

Smoke Management Review Committee Meeting
Oregon Department of Forestry
Operations Conference Room, Salem
July 17, 2003
0930-1530

Attendance: Stephen Fitzgerald, Lee Miller, Sue Stewart (Proxy for Erik Christiansen), Gary Stevens, Jim Russell, Mike Dykzeul, Jim Brown, Gregory McClarren, David Collier (DEQ), Mike Ziolko, and Cindy Smith (notetaker).

Visitors: Brian Finneran (DEQ), Rudy Frazzini and Jerry Anderson, Boise, and Nick Yonker
Members not in attendance (and no proxy present): Geoff Babb, Stan Benson and Brian Jennison

1. Administrivia

Mike Ziolko

- Marvin Brown, Oregon's new State Forester, is scheduled to attend the September meeting of the Smoke Management Review Committee. The committee will have the opportunity to brief Marvin on its work to date and issues being discussed.
- It is planned to move forward with the process for approval off the proposed smoke management fee increase at the September Board of Forestry meeting by requesting the authorization to hold public meetings.

2. Minutes

The following corrections to the minutes of the June 19, 2003, were suggested:

- Jim Russell – page 7, Item #6 should read “DEQ needs to clarify the requirements of 2003 vs.2008 SIP concerning enhanced Smoke Management Plan implementation, which includes emission cap development and emission reduction tracking.”
- Jim Russell - Page 8, Bullet 5– Should read “Plastic is only used as a moisture barrier to keep fuel dry for burning later in the season.”
- Brian Finneran – Regional Haze – Page 7 Item 5 should read, “Adopting an Enhanced Smoke Management Plan will be required in the 2003 SIP.” Also strike the last line.
- Brian Finneran - Page 7 Item 6 – The first sentence should read “Implementation of emission reduction techniques will satisfy the requirement for annual emission goals.”
- Mike Dykzeul – Page 2, first bullet, add, “as it relates to smoke on the highways.”

*There was not a quorum present. Approval of the June minutes was tabled until the next meeting of the Smoke Management Review Committee.

3. Alternatives to Burning

Mike Dykzeul, OFIC
Brian Finneran, DEQ

Mike Dykzeul and Brian Finneran presented “Non-Burning Alternatives for Vegetative Management on Wildlands” (see attached handout), which is a product of WRAP's Fire Emissions Joint Forum, an arm of the Western Governor's Association. One of the efforts was to address the alternatives for burning for 1.) Agricultural land and 2.) Wildlands. Jones and Stokes Consultants, Sacramento, are preparing the report, which is still in draft form. The report is to be a comprehensive reference manual of alternatives

to prescribed burning – a “How To” guide for forestland owners. It will include a “decision tree” to assist in the determination to burn or not to burn and the appropriate alternatives. Both Brian Finneran and Mike Dykzeul are on the Wildland Task Team.

Alternatives to prescribed fire are one of the requirements under Section 309 of the Regional Haze Rule. Other requirements of the 309 SIP are the removal of administrative barriers to the use of alternatives and identification of a process for actively pursuing alternatives.

Discussion:

- Jim Brown requested clarification of the term “Wildland”.
 - “Wildland” takes in range and forest land (that which is not under cultivation) according to Mike Dykzeul
- Jim Brown asked if the decision tree is a flow chart
 - Mike confirmed that it is.
- Brian Finneran added that this is a generalized document to be used basically for forests in the west.
- Stephen Fitzgerald asked if NEPA (National Environmental Policy Act) is addressed in the document.
 - Brian responded that yes, there was an effort to use this as a tool to satisfy the NEPA process. Mike Dykzeul added that it was part of the proposal and added that upon completion, if the FEJF and the WRAP endorsed this document, there could be a recommendation that it be used as part of the NEPA process as a reference document.
 - Sue Stewart commented that the decline of processing facilities, mills and haul routes and the fact that people with those skills are moving away straddles the economic and socio-political issues.
 - It requires a long-term commitment for the infrastructure to be developed for industry to be willing to rebuild processing facilities for this non-traditional wood type.
 - Stephen Fitzgerald asked if this would raise the issue of smoke higher in NEPA documents when evaluating alternatives so that non-burning alternatives would get more weight.
 - Jim Russell noted that current USFS and BLM policy is that fire is the last resort. A sequence analysis is used to identify what can and cannot be done within the context of any proposal that is made.
 - Brian Finneran explained that when regulatory agencies (like DEQ) look at NEPA documents, the chapter on alternatives to burning is a couple of sentences. From a state regulatory perspective, being able to see that in the evaluation process, a comprehensive document was consulted and referenced in the NEPA process would be very helpful.
- As an example of the problems with the process, Jim Russell noted that the Sierra Club was asked during the Visibility Plan Update meetings if they would endorse utilization and density management as a practical way to reduce emission levels and allow the Forest service to do some things on federal lands and they refused. Timber harvest or physical management of vegetation is more critical to them than emission reduction.

- Greg McClarren added that he would hope that waiting for WRAP recommendation for inclusion of this document in the NEPA process does not impede the publication of this document.
- Stephen Fitzgerald pointed out that processing facilities have gone away in some areas.
- Greg McClarren added that an additional objective of non-burning alternatives could be "quality of future forest products".
- Jim Russell noted that the federal agencies invest in cutting and piling, not burning. He suggested that the report should center on management, harvest and biomass utilization because in an ecological debate, fire will always win out.
- Regarding the survey made to determine the attitudes of perceived obstacles to different types of treatment, Greg McClarren asked who in the health arena was included in the survey – Mike Dykzeul said he would have to refer back to the referenced material for that information.
- Greg McClarren inquired about Dr. Palzer's response to the Summary Comments on slide 19, (and that of his associates in the Sierra Club).
 - Brian Finneran and Mike Dykzeul responded that Dr. Palzer was supportive.
- Jim Brown noted some environmental concerns about compaction and recycled nutrients and added that duff could be great someplace or a fire hazard in another. He sees it as a very complex matter and concluded that a consistent flow of opportunities is needed for the equipment and methods or the facilities won't be there.
- Mike Dykzeul pointed out that the starting point is a manual to say that the particular piece of equipment even exists. In addition, he sees prescribed burning as the best method to maintain an area over time, once it has been treated and is out of Condition Class 2 and 3. There are 190 million acres in those condition classes – it will require long-term maintenance or the areas that were treated 10-15 years ago will need to be treated again.
 - Greg McClarren asked if Mike was referring to the western U.S. or Oregon and did not agree that burning is always the best option.
- Stephen Fitzgerald reminded committee members that all of these treatments are linked together in a process. Sometimes you can't get to the condition class you want until you get density reduction first.
- Jim Russell said he would like to see that alternative work be added to the new position that was suggested at the last Smoke Management Review Committee meeting, to be added/re-created at ODF – the utilization bio-mass manager should be part of the process recommendation.
- Sue Stewart commented that "if the only tool you have is a hammer everything looks like a nail" and she hoped that non-fire alternative methods of fuels treatment are not the only way to go because the tools available through alternative treatment are a moving target. There's always something new coming into favor, becoming more economically available, more regionally available, all kinds of things going on. Sue said she was aware of at least a handful of regional efforts to pull together this information for their own area – grass roots groups that are working all the time.
- Brian Finneran said the contractor was asked to describe how a web site to put this information on and be updated as needed.

- The draft document is not available to share with this group because it has not been updated to reflect further work but Mike Dykzeul will update the committee at the August meeting.

4. Public Comments

Rudy Frazzini, Forester for Boise (formerly Boise Cascade) and his boss, Jerry Anderson were present to the concerns of the Company regarding slash burning and some of the restrictions that they face. They are slash burners and see burning as tool that they do not want to see go away.

Rudy Frazzini identified several key points that Boise was concerned about:

1. The long-term risk of wildfire due to inadequate slash disposal.
2. Smoke Management restrictions that prevent industry from burning all the slash that Boise considers necessary to accomplish their goals.
3. In order to prevent even the remote possibility of an intrusion, he felt that restrictions are leading toward burning on days that are more risky to the landowner and give them limited opportunities for burning.

If there were a way that Boise can influence the people who make the decisions, Rudy would like to solicit support for Boise's position.

Boise burns approximately 15-20,000 tons burned per year, of slash, for a variety of reasons including animal damage reduction, but added that slash burning is not for every site. How much they burn is determined by weather, spatiality of the units, etc. Pile burning is becoming a bigger program for Boise but noted that everything can't be burned by pile – because of the terrain, the timing of the units and other restrictions regarding getting seedlings planted back are limitations for them. Current trends are away from burning because of the restrictions but they are concerned because they are up against other landowners that do not burn. He expressed concern over the added risk if a fire was to occur on those properties because fire knows no borders. Rudy Frazzini said it is a burden for them to take on the added risk.

We want to maintain slash burning broadcast as a tool.

Skill levels of the foresters conducting burning is declining and is a concern. There is a core of industry that is not burning and that is a concern for us (Boise).

He suggested the following solutions:

1. More burning, not less to reduce hazards by adjusting spacing guidelines.
2. Work with the agencies to better manage the disposal of slash.
3. Educate the public on the necessity of slash burning.

Rudy Frazzini closed by soliciting the committees help on easing some standards on burning and reducing restrictions/adjusting guidelines.

Discussion:

- Jim Brown asked if spacing was a question of limitations on an individual landowner.
 - Mike Ziolkko said that the limitations for spatiality were regardless of ownership.
- Gary Stevens added that there seems to be a conflict regarding what's a good time to burn vs. a good time for smoke day for smoke dispersion.

- Rudy repeated his concern that there is too much concern over the possibility of smoke entering a DA or the chance of smoke entering a DA and therefore limiting their activity.
- Gary asked if restrictions are a seasonal issue.
 - Rudy responded that it is a combination of SMP and ultra-conservative limitations and verification. He said it is rare to get an open day burn and then it's on the highest risk day when there's east wind making drier wind and more susceptibility to slop-over, etc.
- Lee Miller added that when the fuels are in prescription you rarely get a burn day. Basically everyone has given up on burning in the Willamette Valley in order to avoid intrusions. It has driven landowners away from burning.
- Rudy noted that reducing the smoke impact increases Boise's risk because of the fuel loading.
- Lee Miller asked Rudy if there was a difference in who the forester is and getting permission to burn.
 - Rudy responded that their burn plans and ability are known and they have developed a working relationship with the agencies. Everyone may not enjoy that confidence.
- Mike Dykzeul noted that with a predominantly westerly flow all the smoke comes to the Willamette Valley, and burning only when get east wind sends the smoke to the ocean. Then the fuel is dry and the window ends up being narrow. Need to maximize those optimum days in order accommodate burning goals.
- Jim Russell – when BLM is burned more extensively, an equipment inventory was created and was designed to burn under east wind scenarios and that is stupid because that is burning under the worst possible conditions.
- Jim Russell asked how many acres 20,000 tons represented.
 - Rudy responded that was about 200-500 acres broadcast per year and 700-1000 acres pile burns
- Asked if he had problems with off-season burning of the piles, Rudy replied that if they burn in the fall reburn may result if they get an east wind.
- Asked what is optimum for them, Rudy said that basically when they are sure the fall rains are going to stay but, technically more tons are burned in a pile burn than in a broadcast burn.
- Jim Russell asked Mike Ziolk if, on the West side, other private landowners are subject to additional hazard considerations and are they buying out additional hazard? Or is the state not administering that part of the regulations.
 - Mike Ziolk responded that the program is being administered.
 - Jim Russell added that there should not be a reward for not meeting the fuel treatment standards.
 - Steven Fitzgerald added that the buy out still doesn't get around the risk issue. It allows them to buy out and ODF takes over the risk management but there is still the risk on the landscape and it's growing.
 - Citing the fact that Oregon is one of the few states that allows a buy out, Jim Russell commented that the way that the Smoke Management Plan currently works relative to intrusions, is not very sophisticated in our approach. With the tools available, we need to get away from any zero risk to look at whether the objectives of the Smoke Management Plan are being met – which is to not have any violation of health standards. Then we could look at what would be needed in the future – like a Blue Sky – to evaluate what the level of smoke is relative to whether a nuisance or a

health risk is being created. Just because there is smoke in Corvallis should not be the deciding reason to not allow burning. It should be the level of affect, i.e. as the PM 2.5 standard is approached, What would be the problem with burning relative to health impact or is it a matter of nuisance and public perception?

- Greg McClarren asked who determines the tonnage and spatiality?
 - Mike Ziolk explained that it's in the daily burn instructions written by the forecasters
 - Greg then inquired if there is a mechanism for exception. Mike explained that field offices work closely with the forecaster to determine if an exception would work. The forecaster gives the final approval for an exception.
- Greg pointed out that Jefferson county agricultural burners have gone to burning on the best day to avoid the marginal/questionable days and put all their resources, both control resources and highway safety resources as well as their burning and ignition resources, to those best days. When they get into their burning season all the farmers are on notice that they will come to the assistance of everybody in order to get done on the best days as opposed to poorer days.
 - Mike Ziolk added that generally there is less concern with escape of a field burn than on a forest burn because of the differences in fuel characteristics. Generally speaking, what's good weather for smoke dispersion is bad for control of burns.
- Jim Brown asked for confirmation that there are state regulations that require hazard abatement, and the landowner can somehow buy out of it. He did not see that as a very good plan. He also expressed concern that there is so much brush on some areas near the coast and it grows back so rapidly, one can't broadcast burn in some areas. You can't plant or get any reforestation. It makes it impossible to even come close to matching the appropriate environmental conditions
 - Stephen Fitzgerald added that it results in violating forestation laws.
- Jim Russell commended Boise for their work in going after small diameter materials resulting in higher biomass utilization– “The best way to not have to burn is to use everything.”
- Mike Dykzeul commented on the field burning in the valley the other day and noted that as he came up the valley he counted 12 huge Ag burns and noted the diminished visibility.
 - Nick Yonker explained that it was a marine push day.
 - Mike Ziolk added that field burning does have a quota system that is used on a given day, which is analogous to the spacing.
- Rudy Frazzini commented (regarding marginal days vs. optimum days) that as a forester he would rather burn on a marginal day and get rid of the fine fuels than wait for a good day and burn 100% of the fuels.
- Gary Stevens noted that there is a big difference between seeing smoke and breathing smoke. He expressed his concern about putting smoke into a designated area and asked if there is a way to quantify or define that visible smoke as opposed to breathing smoke, allowing smoke to go over Corvallis but not into Corvallis
 - Mike Ziolk pointed out that the plan already operates in that manner.
- Mike Dykzeul noted the importance of education regarding intrusion vs. complaint.

- Part of education includes providing information at the time of the complaint that says what it is and why.
- Talking about underburning, Jim Russell added that the ability to get smoke into the upper air and away is being limited - need to use all the tools that are available.
- Jim Brown asked if ODF has maps showing areas that haven't gotten appropriately treated to get an idea of how many thousands of acres are involved.
 - Mike Ziolkowski said ODF may have generated maps and he would look into it.
 - Mike Dykzeul commented that the actual rating of slash is something that has fallen off the charts in the last few years. It was implemented again about two years ago but suddenly there was no focus, there was inconsistency in the rating - that whole process got put on hold.
- Gary Stevens asked Rudy if there is a specific change in the rule that he would recommend that would meet the goals of the smoke management plan and still meet your goals.
 - Rudy responded that he would like to see tonnage increased on marginal days and spatiality reduced on good days.

5. Break

6. Discussion of Previous Meetings' Issues

7. Working Lunch

ODF Fire Season Update

Mike Ziolkowski

Mike Ziolkowski provided an update of the Fire Season for ODF including a discussion of precipitation levels, drought indices and fuel moistures. The weather has been and continues to be hot and dry with fuel moistures at record lows and energy release components at record highs indicating the severe fire potential. He concluded with a summary of the status of current fires.

8. Continuation of Issues Discussion

See Matrix - Question H – "What are the feasible alternatives to burning and how should they be applied in the administration of the Smoke Management Plan?"

Discussion:

"Is there a problem?"

- Jim Brown noted that several years ago Paul Bell looked at alternatives and asked if any portion of his work had been codified into the Smoke Management Plan.
 - Mike Ziolkowski responded that it became an objective but nothing specific
- The group consensus was that there has not been a problem in the past.

Will there be a problem in the future?

- Sue Stewart acknowledged Boise's attempt to utilize smaller than traditional resources even though those alternatives may not have been the most cost effective and pointed out that there was no trade off analysis to reward that that type of commitment. She suggested that some leeway should be allowed on days when burning is allowed in recognition of that type of commitment.

- Based on the 2002 and 2003 SIP, Jim Russell said it would be a problem in the future if alternatives were not integrated into the SMP.
- The amount of fuel that needs to be treated has created a backlog.
- Increased population and changing demographics add to the problem.
- The lack of public understanding was cited as a problem because of the perceived waste of resources when material is burned.
 - The lack of understanding and the lack of the WRAP decision tree being published was cited as an impediment for that understanding to occur.
 - Greg McClarren added that it is not documented and understood and said that people don't understand the process or protocol for evaluating alternatives.
- David Collier noted that there is no process to give serious consideration to alternatives and said the section on alternatives needs to be documented.
- Not all alternatives are feasible – economically, ecologically, operationally, logistically
- Jim Brown pointed out that anyone that logs a tree in this state is required to get a permit and there should be a way to inform those individuals of the options available and a process to advise them of the alternatives.
- Lee Miller said they use every option to get the acres treated as cheaply as possible
- A barrier could be changing the mindset from looking at burning first to looking at all the alternatives equally

Jim Russell's comment that the decision to burn is not a snap decision lead to a discussion of how the decision tree works in the various federal agencies.

- It was noted that there's a management goal per acre and a decision tree to work through the decision process prior to the actual implementation. The question was asked if alternatives were considered in the protocol?
- Sue Stewart said it points right at some of the differences in perception between the players at the table. For the federal agencies, burning is the alternative to biomass utilization, which they would prefer. She noted that the first thing they look for when starting a planning project are ways to get the excess bio-mass out of the wildland in some way that would return dollars to the federal treasury - without producing smoke. Next, they look for a break-even option and then explore options where they have to pay for it. Failing that they look at opportunities to get rid of it through burning. She noted that federal agencies do themselves a disservice in dealing with their partners and the public because they don't take credit for all the things they do and the decisions they make to reduce fuels and minimize emissions. She suspects that goes on with private landowners too and added that it gives an unbalanced view.
- Greg McClarren asked David Collier what specifically could be done to allay his concerns that the alternatives were adequately considered.
 - David responded that he had had conversations with Larry Calkins regarding burn boss trainees not knowing what the Smoke Management Plan is, which was a concern for Larry. David said he found that to be more understandable because a burn boss trainee shouldn't be expected to know what the SMP is because they have not been in the position of writing burn plans.
- David Collier asked what the process was that is used to decide what treatment is used on a particular unit.
 - Jim Russell explained that there is a separation between the decision and the implementation – the decision is the NEPA document and once that decision has been made relative to treatment then that decision is turned over to the prescribed fire planner who implements the project on the ground taking his

- direction from the NEPA document and making sure it fits with what he's trying to do
- Stephen Fitzgerald noted that the decision of what's going to go on usually resides with the id team.
 - Sue Stewart said the id team makes no decisions – they guide the process in by analyzing alternatives that address key issues raised during the scoping process. Where air quality becomes an issue either internally or from public comment or because of adjacency to a sensitive area, there must be an alternative that addresses the issue in some sort of viable fashion. Then the team sketches out a range of alternative approaches to meeting the same management objectives. Then they pass it on.
 - Jim Brown added that somebody on the ground has to look at the terrain and the fuels. He said that first they have to have the data, then it has to go to someone who makes the decision and asked who that was?
 - First there's a project proposed – the idea is to restore the forest or reduce fuels, then the line officer puts together a team of specialists to gather data, to assess the data, to review alternatives to achieve the objective and the group of specialists (the id team) makes a recommendation to the line officer.
 - The process varies according to who owns the land - it is somewhat similar on private property. A management objective presented by the boss, his request for a timetable, alternatives and costs and then boss decides. The federal land process is more protracted and, because of the National Environmental Policy Act (NEPA) – it requires that alternatives be considered in a different level of detail than on private land. The decision maker (the district ranger or district manager or the forest supervisor says he wants it done this way or this combination of ways based on the recommendations of the specialists and public input from sister agencies, state agencies, other municipality or the private citizen. That may take them two or three years to get to that decision. Then it may be another two years before implementation.
 - At some level SMP gets involved and that umbrella ignores ownership. The federal already has a policy where they look up alternatives – the small woodland owner does not. He gets no guidance, no guidelines. The question was asked how to make that happen – what are the options?
 - It was noted that all federal agencies are not equal – National Park Service is limited to replicating natural event - burning is their only alternative other than to leave it alone and let a catastrophic fire occur.
 - Jim Russell added that all the forest plans currently being generated within Washington and Oregon are programmatic – just simply looking at the range of options that should be run, how the land should be allocated in terms of recreation, timber matrix, wilderness, etc. Decisions are made for that combination of acres. Once that forest plan has been approved by the forest supervisor and the regional forester then, if it says prescribed fire is a usable tool in these scenarios, when a timber sale or prescribed burn is proposed, they go out, look at the site, see the conditions, make the assessments and that's a NEPA sufficient document for that specific project.
 - Gary Stevens asked what all the alternatives would look like in a pie chart in the past and would it change in the future. He also asked if there was a process now that would assure David Collier, and himself, that burning is not the first or default alternative.

- Lee Miller stated that because the socio-political challenges to mechanical treatments are so intense, he often feels the match is his only alternative. He added that support for alternatives and the reassurance that alternatives are considered to a viable point, builds credence and trust.
- Jim Brown added that it is the difference between not for profit and profit. The federal program is not for profit so there is a vast difference in how the private operator approaches it and how the federal agencies do. Private land owners are not going to waste a thing if they can find a potential market for it. Federal land has wildlife considerations, roads and recreation and all of the considerations that come into play in the NEPA Process.
- Jim Brown pointed out that the National Fire Plan is the largest subsidy program ever.

What are the Options?

- Education. Ways for woodland owners to know how to access other options such as putting it in the notice of operations permit were suggested.
- Stephen reported that the Linn Benton extension office has a good list of contractors
- The alternative fuels utilization person that was suggested could be the reinstatement of an additional position at ODF.
- The alternatives to burning Wrap document
- Tax credits for the treatment – incentives, dumping fees, credits and fees.
- A grant program was suggested to facilitate development and utilization of alternatives and marketing centers for product innovation.
- It was noted that Georgia Pacific had a program several years ago in which they subsidized grinding for hog fuel. They used the hog fuel in their own mill – it cost them quite a lot.
- Federal agencies are the only ones with deep pockets that can afford that offset.
- Stephen Fitzgerald pointed out that some of that's already being done when you look at bearing the costs now in order to reduce the potential cost from a wildfire and is being subsidized by the National Fire Plan. The National Fire Plan is trying to subsidize it to get back on these backlog acres or deferred maintenance acres so that when wildfire comes, it's 1.) Not as devastating and 2.) Cheaper to suppress and has less damage.

Require Changes in Rules, Statutes or Directives?

- Asked his opinion, Mike Z said there may be some statutory or rule changes needed. Assisting Woodland owners would require a directive change
- Jim Russell commented that National Fire Plans grants are linked to treating between 60 and 70% of the acres
- It was pointed out that across the state, because of the liabilities associated with burning, few woodland owners actually burn. Most of the prescribed burning occurs on ranchers in Eastern Oregon in rangeland situations. Pile burning may be done particularly after a harvest because they are required to mitigate the hazard.
- David Collier asked if were any directives that specifically aimed at people in urban wildlife interface areas that would keep them more in touch with the non- burning alternatives. The answer was “not formally required”.
 - Stephen Fitzgerald replied that the Forest Practices forester in provides that advice when they are planning the harvest.

- One program relieves the landowner of liability against injury for fire woodcutters while cutting firewood on their property after a harvest. That encouraged alternatives and was especially important in the urban interface.
- It was asked if there was anything more that could be done with the relationship between the district forester and the private woodland owners regarding alternatives?
 - Mike Ziolko responded that it could be set in directive and policy.
 - To what extent is that articulated now?
 - Mike Ziolko said that currently there is just wording to the effect that the Forest Practices foresters would work with alternatives.
 - Stephen Fitzgerald added that it's left to the landowner and the individual operator working on their land.
- Greg McClarren suggested that direction to link DEQ, local municipalities or air pollution authorities in terms of alternative treatments might be needed in the directives for designated areas or non-attainment areas.
- Gary pointed out that if there's no harvest then there's no permit process where cleanup or fuels reduction is part of the harvest process.
 - Stephen Fitzgerald added that running power equipment, including a chain saw, requires a permit if they're putting hazardous material down which they are required to remove, even though it's not associated with a harvest. There's no plan for the management of those fuels or the techniques to be used, in the permit and Stephen offered that as we move forward under the Smoke Management Plan and the first round of National Fire Plan and WUI, we would realize that we are going to do this time and time again. It's not going to go away so some way we need to link these two concepts up.
- Jim Russell noted that under Forest Practices, the only utilization standard that currently exists is one covering timber.
- A sixth problem for the "future problem" column was identified - that people do not know the requirements for air quality management when they are treating non-harvest property.
- No funding would be a barrier.
- Gregory McClarren added that there's also a jurisdictional breakdown or separation – an integrated approach is needed. It's a barrier to achieving air quality.
- Mike Ziolko noted that if it's on forestland, ODF has the responsibility for the burning and it comes under the SMP.
- Jim Russell added that the other issue is integrating burning and noted that there are numerous utilization opportunities with open burning and backyard burning.
- It was noted that private landowners, forest land or not, receive money from BLM for fuels reduction for fire danger purposes - that money should help them consider non-burning alternatives – especially in WUI.
- A discussion of jurisdiction followed with the following points :
 - Stephen Fitzgerald said that ODF has jurisdiction on forestland within city limits if the city is not a member of a protection district and it would come under forest practices if they harvest timber and under the slash rules.
 - Mike Ziolko clarified that outside of a forest protection district, forest practices rules still apply as long as the city or jurisdiction hasn't adopted forest practices requirements. Outside of the district boundaries, the Smoke Management Plan does not apply and it DEQ's open burning rules apply.
 - "Clarification of forestland" was added as an option and a note was made to check other parts of the matrix.

Further discussion was tabled and will be continued at the next meeting.

9. Public Comments

There was no public comment at this time.

10. Break

11. Plastic on Piles Update

Sub-Committee

Three handouts were provided, David Collier's summary of the sub-committee's conference call, a Material Safety Data Sheet provided by Tyco plastics regarding polyethylene, and an email from Michael Heumann to Gary Stevens about the toxicity of plastics.

Sub-Committee Report:

David Collier said that from DEQ's perspective he would reiterate what the committee talked about and pointed out that DEQ is open to the idea of hearing arguments for the use of plastics and agreed to pursue a couple of issues in parallel. DEQ did some inquiries of other states, (Washington, Idaho, Montana, New Mexico, Nevada and California) in an attempt to gather information. He had discussions with air quality people and forestry people who said that they don't use plastics – they use the paper products, which are considered to be a problem in Oregon. Follow up is scheduled to determine if differences in meteorology, topography, etc would account for the different approaches.

Because other states are managing to accomplish their burning goals without the use of plastics, DEQ needs to understand why Oregon finds it necessary to utilize plastic (poly). As a result of some of the feedback he got from the conference call, a list of questions was developed by members of the sub-committee to be researched in order to get a true and fair comparison. Any proposed request for exemption would need a well reasoned argument for why plastic (poly) is needed in Oregon when, if true, plastic is not being used in other states. Therefore the Sub-Committee is pursuing both tracks at the same time – some researching what's going on in other states and others researching the question of what emissions are released when polyethylene is burned.

Discussion:

Mike Ziolkowski noted that Larry Calkin's (DEQ) survey was emailed to the committee members.

Stephen Fitzgerald noted that the polyethylene being referred to had no additives.

Jim Russell asked if the other states actually do hand piling and it was noted that other states might have responded to Larry's questions with the official line, not what their actual practices are.

David said that other states have come to terms with all the concerns raised in this forum regarding the use of paper to cover piles, including what the paper was impregnated with, the weight, expense, durability and potential fire danger. According to David, DEQ needed to better understand why Oregon can't.

David said DEQ is completely open and looking for further clarification on what is really going on in other states and how it relates to Oregon in terms of a fair comparison. While they are getting more information they are working on the polyethylene question.

Mike Ziolko pointed out that Mike Dykzeul and Jim Russell, as part of the Sub-committee work, are also polling forestry interests in other states for clarification on their use of plastic.

Gregory said he suspects that the protocol for the use of plastic was adopted without scientific research.

From DEQ's perspective, David noted that not producing hazardous chemicals from burning plastic is a good fundamental premise. Jim Russell disagreed because DEQ should then have all the supporting documentation on the choices for developing the open burning regulation which would specifically address this question, but they don't and added that recent science is absent from both sides of the issue.

Jim Russell will be utilizing federal funds to contract an exhaustive literature review on polyethylene and will get a report back with some conclusions relative to polyethylene. Jim asked committee members to help develop a list of questions they would like researched in this study. The contractor will try to complete the work by September 1. If, at that time, the results are inconclusive, the contractor is willing to do some field sampling. So far he has heard that the fuel to plastic ratio is such that not even remnants of the plastic that had been burned was detectable through monitoring. Jim asked committee members to email their questions to be forwarded to the contractor.

Questions that need to be answered if plastic is used include:

Is pure polyethylene available and cost effective? How do you insure that the correct product is in fact being used? Jim Russell pointed out that New Mexico utilized receipts to verify the product purchased.

The concern to avoid opening Pandora's box was raised in regard to ensuring that only non-toxic plastic would be used and it would not be the primary fuel being burned.

Stephen Fitzgerald noted that if polyethylene is truly benign, he was not interested in paper because the poly is clearly a superior product. If the results of these studies prove poly to be toxic then he agreed that it should be banned. If the results show it's not toxic then he said he did not see any reason to ban it other than to regulate the use of the type of polyethylene. Stephen was looking for information on the basic chemistry and the combustion of poly in order to determine what happens when it's burned in a pile.

David said there is an equity issue if forestry is allowed to burn plastic (poly) when it's banned everywhere else. DEQ needs a well-researched and reasoned argument including details on the paper issue.

Stephen suggested contacting OSU's toxicology program.

Committee members agreed that the focus was polyethylene (poly), not just plastic, and members will refer to polyethylene specifically.

Stephen suggested a pure combustion test but noted that anything it should relate to the real world - if the standard is 3 x 3 and you put it in a pile, have they been able to detect any gasses given off and would they affect our health? Or are they so small they are undetectable? Greg McClarren noted that there are some standards for both

carcinogenic as well as birth defects that could be used in terms of comparing emissions, exposures and risk.

Mike Dykzeul noted that the sub-committee members included Brian Jennison, Erik Christiansen, Randy Clark, Mike Ziolk, Larry Calkins (DEQ) and himself. Part of his assignment has been to make follow-up calls.

Mike Dykzeul said that Randy Clark has volunteered a test in one of the burn units he's working on – he's doing some piles covered, some uncovered and suggested the Committee take a field trip this fall to see the results.

Jim Russell pointed out that the Olympic Peninsula may not cover their burn piles but they use a propane torch to ignite the piles and it takes about an hour for the pile to ignite. Certainly that has its trade-off.

Mike Dykzeul made numerous calls and used a list of questions discussed by the Sub-committee. They include: What kind of rainfall? Elevation? Fuel types? Size of piles? Window of opportunity? for use in comparison. As for the private side vs. the public side, traditionally on the East Side of the Cascades in Oregon, poly is not used by private landowners unless it's in a scenic corridor or where high consumption is needed. Jim Russell expressed disagreement with that statement.

Jim Brown asked if analysis of the paper product(s) would be available in order to make comparison. Jim Russell will request that information be included in the study he is funding.

The sub-committee will continue fact-finding and report back to the Smoke Management Review Committee monthly. The complete list of questions will be forwarded to the SMRC members. The literature search and interpretation is scheduled to be completed by September 1, 2003. That report will be considered at the September SMRC meeting with possible recommendations to be made from there.

This committee reports to the Board of Forestry. If the committee were to come to a collective conclusion it would be forwarded to the Board of Forestry, not to DEQ because that is not the authority of the committee. Mike clarified that the committee would make recommendation to the State Forester, who would act on that request regarding any request to DEQ.

Mike noted that during the conference call, Brian Jennison had expressed interest in the emissions from the polyethylene.

12. Regional Haze Draft SIP

Brian Finneran

Postponed to the August 14 meeting.

13. Adjourn

The meeting adjourned as scheduled at 1530.

Next meeting August 14, 2003

Committee information can be found on the web at:

http://www.odf.state.or.us/DIVISIONS/protection/fire_protection/smp/SMR/SM_Review.asp

