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ENVIRONMENT

Eugene councilors planning sessions on expanding authority over polluters



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Eugene city councilors will examine, and possibly implement, new policies to protect residents from health risks and industrial polluters, including zoning changes or requiring that some industries buy risk mitigation bonds.

The Eugene City Council recently voted to hold three work sessions this year to examine its authority in regulating chronic polluters. The work sessions are partly a reaction to the recent discovery that carcinogenic chemicals originating at the J.H. Baxter & Co. wood treatment plant in west Eugene have contaminated yards at several nearby residences.

City staff will present councilors with information on their existing and potential authorities for regulating pollution and its potential to cause health effects. Councilors eventually could vote on new ordinances related to such issues.

More:J.H. Baxter wood treatment plant, known for pollution violations, to end operations Monday

Working in concert with DEQ, Lane Regional Air Protection

The first work session, scheduled for late April, is meant to be an exploratory look at tools and strategies available to the council, according to Councilor Randy Groves. Though some of the strategies to be considered will not be new ideas for councilors, Groves said he wants to better understand the city's role in managing industrial polluters.

"The industries that are causing chronic problems, we need to have some tools for addressing that," Groves said.

The Oregon Department of Environmental Quality and the Lane Regional Air Protection Agency are responsible in large part for permitting and enforcing environmental regulations in Lane County. Groves said new ordinances may allow the city to play a more active role in determining where and how industries are allowed to operate in Eugene.

"This is exploration. Not that we want to replace DEQ or LRAPA, but how we can work in concert with them," he said.

Groves and Councilor Claire Syrett took part in a March 29 meeting hosted by local nonprofit Beyond Toxics where they discussed the coming sessions. Beyond Toxics staff and others also spoke about possible strategies.

"We need to be taking some steps as a city to find the tools to address some of these issues and put a spotlight on parts of our community that have been underserved, ignored and, in some cases, you could say, abused by the allowance of industry adjacent to residential areas," Syrett told those attending the Wednesday night meeting.

More:J.H. Baxter plant cleanup timeline, potential of health risks explained

Groves and Syrett said they were motivated to call for the sessions by ongoing issues in west Eugene associated with the Baxter plant. The company recently ended industrial operations at the plant amidst ongoing efforts to clean up nearby yards, claiming it cannot afford to pay for the work, which has required DEQ to use its own funds to do it.

DEQ-funded cleanup of the most contaminated yards is expected to begin in late spring or early summer.

Considering methods to hold businesses financially accountable

The second work session, scheduled for May, will examine the possibility of requiring "risk bonds," which businesses may be required to buy to operate in the city. The bonds would shield taxpayers from potential future costs, such as if a polluted site needing cleanup was abandoned by its owner or if there were a disaster at an industrial site.

The risk bonds work session also will investigate how the city might use them concerning fossil fuel industries.

"It's very expensive to deal with the legacy of these polluters as well as potential disasters," Eugene Sustainability Commission member Laura Allen said at the meeting Wednesday. "A

risk bond is a strategy, one way governments can help address this problem and start shifting financial costs back onto the people that are causing the problem."

A third work session, which hasn't yet been scheduled, will explore the possibility of using a "public health overlay zone," a type of zoning over parts of the city meant to forbid, curtail or otherwise separate residents and industries.

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