

**NEW: 9/01/2024 -- 9/33/2024:**

Calendar year 2024 compared to previous years:

Year	2019	2020	2021	2022	2023	*2024
<b>Notices of Non-compliance and Warnings</b>	55	15	21	24	19	10
<b>Notices of Violation with Civil Penalties</b>	37	26	17	24	15	5

\* Year-To-Date.

**ENFORCEMENT: 9/01/2024 to 9/30/2024**

Category of Violation	New	Follow-Up Action	Pending	Closed	Total
Asbestos	2	-	3	1	6
Industrial	-	-	5	-	5
Outdoor Burning	1	-	3	-	4
Fugitive Dust	-	-	-	-	-
Home Wood Heating	-	-	-	-	-
<b>Totals</b>	<b>3</b>	<b>-</b>	<b>11</b>	<b>1</b>	<b>15</b>

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

**9/1/2024 -- 9/30/2024**

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

**NEW ENFORCEMENT ACTIONS: 09/01/2024 -- 09/30/2024**

1. T.J. ROBBINS (FALL CREEK)
  - A. Violation: Allowed for the outdoor burning of prohibited materials (machine parts, aerosol can, metal wire, canned food containers, etc.).
  - B. Initial Action Taken: NON #3907 issued 09/06/2024
  - C. Subsequent Action: NCP #2024-3907 (\$275) issued 09/06/2024:
  - D. Resolution: PENDING
  
2. DUST 2 DIAMONDS, LLC (SPRINGFIELD)
  - A. Violation: Performed an asbestos abatement project without possessing a license to perform asbestos abatement; openly accumulated friable asbestos-containing materials.
  - B. Initial Action Taken: NON #3908 issued 09/06/2024
  - C. Subsequent Action: NCP #2024-3908 (\$8400) issued 09/06/2024: request for reduction under review.
  - D. Resolution: PENDING
  
3. SAVI CONSTRUCTION LLC (EUGENE)

- A. Violation: Conducted an asbestos abatement without property negative pressure enclosure which resulted in open accumulation of asbestos containing materials outside of the containment area.
- B. Initial Action Taken: NON #3909 issued 09/06/2024
- C. Subsequent Action: NCP #2024-3909 (\$3000) issued 09/06/2024: paid 9/27/2024
- D. Resolution: CASE CLOSED 9/27/2024

**PENDING ENFORCEMENT ACTIONS: 09/01/2024 -- 09/30/2024**

1. A & K DEVELOPMENT CO, PAC METAL FAB (JUNCTION CITY)
  - A. Violation: Failed to notify LRAPA prior to the construction of a new stationary source in accordance with LRAPA Rules and Regulations Section 34-010(1)(a); operating an air contaminant source which is listed in Section 37-8010 Table 1 without first obtaining and ACDP from LRAPA in accordance with LRAPA 37-0020(3).
  - B. Initial Action Taken: NON #3903 issued 05/30/2024
  - C. Subsequent Action: PENDING – documents submitted by 9/20/2024 under review
  - D. Resolution: PENDING
  
2. PETROCARD INC (GOSHEN) (GOSHEN)
  - A. Violation: The permittee failed to submit in a timely manner performance testing records to LRAPA which demonstrate compliance with vapor testing requirements outlined in permit conditions 5.1.a and 5.1.b. On 2/25/2022 the permittee was notified by LRAPA that they had exceeded the annual throughput threshold of 480,000 gallons of gasoline in 2019 and were therefore subject to the vapor recovery testing requirements outlined in the permit. On 4/8/2022 LRAPA was advised that vapor recovery testing could not be completed since the lines were manifolded and the issue was escalated to construction to isolate the lines. On 7/7/2022 LRAPA called and emailed the permittee requesting an update. On 8/2/2022 LRAPA called and emailed the permittee requesting an update. Permittee responded advising that they were still working to fix the issue. On 10/5/2022 LRAPA emailed the permittee requesting an update. On 10/26/2022 LRAPA called and emailed the permittee requesting an update.
  - B. Initial Action Taken: NON #3872 issued 11/03/2022
  - C. Subsequent Action: NCP #2022-3872 (\$3000) issued 12/08/2022: submitted the test results over 12-month late, therefore the request for reduction was not approved. No response to payment has been received, a default order judgment is in process for a lien on the property.
  - D. Resolution: PENDING
  
3. JOHN A. RANKIN AND STEVE FOWLKES (SPRINGFIELD)
  - A. Violation: 43-015(10)- ASBESTOS ABATEMENT NOTIFICATION REQUIREMENTS. Except as provided for in 43-015-8, written notification of any asbestos abatement project must be provided to the Agency on a form prepared by and available from the Agency, accompanied by the appropriate fee; 43-015(11)(C)- Enclose the area of the asbestos-containing materials to be abated, in a negative pressure enclosure prior to abatement unless prior approval has been granted by the agency; 43-015(11)(G)- The asbestos abatement project area shall be adequately cleaned at the conclusion of the project to assure removal of all asbestos debris; 43-015(11)(N)- Open storage or open accumulation of friable asbestos-containing material or asbestos containing waste material is prohibited; 43-015(11)(P)- No person shall conduct an asbestos abatement project unless they possess a current asbestos abatement Contractors license or

worker's certification, issued by the Department under OAR 340-248-040 or OAR 340-248-0120 and OAR 340-248-0130, respectively, unless exempted by 43-015-8 and/or 43-015-9; 43-015(11)(S)- A certified supervisor is required to be present on each asbestos abatement project other than a small-scale short-duration activity; 43-015(11)(T)- An owner or operator of a facility shall not allow any persons other than those employees of the facility owner or operator who are appropriately certified or a licensed asbestos abatement contractor to perform an asbestos abatement project in or on that facility unless exempted by 43-015-8 or 43-015-9; 43-015-19(B)- Persons disposing of asbestos-containing waste material must notify the landfill operator of the type and volume of the asbestos-containing waste material; 43-015(19)(B)(1)- All asbestos-containing waste materials must be adequately wetted to ensure that they remain wet until delivered to an authorized landfill, and either: (a) processed into non-friable pellets or other shapes; or (b) packaged in leak-tight containers such as two plastic bags with a minimum thickness of 6 mil., or fiber or metal drum. Containers must be labeled as follows: (i) the name of the asbestos waste generator and the location where the asbestos waste was generated; and (ii) a warning label that states: DANGER Contains Asbestos Fibers Avoid Creating Dust Cancer and Lung Disease Hazard Avoid Breathing Airborne Asbestos Fibers Alternatively, warning labels specified by 29 CFR 1926.1101(k)(7)(8/19/94) may be used; 43-105(19)(E)- All asbestos-containing waste material must be deposited as soon as possible by the waste generator at: (1) An asbestos-containing waste disposal site authorized by the Department and operated in accordance with the provisions of this rule;

- B. Initial Action Taken: NON #3877 issued 03/06/2023
- C. Subsequent Action: NCP #2023-3877 (\$10400) issued 03/06/2023: request for reduction approved and reduced to \$5,200 on 04/19/2023 with a payment schedule of \$400 per month and is on schedule with payments with a balance of \$800.
- D. Resolution: PENDING

4. KYLE MCLENNAN, BRUCE R MCLENNAN (VENETA)

- A. Violation: Failure to obtain an asbestos survey from an accredited asbestos inspector prior to conducting the demolition of a facility; Burning construction/demolition waste without first obtaining an LRAPA letter permit.
- B. Initial Action Taken: NON #3880 issued 04/11/2023
- C. Subsequent Action: NCP #2023-3880 (\$3,650) issued 04/11/2023; no response and no payment received; a default order judgment is in process for a lien on the property
- D. Resolution: PENDING

5. APRO LLC DBA UNITED PACIFIC ROCKET # (SPRINGFIELD)

- A. Violation: The permittee failed to submit performance testing records to LRAPA which demonstrate compliance with triennial vapor testing requirements outlined in permit conditions 5.0. Permittee last submitted testing results relative to conditions 5.1.a and 5.1.b on February 4th, 2020, and therefore is required to have testing conducted by February 4th, 2023. Condition 7.1.c of the permit requires notification of upcoming testing be submitted to LRAPA and condition 7.2 requires test results be submitted to LRAPA no later than 30 after testing has occurred.
- B. Initial Action Taken: NON #3886 issued 04/25/2023
- C. Subsequent Action: NCP #2023-3886 (\$2,250) issued 06/12/2023: no response and no payment received; a default order judgment is in process for a lien on the property
- D. Resolution: PENDING

6. SEALS, MARK (ELMIRA)
  - A. Violation: Outdoor burning of prohibited materials (metal, plastic, rubber, etc.).
  - B. Initial Action Taken: NON #3888 issued 06/13/2023
  - C. Subsequent Action: NCP #2023-3888 (\$550) issued 07/31/2023: no response and no payment received; a default order judgment is in process for a lien on the property
  - D. Resolution: PENDING
  
7. A&A AUTO WRECKERS, INC. (JUNCTION CITY)
  - A. Violation: 43-010(1) - No person may openly accumulate friable asbestos-containing material or asbestos-containing waste material; 43-015(7) - Unless exempt pursuant to 43-015-8, prior to commencing the renovation or demolition of a facility, the owner or operator of the facility must obtain a survey from an accredited asbestos inspector of the entire facility, or the part of the facility where the demolition or renovation will occur, for the presence of asbestos-containing materials, including the presence of non-friable asbestos-containing material. A copy of the survey report must be kept onsite at the facility during any demolition or renovation activity; 43-015(11)(P)- No person shall conduct an asbestos abatement project unless they possess a current asbestos abatement Contractors license or worker's certification, issued by the Department under OAR 340-248-040 or OAR 340-248-0120 and OAR 340-248-0130, respectively, unless exempted by 43-015-8 and/or 43-015-9. 43-015(11)(T) - An owner or operator of a facility shall not allow any persons other than those employees of the facility owner or operator who are appropriately certified or a licensed asbestos abatement contractor to perform an asbestos abatement project in or on that facility unless exempted by 43-015-8 or 43-015-9.
  - B. Initial Action Taken: NON #3889 issued 05/03/2023
  - C. Subsequent Action: Respondent spent over \$100,000 to clean up the property, no additional recreational vehicles will be accepted at this site. No further action.
  - D. Resolution: CASE CLOSED
  
8. CARTER, LARRY; VERNON VENSON (SPRINGFIELD)
  - A. Violation: Allowing for the open burning of prohibited materials (pressure treated wood, railroad ties, plastics, clothing, drywall, metal, etc.)
  - B. Initial Action Taken: NON #3895 issued 12/14/2023
  - C. Subsequent Action: NCP #2023-3895 (\$550) issued 12/18/2023; no response and no payment received; a default order judgment is in process for a lien on the property
  - D. Resolution: PENDING
  
9. WOOLMAN, TIM (VENETA)
  - A. Violation: Allowing for the burning of prohibited materials (plastics).
  - B. Initial Action Taken: NON #3898 issued 03/01/2024
  - C. Subsequent Action: NCP #2024-3898 (\$850) issued 03/07/2024; no response and no payment received; a default order judgment is in process for a lien on the property
  - D. Resolution: PENDING
  
10. EMERALD PEOPLE'S UTILITY DISTRICT (EUGENE)
  - A. Violation: Submitted a partial 2023 annual report a 12-month rolling PSEL calculation spreadsheet which demonstrated that the facility emissions for PM2.5, CO and NOx were in excess of the permitted emission limits during the 12-month periods ending in September - December 2023 and in 2024.

- B. Initial Action Taken: NON #3902 issued 06/06/2024
  - C. Subsequent Action: PENDING – reviewing additional documents submitted.
  - D. Resolution: PENDING
11. AURORA INNOVATIONS / HYDROFARM (EUGENE)
- A. Violation: Failure to submit 2023 semi-annual report required by Condition #28 in their ACDP #200053. The 2023 semi-annual report was due February 15, 2024; failure to submit their 2023 ATEI report by July 1, 2024.
  - B. Initial Action Taken: NON #3910 issued 07/31/2024
  - C. Subsequent Action: Submitted reports are under review
  - D. Resolution: PENDING

**OUTDOOR BURNING LETTER PERMITS: 9/01/2024 TO 9/30/2024**

There was no Outdoor Burning Letter Permit (OBLP) issued in September 2024.

**ASBESTOS ABATEMENT: 9/01/2024 to 9/30/2024**

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 2024 compares to previous years:

Calendar year 2024 compares to previous years:

Year	2019	2020	2021	2022	2023	*2024
Total Asbestos Abatement Notices	488	439	408	465	466	332
School Asbestos Abatement Notices (NESHAP)	16	25	20	16	17	18
Number of Asbestos Abatements Inspected	94	93	104	115	91	61

\* Year-To-Date.

**PERMITTING (TITLE V AND ACDP):**

- Currently 13 sources, Title V permits
- Currently approximately 275 sources, Air Contaminant Discharge Permits (ACDPs)

Permit activities:

Category of Permit Activity	Title V	ACDP	Registration	Total Active
New	1	2		3
Renewals	3	11		14
Modifications		4		4
Constructions				
General TV	1			1
Registrations				
Terminated Permits		6		6
<b>Total Issued Permits Year-to-date</b>	<b>7</b>	<b>37</b>		<b>44</b>

Permits placed on public notice:

Source Name	Reason for Public Notice	Type of Permit
Murphy Plywood	Renewal of Title V	ACDP renewal. Off public notice 10/17/2024

Permits with public hearing notice:

Source Name	Reason for Public Hearing	Date of Public Hearing

Permit backlog:

Permit Type	Total Number of Permits by Type	Number of Permits Extended Administratively	Percentage of Total (%)
Title V	14	2	14%
Standard	26	4	15%
Simple	29	4	14%
<b>Total</b>	<b>69</b>	<b>10</b>	<b>14%</b>

## MEDIA INTEREST, EXTERNAL COORDINATION AND OUTREACH

Date	Media	Person	Topic
2/9/2024	KEZI	Robert Desaulniers	Springfield Burning Variance
2/25/2024	KEZI	Noah Chavez	Springfield Burning Variance
03/28/2024	Ore. News Service	Eric Tegethoff	Air Quality Awareness Week
03/28/2024	KVAL	Juliette Smith	Allergy Season
04/25/2024	KLCC	Tiffany Eckert	ALA Report
04/29/2024	KEZI	Aaron Arellano	ALA Report
05/03/2024	Eugene Emerald	Andres Baisch	ALA Report
06/04/2024	KXCR	Larry Bloomfield	Community Talk Radio
07/30/2024	KEPW	John Quetzalcoatl Murray	Short Mountain and EPUD PSEL exceedance
08/12/2024	KMTR	Gold Meadows	J.H. Baxter cleanup and LRAPA role in process.

09/18/2024	KMTR	Aaron Arellano	J.H. Baxter EPA visit w/ Casey Sixkiller and DEQ
09/27/2024	KEZI	News Staff	Delay starts to outdoor burning to 10/15
09/27/2024	KMTR	Zach Bruhl	Share \$1M award for EJG2G Grant for wildfire smoke mitigation & health study
09/27/2024	KMTR	News Staff	Delay starts to outdoor burning to 10/15
09/30/2024	KEZI	Aaron Arellano	Dely starts to outdoor burning and ongoing delays to start of burning season

## PUBLIC EVENTS AND OUTREACH

Springfield Block Party (September 6, 2024):

LRAPA participated as one of the many organizations involved in this community event. LRAPA set up an informational booth to engage with the 7,000-10,000 attendees, providing education on air quality issues and LRAPA's role in the community.

Jerry's Fire Safety Saturday (September 28, 2024):

LRAPA participated by providing information on how wildfires affect air quality and offering tips for residents to protect themselves during fire season, as well as reviewed asbestos regulatory information. LRAPA also raffle away a PurpleAir Sensor.

EPA Visit of Casey Sixkiller to Eugene (September 2024):

LRAPA participated in discussions regarding the J.H. Baxter site cleanup and its potential Superfund designation with Casey Sixkiller. Mr. Sixkiller is the Regional Administrator for the U.S. Environmental Protection Agency (EPA) Region 10, a position he has held since May 2022 after being appointed by President Joe Biden. Region 10 encompasses Alaska, Idaho, Oregon, Washington, and 271 Tribal Nations.

LRAPA also presented to Casey Sixkiller on LRAPA's Environmental Justice Government to Government (EJG2G) grant, funded by the EPA. The presentation shared on air quality challenges in Lane County connected to summertime wildfires and reviewed efforts under the grant to address these growing issues.

## AGENCY GOALS AND UPDATES

*In January 2022, the Board established the following goals to drive LRAPA's efforts in protecting public health, community well-being, and the environment. Below is an overview of each goal, accompanied by recent updates and milestones, with specific focus on activities in September 2024.*

### 1. Oakridge/Westfir Air Quality Improvement

Objective: Seek EPA approval to improve air quality in Oakridge/Westfir.

- Following the redesignation of Oakridge in September 2022, LRAPA continues to implement two targeted airshed grants in the area to further improve progress.
- LRAPA finalized the terms and conditions with the EPA for the EJG2G grant expanding the Oakridge Air program to include wildfire mitigation efforts.
  - o LRAPA is now working to execute subaward agreements under this grant with South Willamette Solutions (SWS), and Lane County Public Health (LCPH).

## **2. Internal Efficiency Enhancement**

Objective: Streamline internal processes and policies for improved efficiency.

- LRAPA has fully established its operations at the Lane County Public Service Building. Staff are splitting time between working from home and working at the Lane County Public Service Building.
- LRAPA is in the process of hiring a Administrative Manager who will bring a helpful skillset of business management and workflow organization to improve internal functions across the agency which will help LRAPA better service the community.

## **3. Pre-Budget Planning**

Objective: Plan ahead for budget committee meetings to ensure financial stability.

- LRAPA is the preparing for an Audit of FY'24. Auditors are scheduled to be onsite the first week of November.

## **4. Financial Stability Assessment**

Objective: Evaluate LRAPA's costs and explore funding sources for long-term stability.

- LRAPA's budget forecast and assumptions indicate the agency's finances are stable.
- Annual invoicing of fees to LRAPA's permitted sources was successful on October 1. Fees are due December 1.

## **5. Website Redesign**

Objective: Improve LRAPA's website for better user access to air quality information.

- The website continues to be updated to accurately reflect current operations at the Organization, such as updates to the staff directory to reflect new hires.
- Facility Specific Cleaner Air Oregon webpages are in progress of being updated for existing sources and created for new sources.

## **6. Community Engagement**

Objective: Increase interaction with communities to raise air quality awareness.

- LRAPA continues to engage collaboratively with various stakeholders and agencies on soil remediation activities concerning J.H. Baxter in West Eugene.
- LRAPA is collaborating with the Pacific Northwest International Section of the Air & Waste Management Association to plan the 2024 PNWIS conference at the Graduate Hotel in Eugene this November, enhancing industry relationships.
- LRAPA was contacted by several individuals in addition to the Active Bethel Community Neighborhood Association and Beyond Toxics on a permit application LRAPA received for UDS Clean Fuels in Eugene. LRAPA is communicating with the community to understand perspectives and concerns. LRAPA is also communicating with USD Clean Fuels on our engagement with the community.

## **7. Collaboration and Partnerships**

Objective: Strengthen relationships with local communities and industry for problem-solving.

- LRAPA participated in several regional collaborative groups and committee meetings in September. These included Lane Regional Climate Collaborative, Oakridge Area Fire Safe



Council, and Lane County Healthy Housing Collaborative.

## **8. Funding Source Diversification**

Objective: Seek new funding opportunities to support air quality programs.

- LRAPA has been informed by DEQ that its prospects for increased budget support are constrained due to a lower prioritization of climate and environment in the governor's budget. Consequently, LRAPA's ability to secure enhanced funding through DEQ is significantly limited.

## **9. Airmetrics Enterprise Evaluation**

Objective: Assess the effectiveness of Airmetrics in monitoring air quality.

- Following the board's decision in late 2023, Airmetrics has ceased all operations. LRAPA provided a 30-day notice to terminate the lease on the Airmetrics warehouse space, which concludes on July 24, 2024. LRAPA has fully vacated the space and removed all references to Airmetrics from its website in early June 2024.

## **10. Complaint Intake Process Improvement**

Objective: Enhance the process for receiving and responding to air quality complaints.

- LRAPA has revised the internal complaint entry user interface in LINFO to streamline the process for staff to enter complaints and investigation results in early 2024. With multiple new staff joining the organization, LRAPA is convening training on complaint intake processes to maintain effectiveness and productivity.

## **11. Regulatory Engagement**

Objective: Stay updated on air quality regulations through engagement with relevant organizations.

- LRAPA staff engaged with the Board to discuss the annual fee increases for Air Contaminant Discharge Permit (ACDP) and Asbestos Notification fees. The Board was provided with detailed information on the fee structure, the essential work supported by these fees, and considerations for potential adjustments.
- LRAPA successfully implemented the annual 4% fee increases for ACDP and Asbestos Notification fees, as well as a 3% increase for Cleaner Air Oregon (CAO) fees, effective July 1, 2024, ensuring the agency's ability to continue its critical air quality work and adapt to emerging challenges.
- LRAPA is implementing a state-mandated fee increase for Gasoline Dispensing Facilities, raising the annual fee from \$201 to \$605 and the Cleaner Air Oregon annual fee from \$52 to \$156, effective in 2025, to support more stringent air quality regulations. This fee adjustment reflects the reclassification of Gasoline Dispensing Facilities from ACDP Fee Class 5 to Fee Class 4 by the Oregon Department of Environmental Quality, necessitating additional regulatory oversight and work to further reduce air pollution from gasoline vapors.

## 12. Succession Planning and Staff Training

Objective: Prepare for staff transitions through succession planning and training.

- LRAPA recognizes and celebrates staff milestones:  
Derek Bowen has reached the impressive milestone of 30 years of service with LRAPA. Derek began his career at LRAPA on September 27, 1994. He currently works as an Environmental Technician in the monitoring department. As a hardworking professional, Derek consistently delivers outstanding results, tackling each task with dedication and expertise. His work ethic and the high quality of his contributions have set a standard of excellence within our organization. Derek's kindness, respect, and consideration for others shine through in all his interactions, creating a more pleasant work environment for everyone. His willingness to go the extra mile, often without being asked, showcases his deep commitment to LRAPA and its mission. Throughout his three decades with us, Derek has consistently demonstrated a positive attitude and caring demeanor that have made him an invaluable member of our team.
- LRAPA continues to advance recruitment efforts to address staffing changes:
  - o An Administrative Manager position was posted in late August, interviews are occurring the second week of October.
  - o An inspector position was opened in early August. A replacement to this vacancy began in late September.

## **TENTATIVE UPCOMING LRAPA BOARD AGENDA ITEMS**

This schedule outline is a preview of anticipated upcoming agenda items.

### **November 2024**

- Discuss FY 26 Partner dues
- Budget Update
- Remodel Update
- Executive Session – Executive Director review

### **December 2024 – No Meeting**

### **January 2025**

- Approve FY 26 Partner Dues
- Review upcoming appointments on Board and Committees
- Oakridge Air Status Report
- Handbook Update
- Board Goals Work Session
- Remodel Update

### **February 2025**

- Nominations/Appoint Board Chair and Vice-Chair
- Nominations/Appoint new Budget Committee Members and Budget Officer
- Budget Forecast
- Remodel Update

### **March 2025**

- First Budget meeting proposed budget FY 25-26
- Board Review of annual fee increases set by rule
- Remodel Update

### **April 2025**

- Second Budget meeting proposed budget FY 25-26, approve budget

### **May 2025**

- Public Hearing and adoption of approved budget for FY 25-26