAPA had no prior knowledge of this and that industries have been relying on EPA out of Portland or somewhere. He does not want LRAPA to start fining these industries if the agency did not warn them in advance of these requirements.

Carpenter responded to **Patterson**'s comments by stating that this is a federal regulation which was probably published as a proposed regulation three years ago in the *Federal Register*. He said every one of these companies is large enough to have staff that generally would keep in tune with the *Federal Register* or would belong to industry association groups that would notify them that these things are happening. Therefore, **Carpenter** said, he does not think it is LRAPA's duty to read the *Federal Register* for industrial permittees.

Patterson responded that he still believes LRAPA should have knowledge of these activities and should communicate directly with local industry to make sure they are aware. **Carpenter** said he doesn't know that LRAPA would do that, adding that he doesn't know that the city of Cottage Grove would go around the community and announce or publish information when something is happening that affects residents of the city. **Patterson** said if there is anything that affect residents of Cottage Grove, they know about it

Hough commented that LRAPA does have a good communication system with the National Association of Clean Air Agencies (NACAA), which puts out a weekly publication called "Washington Update," to keep members abreast of air quality regulations and policies in the process of being adopted by EPA. In the case of the plywood MACT, EPA adopted the rules which included the 2008 date and the low-risk option, and those were challenged by lawsuits. The lawsuits were ultimately successful and, **Hough** said, this knowledge there was not a clear indication until the final court decision in June of this year that this was the way it was going to play out. Everyone was on notice that lawsuits had been filed, but there was no three-month or six-month prediction from NACAA, which **Hough** considers an excellent information source, that the final legal outcome was likely to happen.

Carpenter stated that Congress set the law, and EPA tried to interpret it in a flexible fashion that the court ultimately said it didn't have the authority to do. He said everyone knew it was risk when they did it and that there was a possible challenge that EPA might lose. **Carpenter** said he would not want to allow any more than a nine-month extension, and that a nine-month extension would include some significant documentation. If there were any violations of the compliance schedules, LRAPA would handle those as enforcement cases subject to civil penalties.

Ralston took the opposing view, stating that the affected facilities should have a year to achieve compliance, and nothing should be imposed on them until they are found to be in violation.

Stewart said he would like staff to bring to the board a time line for how each facility plans to comply with the required MACT. He said he is not ready to establish a shorter time frame for compliance until the board has seen all the information staff can provide regarding availability of the equipment and time lines for installation.

Carpenter said he would withhold his motion but may bring it at the next board meeting. He said he might even move to limit extensions to eight months because he has been on the other end of this; and industry can actually do things when they have an economic disincentive to do something in a timely manner, such as paying more to expedite shipment and delivery of equipment, which they program into their estimate of what the project will cost. **Stewart** agreed that there are times in business, when you expedite things by paying more; however, at other times, you cannot make things move faster.

Taylor said she saw no point in continuing to discuss the point unless there was a motion. She said she hopes **Carpenter** will make a motion at the next meeting, adding that she thinks that sometimes you can expedite things for money, and maybe the affected facilities should be required to spend the money to do that.

Fortune said he thinks the board needs to consider the suppliers' ability to produce equipment. He said the manufacturers will not build expensive control equipment hoping that, two years down the road, there will be a demand for it. **Fortune** said the facilities have an idea of when their suppliers can meet their requests for equipment, and LRAPA needs to get that information from the facilities, themselves. He said maybe it would take even longer than nine months to place the order and receive and install the equipment.

Monk requested that the information requested for the next meeting be supplied for all the facilities that are going to ask for extensions. **Lopez** said they are required to send the information to LRAPA. **Monk** asked that it be sent to the board members before the next board meeting.

Lopez asked the board to keep in mind that it is not just a matter of buying some equipment, having it delivered, and setting it in and turning on a switch. A lot of engineering needs to go into the choice of equipment, and there are space constraints at the various facilities. She said she does not mind giving them a shorter length of time to comply, but she does not want to see the engineering process cut short..

Carpenter asked if any extensions have already been given, and **Lopez** responded that two have been given. **Carpenter** said he does not want to see any more extensions granted until the board looks at the whole issue in more detail at the next board meeting.

Hough asked **Lopez** if LRAPA is required to take action within a certain length of time after receiving an application for extension. **Lopez** responded that LRAPA does not have a time constraint. She said she does not think the facilities whose applications are still pending have to make a decision, even though one month could delay when the order is put in to the vendor for the equipment. **Carpenter** asked why anyone would want to delay getting things moving if they have heard him say that he might make a motion to give them only nine months to complete the necessary control installations. **Lopez** said they might elect to put in an RTO instead of a bio-filter but might not have the time to do that if the board gives them only mine months. **Monk** commented that not granting an extension in the next thirty days would not delay anything and would not preempt better equipment. **Lopez** said she did not think it would for the facilities whole applications remain; however, it might have done so for one of the two that have already been issued.

D. Enforcement.

(1) Inequities of Enforcement Actions. **Taylor** asked why the fine issued to Hynix was only $800 when it seems like some people get huge fines for rather minor violations. **Hough** responded that staff

objectively applied the enforcement matrix in Title 15 to the case. Because of the category into which the particular violation fit, the fine was calculated at $800. He said staff can walk through the details of the penalty calculation if the board is interested in that. **Hough** suggested that, given the fact that the topic of enforcement and civil penalties is often brought up in board discussions, there may be some specific questions or issues which the board would want to ask the advisory committee to evaluate on behalf of the board and bring back recommendations.

Taylor said she had also noticed that there are liens on properties in a couple of cases. She asked if those are private homes or businesses? She asked specifically about a case against **Anna Stovall** which is marked "Case Closed" in the most recent report. **Hough** responded that a civil penalty was issued, and LRAPA did not receive a response. The person did not pay the fine, and a lien was filed with Lane County on the person's property. That closes the case for LRAPA. In order to remove the lien, the person would have to pay the penalty. **Taylor** said filing a lien seems really harsh for someone who may have done it out of ignorance, compared to the penalties for companies that knew what they were doing. She asked if **Stovall** might lose her home, and **Hough** said the lien would need to be paid at the time the home is sold, in order to transfer the property to a new owner.

Taylor then mentioned another case against an individual for open burning of prohibited materials, for which the civil penalty was $1,450. **Hough** said all civil penalties are guided by the enforcement matrix in LRAPA's rules. The matrix categorizes different types of violations as Class I, II, or III and then also categorizes them as either Major, Moderate, or Minor based on severity of the impact of the violation. That gives the base penalty, and then consideration is given to aggravating and mitigating factors. For instance, if the case involved a repeat violation, that would be an aggravating factor. If the person had been cooperative from the beginning, to resolve the issue, that would be a mitigating factor.

Taylor asked if the board has any authority over the calculation of the civil penalties, or if the matrix comes from some other place. **Hough** said the board adopted the enforcement rules, including the civil penalty matrix. **Taylor** asked when that was done, and **Dinteman** responded that it was at least 15 years ago. **Taylor** noted that that would have been before she was appointed to the board.

Dinteman explained that the reason the lien was filed on **Stovall**'s property was because she did not respond to the notice of violation and civil penalty assessment which was sent to her by LRAPA. She said all **Stovall** had to do was respond, and she probably could have gotten the civil penalty amount reduced. Staff's policy is to attempt delivery a couple of times and, if there is no response, a lien is placed on the property.

Ralston asked how those attempts are made. **Dinteman** said the notice is first sent by certified mail with a return receipt. If that does not work, it is sent by regular mail. She said, depending on the case, sometimes the inspector will go by again and see if they can contact the person directly. **Ralston** asked if LRAPA is sure that the people doing the illegal activity are the owners of the property, and **Dinteman** said that is investigated before a notice of violation or civil penalty assessment goes out to them. **Hough** explained further that, typically, the person performing the illegal activity will sign the original Notice of Non-Compliance, which is the first step in the process.

The case is then evaluated to determine whether or not a civil penalty would be appropriate. If a civil penalty is assessed, the letter sent to the respondent gives them three options for action: pay the penalty; ask for a reduced penalty and provide their side of the argument; or contest the case and request a hearing. **Hough** said the hearings official in those cases is typically someone from LCOG.

Taylor requested that a discussion of the enforcement rules and the civil penalty matrix be placed on the board's agenda for a future meeting. She said she could imagine someone who is poor and ignorant and hates government getting an enforcement letter from LRAPA and deciding to ignore it. **Carpenter** said he is still not clear regarding how the economic avoidance penalty is applied and how that relates to a reduction in production to stay in compliance. He said he would like to see further explanation of that included in **Taylor**'s requested future agenda item on enforcement rules.

Monk said he does not know whether the advisory committee is already looking at the civil penalty matrix, but he would like the committee to look into the issue of the fines and the matrix upon which they are based and determine whether there is a better way to do this to get better compliance. As examples of enforcement issues, he cited the U of O and Eugene's 4J School District not understanding the asbestos rules and being fined $1,000 which may or may not stand. Another example he mentioned was the open burning of prohibited materials when people should know better.

(2) Johnson Crushers Enforcement Action. **Taylor** asked staff to explain the status of the enforcement action against Johnson Crushers for operating a Title V source without a permit. **Hough** explained that, because this is a Title V source, staff is still evaluating it to make sure that it meets both LRAPA and EPA requirements, which has required more consultation with EPA. **Hough** said the company applied for the necessary permit, and a public hearing was held on that the week prior to this board meeting.

Lopez said the company will be assessed all the permit fees that they would have had to pay all the way back to 1999. A civil penalty will be assessed on top of those fees, for the violations.

Taylor asked if the company would be allowed to continue to pollute at its current level. **Hough** responded that Johnson Crushers will be required to apply MACT for their specific type of process, that was required by January of this year. He said they apparently were aware of the MACT requirement, even though they claim to be unaware of the permitting requirements for their operation. **Hough** added that they have been working with their paint vendor to get lower-solvent paints, in order to comply with the January MACT requirement. While they have taken some steps, it is not yet clear whether they will fully comply with the MACT requirements.

E. Air Monitoring. **Stewart** said he received a letter from the Oregon Toxics Alliance, asking LRAPA to consider putting a monitoring station in the Trainsong neighborhood in Eugene, near the old railyard location. He said the reason given for the request is that there are traffic implications in that area, with Highway 99, Beltline, and West 11th, in addition to numerous industrial facilities, and the toxic plume from the rail yard. **Stewart** said he had consulted with **Hough** and that they are looking for ways to do additional air monitoring. **Hough** said he had talked with **Lisa Arkin** of Oregon Toxics Alliance about the options being explored. He said LRAPA also received a similar request from Eugene's Mayor

Piercy and that he had indicated to her that LRAPA is exploring additional grants and a potential cooperative project with Oregon DEQ. DEQ is exploring options for additional monitoring for air toxics in the Salem and Albany areas, and a joint grant application next April would be a stronger application than either agency doing it alone.

Hough said staff is also looking at an innovative technology called "GC and a PC," which is a gas chromatograph and a personal computer. This is still an expensive option; however, if the person who does this, a retired professor from Portland State, is willing to do a cooperative process and share costs with DEQ and LRAPA in order to get additional real-life data experience on this process, it may make it more affordable. **Hough** said he knows that some of the advisory committee members are also interested in pursuing this and, if the board thinks it would be appropriate for the committee to work on this with staff, he would welcome that as part of the discussion of the role of the advisory committee.

5. ADVISORY COMMITTEE: Committee Chair **Russ Ayers** reported that the committee did not meet in September, but the committee's chair and vice-chair met with the board chair and vice-chair to discuss the committee's role in the agency. **Ayers** said the document which staff prepared following the last board meeting, describing the role of the committee, was discussed at that joint meeting and that he believed it was important that the board see it and that the advisory committee see it, as well. **Hough** said the document was distributed to board members at this meeting and pointed out that it was proposed to change the word "authorization" in the second paragraph to "concurrence." It would then read, ". . . CAC may request board concurrence to take on an issue that may already . . .". He reminded the board that this was suggested at the August meeting when **Maurie Denner** presented the committee's monthly report to the board, adding that the board and committee chairs and vice-chairs were supportive of making this change.

Carpenter said he had no objection to changing the word "authorization" to "concurrence" in the "role of the committee document." No board members objected to that change.

Ayers said he thinks the document will still be controversial and that it is important that the committee get to see the document with that change and discuss it prior to the board's finalizing the role of the advisory committee. He said he is not aware of any urgency on the part of the board to finalize the document.

Ayers reported further that the subject of the MACT extensions is something the advisory committee could look at, if the board would like them to do that. He said there are industry representatives on the committee, and they would not automatically assume that industry was negligent and being lazy. He said sometimes industry can try to push a deadline to cut costs; but there are other reasons to push a deadline. For instance, sometimes you can get more for your money and lower emissions by taking a little longer to make a better decision. **Ayers** said he thinks it would be interesting for the committee to talk about this subject.

Carpenter said his problem with that is that, based on all the other things the committee has to do and the fact that the committee did not meet last month, by the time the committee could get back to the board with recommendations, it would not be timely on this issue. However, he said, he does not have a problem with the committee looking at it on a more general basis, independent of this particular circumstance–what the best responsive action is when EPA loses a deadline extension. **Ayers** said the committee will be meeting between this board meeting and the next one. If it were on the committee's agenda at that time, the committee could give the board feedback in November when the board is ready to take action. **Ralston** said he would like to have the committee talk about this and get back to the board. **Carpenter** asked what the committee would

be talking about at its next meeting if this were not on its agenda. **Ayers** said they had not really talked about the next agenda yet.

Hough commented that, on an item further down on today's agenda, staff planned to ask the board to assign some proposed extensive industrial and air toxics rulemaking to the committee.

Carpenter said he did not mind the committee looking at the MACT extension issue at their next meeting, but he wondered how much information staff can get to them and get prepared, with **Monk** asking that staff include information on the low-risk options. He asked if staff already has that information or would have to get it from the permittees, and **Lopez** said the permittees have not submitted any risk analysis that they've performed. She said she can ask them for it, but she does not know if it is required at this stage. She asked when the next advisory committee meeting would be, and **Ayers** said it would be the last Tuesday of the month. **Lopez** said staff is spending time looking at the extension requests, and that she is concerned about workload. **Ayers** commented that the board would be pressing staff, anyway and that the board sometimes just uses the committee as a sounding board. **Carpenter** said he does not want a sounding board if the committee does not have sufficient information to give the board a good decision. He does not want something just off the top of their heads. He would want the committee to see the same information the board is going to see.

Lopez said she is in contact with EPA, and she does not think LRAPA will have all the information that staff has asked for from the applicants. Staff has asked for clarification and more details to support the extensions. **Ayers** commented that two members of the committee have been through MACT, and it has been a part of their lives for a number of years. They know about how the process works and what the requirements are, and the discussion would not be "off the top of their heads." **Ayers** said Pulp & Paper MACT phase I was in 2001 and 2006, and phase II was in 2004. **Amy Peccia** said the MACT for SierraPine was the same as for Weyerhaeuser.

Stewart asked that when staff prepares the board packet for the November meeting, a copy of the plywood MACT information be sent to the advisory committee if it is finished in time. He said he would encourage anyone to come and speak during the public participation agenda item at the board meeting, if they have some thoughts that pertain to what the board is considering at that meeting. **Stewart** said that, if the committee doesn't get the information on plywood MACT until the board gets it, he would encourage them to come to the board meeting and share their thoughts and ideas with the board. He added that he would hope that the other companies that are applying for plywood MACT extensions would also come to the board meeting and speak during the public participation item.

Taylor had a couple of comments. First, she said it is fine with her for the advisory committee to discuss anything and tell the board what they think; however, she is glad that the committee role document includes the statement, and the committee understands, that the board makes the decisions. Her second comment was that the minutes of the committee meetings sometimes do not include the names of people who make particular comments. In the current set of minutes, for example, she said there was a section where it says, "one member" said something, whereas in every other section of the minutes the speaker is identified. **Markos** explained that sometimes a number of people talk at the same time. She is so busy writing down what was said that she doesn't remember who made a particular statement. **Taylor** said she had just wondered if there were some reason for the anonymity. She said she is interested, though, in who says things during the meetings.

Ayers announced that there are some membership vacancies that the board might want to address, or the board might want to let the group shrink a bit before staff advertises again to recruit to fill vacancies. **Markos** said she did have a potential member to represent the agriculture community, and that person is going to submit an application. That would leave one or two general public vacancies.

Monk commented regarding assigning new tasks to the committee. He said assigning review of the proposed industrial rules would be a good idea. He also wanted to assign review of the agency's enforcement rules and the penalty matrix to the committee because the board has been talking about that for a long time and members seem to be in agreement that the rules need to be revised. He said he would like the committee to take that on at a future time that works around what they think the priority issues are. Stewart agreed with **Monk**'s suggested projects for the committee.

6. REQUEST FOR AUTHORIZATION OF PUBLIC HEARING ON PROPOSED AMENDMENTS TO LRAPA TITLE 47, RULES FOR OPEN BURNING: **Hough** reminded the board that this proposal was presented at the last board meeting and there were some questions and some discussion at that time. He also reminded them of **Drew Johnson**'s written comments in which he indicated two concerns with the proposed amendments to LRAPA's open burning rules: that allowing burning in the outdoor firepit devices would conflict with the city of Eugene's ordinance banning all open burning; and whether this would be the time to encourage disincentives to biomass burning as has been discussed in the new ideas portion of the strategic planning effort.

Hough said it has been difficult for LRAPA to answer inquiries regarding use of the wood-burning patio heaters, which have been widely sold for a number of years. The practice is, technically, not legal because that type of burning is only allowed in campfire-type settings or if you're cooking food. The heaters and are not specifically addressed in LRAPA's current open burning rules. **Hough** said the statewide rules do allow residential burning of this type and that it is allowed even in the Puget Sound area which is a much larger urban area than Eugene/Springfield. This rulemaking process was an opportunity staff saw for a win/win by specifying that only clean, dry firewood can be used, and that the burning must be done in a way that is not going to cause problems for neighbors. The proposal also specifies that, during the November through February home wood heating curtailment season, the patio heaters can only be used on a "Green" home wood heating advisory day. **Hough** said the Eugene Fire Department is also interested in the use of wood-burning patio heaters He added that he understands that the Eugene Fire Department is monitoring LRAPA's effort with these rule amendments to see what kind of responses LRAPA receives during the public comment process. He said LRAPA's rulemaking process may result in some recommendations to the Eugene City Council, depending on which way that goes.

As far as incentives to encourage alternatives to open burning, **Hough** said it is not yet clear whether that nominated "new idea" will be one of the things about which the board wants to hear more detailed cost/benefit information. **Hough** said if that does turn out to be a high priority for the board, he believes those incentives to alternatives can still happen without necessarily changing the open burning rules, themselves.

Hough said he thinks it would be premature to stall the current rulemaking process, and that one of the key reasons staff is pushing on this rulemaking is to add the special burning control area around Florence that would complement the ban on open burning that Florence adopted. He said he feels a commitment to the Florence area to follow through on that particular part, adding that that commitment is what originally caused

staff to open up the open burning rules for revisions. **Hough** said he would personally prefer to proceed with the rulemaking and get comments on the draft rule.

Monk said he agrees with **Johnson**'s approach, which he said he believes is really about open burning of construction materials and providing disincentives for that kind of activity. **Monk** said what **Johnson** was thinking was if a contractor is building a house or remodeling a house, anywhere in the county, for them to burn the waste material seems to be a waste of materials and an unnecessary impact on the air quality. **Monk** said he agrees with **Johnson** on that. He said he would not allow burning of construction waste, whether it's clean or not, and that the cost of bringing that material to a recycler should be factored into the project so that the client pays a minimal fee for the service to salvage the scrap wood. **Monk** said he knows that **Johnson** was hoping that the board could have a discussion about the kinds of disincentives, such as making the burning permit fees high enough to encourage people to recycle that waste. He said he and Johnson have also talked about having a chipper or something, like Oakridge does, to keep that material from being burned by bringing it to the people who can recycle it. If there were something out in the rural areas, closer to where the construction was taking place, they might take advantage of that, particularly if the permit fee to burn it was quite high. **Monk** said he thinks the open burning rules need a lot of work in that regard; that was his problem with the proposed rule amendments two months ago, and it is still his problem now.

Carpenter read from a section of the rule which states, "Construction/demolition burning is allowed elsewhere in Lane County subject to general requirements of Section . . .". He said his problem with banning all construction/demolition burning is that there are areas far outside any of the county's towns where it would be very difficult to absolutely ban construction/demolition burning in all of Lane County. He noted that this type of burning is already banned within the Eugene-Springfield Urban Growth Boundary. **Carpenter** said if there were a large rural subdivision going in somewhere, where they are accumulating a lot more debris than with just one structure, he might want to revisit it, to suggest that there should be incentives to haul that debris off. But, for now, **Carpenter** said he would be willing to let the proposed rule amendments go the way they have been presented by staff, just because it is already pretty much restricted in all the area that actually have large construction sites going on.

Stewart said he personally did not have a problem with scheduling a public hearing. He said he thought what the board was talking about now was deliberation of whether or not to adopt the amendments and if the board would want to make some changes to it and send it back out. He said he would like to move forward with a public hearing, unless board members have some absolute opposition to doing that. After receiving public comment, the board can get into whether or not to ban construction/demolition open burning in all of Lane County. **Carpenter** agreed, stating that he would like to see the public hearing go forward.

Fortune asked **Monk** if he did, or did not, want a public hearing on the proposed amendments to the open burning rules. **Monk** said he is all for a public hearing but would suggest that the proposal be refined first. He said whether this discussion will have any more merit after the public weights in, and the board hears his comments again regarding banning construction/demolition burning in all of Lane County, he doesn't think will matter. He said the board should move on with it.

Ralston said he agreed with what **Carpenter** said and that he is fully supportive of incentivizing anything; however, he is happy with the way the revised rule is written, particularly the recreational fire definition.

MOTION: Ralston MOVED to go forward with a public hearing. **Fortune SECONDED THE MOTION**.

Discussion of Motion. **Patterson** commented that each one of the jurisdictions in lane County has guidelines on open burning. He said he thinks LRAPA's rules should be accommodating to the whole county. If the individual communities want to have more restrictive ordinances, they can do that. **Patterson** said he cannot see encumbering all of Lane County with a rule that is basically only geared toward one specific area. He said there are places where a total ban on construction/demolition open burning are not practical and, besides, most of the carpenters will carry off site every 2 x 4 they can get and salvage them. He said he doesn't want to see people burning tires or stumps or asbestos, but there is scrap at construction/demolition sites that must be disposed of, and the individual jurisdictions can take care of that. **Patterson** said he is favor of authorizing a public hearing on the proposed rule amendments.

Monk asked for a clarification before the vote. He asked if he understands correctly that the list in the rule prohibits burning of commercial/construction debris, or if it was just yard trimmings and the like. **Hough** explained that there are three geographic areas that apply for construction and demolition burning permits. The practice is prohibited entirely within the Eugene-Springfield UGB. Within the larger list of rural fire protection districts, it is generally prohibited unless they get a special letter permit from LRAPA. As part of that permitting process, the applicant must show that there are no alternatives reasonably available. Then there are areas outside of the rural fire protection districts where construction/demolition open burning is allowed, just under general requirements to try to reduce the impact by doing the burning on days that are conducive to open burning.

Carpenter asked if the summary table at the end of Title 47, which is struck out in the proposed amendments, could be revised and kept in the rule, because it looked really efficient to him. **Hough** said it was just awkward to have the table in the rule, itself, but it will still be used in the informational brochures dealing with open burning.

Hough said there were two things which had come to his attention that he wanted to ask the board to comment on before voting on whether or not to authorize public hearing.

A. Ceremonial Fires. One is whether or not to allow ceremonial fires under special letter permits. He said the agency has a request at this time for a bonfire which looks like it would be a well-managed situation. He said he would like to at least put this type of request in the proposal to get public comment on it.

B. Moving the Opening Date of the Open Burning Season Back to October 1. The second thing is moving the beginning of the open burning season back from October 15 to October 1. **Hough** explained that LRAPA coordinates with local fire districts regarding the actual opening date, depending on the status of fire danger as determined by fire districts. In most years, the first date when burning is actually allowed is anywhere from October 15 to November 1, and that was the reason why the opening date for residential open burning, in LRAPA's rules, was moved to October 15. However, occasionally there is a year like this one, where meteorological conditions during the first two weeks of October have made that a good time to allow open burning. By moving the date back to October 1, as it was in the distant past, the agency and fire districts would have the flexibility to allow burning earlier in years like this one. **Hough** said he would like to put that date in the draft rule to get public comment on it.

Carpenter asked how that would affect burning inside the UGB, and **Hough** said that is yet another reason to consider an earlier date. He said the proposed rule amendments would ban open burning from November 1 through the end of February, the home wood heating curtailment season. **Hough** said open burning is rarely allowed during that period, anyway, because LRAPA is aware of the load on the airshed from wood-heating smoke, and there has to be really good meteorology to be able to allow open burning on top of that. If the opening date for open burning were moved back to October 1, that would allow a full month for people to accomplish the yard debris burning that they had been waiting for all summer, before the November 1 start of the home wood heating curtailment season.

Stewart asked how that change would be made, and **Hough** said it would be changed in the draft. The public hearing has not yet been announced, and the change could be made before that happens. He said what he was proposing was to make two small changes in the draft and then invite public comment on those changes, as well.

Stewart asked if there would be an amendment to the motion, to set the public hearing and to add the new wording.

AMENDMENT TO MOTION: Ralston MOVED and **Carpenter SECONDED** amending the motion to add the revisions to the draft amendments to Title 47, as suggested by **Hough**.

VOTE: THE AMENDED MOTION PASSED BY A VOTE OF 7 IN FAVOR AND 1 (MONK) ABSTENTION.

7. OVERVIEW OF PROPOSED INDUSTRIAL RULES: Staff member **Max Hueftle** described the changes staff is proposing, to bring LRAPA's permitting rules into line with three separate rule changes that ODEQ has made in its industrial/permitting rules. The first part was adopted in 2001 and finalized in 2002. The second part is a package that ODEQ expects the EQC to adopt later this month, as part of that rule. And the third part proposed for this adoption by LRAPA is the Oregon State Air Toxics Program. The air toxics portion of the rules was proposed by ODEQ in 2002 and finalized in 2003 as OAR Chapter 340, Division 246. It is proposed for LRAPA to adopt that portion by reference.

Hueftle briefly explained that the proposed changes include:

- The use of General Permits that apply to categories of facilities that are subject to the same requirements, such as rock crushers, asphalt plants, and sawmills.

- The ODEQ construction rules. Hueftle said this would be especially helpful because, currently, industrial sources are required to follow both ODEQ's construction rules and LRAPA's construction rules. Adopting ODEQ's construction rules would consolidate those so that permittees only have to follow one set of construction rules.

- Plant Site Emission Limit (PSEL) changes, including use of generic as opposed to site-specific, or source-specific, PSELs. It would also be changed to a twelve-month, rolling average, to coincide with what is already required by EPA for HAP source limits. Adoption of these provisions would make treatment of PSELs consistent.

- New Source Review (NSR) changes to make LRAPA's rules consistent with ODEQ and EPA requirements.

- Four different categories of permit actions, as they relate to public notice and participation.

- General rule cleanup, as a result of recent changes in EPA definitions or comments on the ODEQ and LRAPA programs.

- Adoption of the proposed new Title 45 would adopt the Oregon State Air Toxics Program, by reference, which would hopefully reduce releases of harmful air pollutants not addressed by other regulations. This would go beyond what is required by MACT and any other federal or local air toxics regulations. This program, adopted by ODEQ in 2003, is essentially an innovative approach in reduced exposure to toxics through community-based planning.

Hough added that the purpose of bringing this before the board at this time is to give the board a heads-up that these changes will be brought to the board next spring, to go through the public comment and adoption process. He said the actual rule changes are a couple hundred pages, and staff's recommendation at this point is for the board to assign this to the advisory committee for review, in preparation for its being on the board's agenda next March, April or May. Staff anticipates public hearing in about June.

ACTION: RALSTON MOVED to pass this rulemaking package along to the advisory committee for its review, as recommended by staff. **FORTUNE SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE**.

8. CONTINUATION OF DISCUSSION ON STRATEGIC PLANNING–NEW IDEAS: **Hough** asked board members to look again at the list of 21 new ideas which they developed at earlier meetings and choose a few that they think are the most important. He said if the list could be pared down to half a dozen items, he could prepare analyses of the costs versus the air quality benefit of each one to bring back to the board, to decide which ones the agency should pursue. **Hough** said the goals, priorities, mission and vision were confirmed along the way in the strategic planning process, and this is the fine-tuning of the new directions that the board wants the agency to take.

Ralston commented that it is a good idea to pare the list down to things that the agency can actually accomplish. He said there are quite a few things on the list that would cost very little and might have a good benefit. He suggested number 1, the multi-year budget, number 4, air quality information in schools, number 10, providing incentives rather than always regulating, and number 11 alternatives to yard waste disposal.

Taylor said this was too much to decide at this meeting, and **Stewart** agreed. **Stewart** asked board members to take some time to review the list and circle their choice over the following week or so, and get the marked lists back to staff. There was some discussion of doing this electronically, and **Stewart** asked **Dinteman** to send everyone an electronic copy of the list. Board members would then just send back the numbers of the new ideas they want to pursue. They are to be back to staff by November 1.

Hough reminded board members that they had already instructed staff to move forward with number 1, the multi-year budget. He said staff planned to have several different, multi-year budget scenarios for the board to review at the December meeting.

9. NEW BUSINESS:

November Meeting Date. Several board members said they would not be available on the second Tuesday of November, and there was brief discussion of an alternate date. The first Tuesday, November 6, seemed to be a date when most people would be available. **Stewart** asked **Dinteman** to send out an e-mail to ask board members to confirm November 6.

10. ADJOURNMENT: The meeting adjourned at 2:12 p.m. The next regular meeting of the LRAPA Board of Directors is scheduled for Tuesday, November 6, 2007, in the LRAPA Meeting Room at 1010 Main Street, Springfield, Oregon.

Respectfully submitted,

Merrie Dinteman
Recording Secretary