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MEMORANDUM

TO: Lane Regional Air Pollution Authority (LRAPA) Partners
Elected Officials and City Managers
From: Jim Johnson, Interim Director
Subject: The Importance of LRAPA
Date: June 14, 2004

An important goal for myself and for a new LRAPA Director is to renew our efforts to communicate effectively with our five partners. The attached material is one method of reaching this objective. It is designed to remind you of who we are and what we do. For ease of reading, it is in a Question-Answer format. I would encourage you to read the material and to call or e-mail if you have questions.

Questions answered include the following:

Tell me about the Lane Regional Air Pollution Authority (LRAPA). How was it formed? What does it do? Where does it get its money? What's the total General Fund budget? How many employees does it have?

If Springfield withdraws its dues and membership in LRAPA, what will happen?

Can the LRAPA Board adopt air quality rules that are more restrictive than DEQ rules in effect for the rest of the state?

Isn't LRAPA just a duplication of services provided by DEQ?

What will the Lane County area lose if LRAPA services are provided by DEQ?

How successful has LRAPA been in getting grant money for our area and for what activities?

What does LRAPA do to monitor air quality throughout Lane County?

What's likely to happen to air quality monitoring if DEQ takes over?

Describe the LRAPA permit system. How many Lane County businesses are regulated by LRAPA permit?

What sort of enforcement activity has LRAPA done in the last year?

What is unique about LRAPA's public information efforts?

Tell me about the Lane Regional Air Pollution Authority (LRAPA). How was it formed? What does it do? Where does it get its money? What's the total General Fund budget? How many employees does it have?

LRAPA was created in 1968 (37 years ago) to improve and maintain air quality in Lane County. It is chartered through Intergovernmental Agreement (IGA) by Lane County government and the cities of Springfield, Eugene, Cottage Grove, and Oakridge. Originally, Lane County, Eugene, and Springfield were the only members. Cottage Grove came on the following year and then dropped out until 1979. The joint seat with Oakridge began in 1992.

LRAPA's professional and technical staff work in the following four areas:

- **Permitting and Enforcement.** Permitting establishes conditions under which regulated industrial sources may operate to minimize air pollution. Inspections occur and enforcement may be necessary. This program area also includes asbestos regulation and enforcement of open burning rules and regulations. LRAPA also issues permits for construction of roadways and major new developments.
- **Monitoring and Data Management.** LRAPA currently maintains 51 sets of monitoring equipment at 11 sites in Lane County, with the majority of measurements taken in the Eugene/ Springfield metro area and Oakridge. LRAPA currently collects about 320,000 hours of pollutant related data per year. Air quality data are used to determine whether federal air quality standards are being met and are used to spot air quality problems.
- **Grants and Special Projects.** LRAPA staff have been very successful in bringing air quality federal grants to Lane County. A full listing is provided later in this document. As an entrepreneurial activity, LRAPA produces and sells a portable air sampling device which was invented by our Air Monitoring Manager in cooperation with EPA Region 10. This year, sales will approach \$1 million.
- **Public Outreach, Planning, and Administration.** Public outreach promotes understanding of the causes of air pollution and methods of pollution prevention. Air quality planning identifies present and future air quality problems and develops management and control strategies to improve and maintain air quality in Lane County.

LRAPA's General Fund budget totals about \$1.3 million for the coming fiscal year. Planned contributions from our partners includes: Eugene - \$123,300; Springfield - \$50,600; and Lane County - \$99,258. The General Fund includes \$44,000 in State of Oregon funds and \$414,807 in Federal funds. More funds are generated by the agency

outside of the General Fund through Title V permits and special projects.

There are 19.5 authorized professional and technical staff proposed in the coming budget year.

If Springfield withdraws its dues and membership in LRAPA, what will happen?

The City of Springfield contributes \$50,600 to support LRAPA activities. If it's simply a matter of just the City of Springfield withdrawing, it is probable that the Board would direct that budget reductions be made and the organization would continue to operate pretty much as is.

If the City of Springfield withdraws its membership in the Intergovernmental Agreement, then the city would lose its seat on the Board. While no legal opinion exists on the matter, it is probable that the Board would once again return to seven members. The City of Eugene would have a councilor and three citizen appointments, Lane County would have one appointee, Cottage Grove and Oakridge would share a Board position and there would be one at-large Board member.

If the City of Springfield, Lane County government, and the cities of Cottage Grove and Oakridge all pull their funding and withdraw, then LRAPA would cease to exist and the powers would return to DEQ. The assets of LRAPA would be distributed to the five partners in proportion to their contributions.

Can the LRAPA Board adopt air quality rules that are more restrictive than DEQ rules in effect for the rest of the state?

Yes. State law allows the LRAPA Board to adopt more restrictive rules than DEQ has for the rest of the state. The more restrictive rules would apply to the 198 permitted businesses throughout Lane County. Businesses that are regulated the most by federal law are called Title V permittees. For the most part, the largest Title V businesses, in terms of permitted emissions, are located within the City of Springfield, with the largest being the Weyerhaeuser Containerboard facility.

Isn't LRAPA just a duplication of services provided by DEQ?

There are two correct answers to this question:

Yes. LRAPA is the only local air pollution authority left in the state.¹ As such, we provide the same types of air quality services that DEQ provides elsewhere in the state. The most common services provided by both agencies are permitting, enforcement activities, and air quality monitoring.

¹ When enabling legislation was adopted in 1967, three regional agencies were formed: Columbia-Willamette (Clackamas, Columbia, Multnomah, and Washington Counties and the City of Portland); Mid-Willamette (Benton, Linn, and Marion Counties; and LRAPA). Political and funding problems contributed to the demise of the two other agencies.

No. LRAPA provides services that DEQ does not provide. Most importantly, the five partners—Lane County, City of Springfield, City of Eugene, City of Cottage Grove, and the City of Oakridge—control LRAPA. More about this next.

What will the Lane County area lose if LRAPA services are provided by DEQ?

Lane County would lose a significant amount of local control if LRAPA services are provided by DEQ. What serves our area best is:

- Locally set air quality rules and regulations
 - not rules and regulations set in Salem and Portland
- Locally established priorities on what's most important
 - not what's important in Salem and Portland
- Locally controlled strategies to achieve improved air quality
 - we chart our own destiny
- Local representation to state and federal air quality agencies
 - local officials and staff lobby on our behalf for our situation
- Local intergovernmental coordination and cooperation
 - decisions made by local people for our local area
- Locally established special projects that fit our airshed
 - not projects that are designed to fit the entire State of Oregon
- Local people making decisions for grants that meet local priorities
 - we get to decide what's important to us

In addition to the local control issues cited above, two other major LRAPA roles and responsibilities would most certainly be affected:

- LRAPA has been very successful in securing federal grants and this may or may not continue under DEQ.
- Air quality monitoring in Lane County would likely be significantly reduced.

How successful has LRAPA been in getting grant money for our area and for what activities?

Below is a description of the grants we've recently been awarded to improve air quality.

- Lane Clean Diesel - \$55,000. LRAPA has sponsored the Lane Clean Diesel Project and we now have 33 fleets in Lane County using cleaner fuels. This grant brought in \$15,000 to facilitate the contributions, \$40,000 to subsidize storage infrastructure, and \$160,000 in local match dollars.
- Clean School Bus USA - \$500,000. This is an EPA grant to help local school districts retrofit their diesel fuel busses. We have met with every school district in Lane County in the past year. We know every transportation manager and we are working together to improve the exhaust systems on our school buses. The retrofits will be installed this summer on both 4J and Springfield buses. On June 23, we are meeting with all districts to help them write grants for the next round of

federal funding. These awards are \$200-\$300K and include not only retrofits, but school bus replacement as well

- Everybody Wins – Auxiliary Power Units on Trucks. LRAPA runs the Everybody Wins Project, which installs anti-idling devices on tractor-trailer trucks. This project is saving over 190,000 gallons of diesel fuel a year which saves money for our truck drivers. One of our installers is Leavitt Freight, a local Springfield business. Phase II of the project proposes to bring in \$500,000 in EPA funding, along with \$2 million from the Department of Energy to help reduce emissions and save fuel. If Phase II is approved, we will save over 2.5 million gallons of diesel with this project. This project, by reducing consumption of fuel, reduces diesel particulate matter, Oxides of Nitrogen, and more than 40 toxic substances. The savings in fuel put \$5 million dollars into the pockets of Oregon truck drivers. The benefits to public health are reduced asthma attacks, reduced respiratory diseases, and reduced cancer. The EPA estimates that each gallon of diesel combusted causes \$2 in health care costs. This project will reduce future health care costs by \$5 million. Phase II will also provide valuable data to the trucking industry and the OEMs about APUs. We will know where and when APUs are used. This data will be invaluable to fleets making capital investment decisions to purchase APUs. This project has received national attention. We have presented this project to the Environmental Protection Agency at conferences in Chicago, San Francisco, and Seattle. As a result of our efforts, several other communities are setting up similar programs.
- Ultra Low Sulfur Diesel Buy-Down \$100,000. LRAPA is subsidizing Ultra Low Sulfur Diesel at 5 cents a gallon. We have signed up both public and private fleets and are tracking the emissions reduced in a database.
- Clean Fuel for Bridge Contractors \$80,000. LRAPA is funding 5 cents a gallon to non-road construction contractors for using Ultra Low Sulfur Diesel and Biodiesel. We are working with ODOT and the Oregon Bridge Development Partners to implement this project.
- Oakridge Assistance Project \$20,000. LRAPA has a \$20,000 grant to convene a Community Solutions Project to improve energy efficiency through weatherization, coordinate rebates from local utilities and the Department of Energy, and promote the upgrading of woodstoves and alternative heat options through the USDA rural development program.
- Wood Treating Hazardous Emission Neighborhood Impact Assessment - \$26,000. A grant to address public health concerns of hazardous emission impacts on the neighborhoods adjoining the JH Baxter wood treating facility.
- PM 2.5 Monitoring Network Operation - \$103,000. LRAPA is operating three PM2.5 monitoring sites in Lane County as part of the National PM2.5 Monitoring Assessment. One site includes speciation of collected particulates. LRAPA maintains real-time PM2.5 monitoring at three sites which is available to the public via the Internet.

What does LRAPA do to monitor air quality throughout Lane County?

LRAPA operates a comprehensive air monitoring network with the primary goals of characterizing air quality in Lane County, and making pertinent air quality data available to the public on a real-time basis. Air quality monitoring can spot emerging problems and help us react as quickly as possible to the new information.

To address local needs, LRAPA currently maintains 51 sets of monitoring equipment at 11 sites in Lane County, including the cities of Oakridge and Cottage Grove. The majority of these measurements are taken in the Eugene/ Springfield metro area and Oakridge. LRAPA currently collects about 320,000 hours of pollutant related data per year.

Supplemental monitoring is also done to provide information on specific air quality problems or issues. Examples of this type of monitoring include JH Baxter neighborhood impact sampling, Coburg Power background monitoring, SUB emergency power generation impact monitoring, field burning, woodstove impact studies, etc. Although not required by EPA, LRAPA has made a commitment to make air pollution data readily accessible to the public. Currently all pollutant and meteorological data that is collected by continuous monitors is available via the LRAPA website on a real-time basis including a 30-day history of hourly data.

What's likely to happen to air quality monitoring if DEQ takes over?

Our best guess is that the EPA minimum mandates would be established in Lane County. This would be six to seven sets of equipment at five sites in Lane County, and would collect less than 50,000 hours of pollutant data per year.

Describe the LRAPA permit system. How many Lane County businesses are regulated by LRAPA permit?

There are 205 Lane County businesses that currently have permits issued by LRAPA. There are five types of permits:

- Title V Permits. Title V permittees are the larger businesses that are required to obtain permits from LRAPA. There are 19 Title V permit holders in the county.
- Synthetic Minor Permits. This permit is issued to a facility which has chosen to have enforceable conditions to limit its potential to emit below major thresholds. There are 18 businesses that have a Synthetic Minor Permit in Lane County.
- Regular Air Contaminant Discharge Permits (ACDP). Most regulated businesses in Lane County fall within this category. They are generally stationary sources of air pollution that are regulated by federal, state or LRAPA rules. There are 73 Regular ACDP permittees. Under the ACDP category are two other types:
 - Minimal ACDP's. Businesses in this category fit the ACDP criteria, but have emissions below a certain level. There are 88 businesses that hold a Minimal ACDP.

- Letter ACDP's. this permit is issued to a facility that may qualify for an Air Contaminant Discharge Permit, but has no or insignificant discharges as determined by LRAPA. There are seven businesses that hold a Letter ACDP.

What sort of enforcement activity has LRAPA done in the last year?

Since January, 2004, there were a total of 116 Notices of Non-Compliance (NON) issued by LRAPA of which 52 received subsequent Notices of Violation with Civil Penalty Assessments (NCP). The breakdown by type is:

- Industry or permitted source...total of 19
- Open burning...total of 61
- Asbestos...total of 23
- Fugitive dust/particulate matter violations...total of 13

A total of \$56,499 in civil penalties were assessed and a total of \$33,877 collected since January 1, 2004 (by law, these funds go to Lane County government, not to LRAPA). Over 50% of NCP's issued are negotiated to reduce or suspended civil penalties - typically they are reduced by half the amount of the originally assessed civil penalty amount.

Penalties are calculated from the same matrix as DEQ so that businesses throughout the state are treated in a similar manner. Most of the enforcement response is complaint driven, with these complaints coming from local residents.

What is unique about LRAPA's public information efforts?

There are three ways in which our public information program is unique:

- We make direct mailings to new home purchasers, providing them information about our programs tailored to their areas, i.e. Backyard burning rules, home wood heating rules. In addition, we make direct mailings to residents who have received remodeling permits to alert them to the dangers of asbestos.
- We have a regular classroom visitation program and try to visit between 75 to 90 4th grade classes per year.
- We instituted a "callware" program within the City of Oakridge, which automates a telephone call to Oakridge residents to inform them of days when wood stove burning is not advised. We are planning to expand this program to let childcare centers, retirement facilities and doctors know when air quality is becoming unhealthy for sensitive individuals.