

**From:** Maryhelen Kincaid  
**Subject:** Comment on DRAC agenda  
**Date:** Tuesday, November 19, 2019 12:09:36 AM

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I want to provide some insight into what the history of DRAC and demolition code is since many members are new and not familiar with how we got to today.

In 2015 when DRAC was involved in discussions and meetings regarding the demolition code changes, many DRAC members attended a number of neighborhood meetings to get feedback and comments. Many of the comments were focused on safety issues in relation to the handling of lead and asbestos. At that time, the inspections and enforcement for lead and asbestos handling was (and still is) the responsibility of DEQ and CCB and based in Oregon Building Code. Many other government agencies and groups had an interest in enforcement issues and were providing information regarding handling hazardous waste in construction. There was not any one entity, but a wide variety with varied responsibility. To address the concerns we were hearing about safety in handling hazardous waste, DRAC determined it would be beneficial to get all those regulatory and interested parties in a room to discuss solutions. So, along with discussions regarding demolition code changes regarding notice and appeals were going on so to were meetings on hazardous waste. Since a variety of government agencies from the City, County and State were involved there was no procedure in place to who would convene a meeting. Jeff Fish and I worked with DEQ management, with support from BDS, OHA and DEQ, to convene a meeting of interested parties. Perry Cabot, Multnomah County, was involved in identifying committee members. BDS provided meeting space and committee support. I do not have exact dates of meetings, but my recollection is that we had meetings over a 16 month time period to craft the demolition code changes, including handling hazardous waste. Several of the original participants in those meetings were in the room for the Nov 4th meeting. DEQ held a seminar on handling hazardous waste, explaining the various regulatory responsibilities, at the February 2015 Neighborhood Summit and it was well attended.

In 2016 the State convened a rule setting committee to address the issue of allowing individual jurisdictions the ability to create administrative rules regarding handling hazardous waste. Along with representatives from across the state, John Sandie, Justin Wood, Nancy Thorington and myself were appointed as committee members. There were several meetings as well as time spent testifying to House and Senate committees. The result was SB871 which was passed by the House and Senate in July 2017. This subcommittee advised BDS on the City's administrative rules. As far as I know Portland was the first City in the state to enact an ordinance to provide inspections for hazardous waste. Without this history any

comments regarding the current committee, its composition, and governance are ill informed.

As noted at the Nov 4th meeting, all meetings must abide by public meetings law. Thus the proposals for voting for endorsements/action brought by Sean Green could not be acted on as they were not part of the agenda and no notice had been posted as to the action he desired. I think by merely stating "Demolition" on the current DRAC agenda it does not inform anyone of the intent or content of the discussion. City attorneys would be the best resource but I suspect a call to action on actions regarding the handling of hazardous waste that will affect an issue as important as this, based on the agenda information, would be frowned upon. This needs a bigger discussion than a one word description/slot on the DRAC meeting agenda.

The subcommittee on hazardous waste management, which has become this followup committee to review the first year of the implementation of the administrative rules, needs to explore all possible proposals for process improvements before rushing to judgement, or making demands of actions based on individual suggestions. As an advisory body, DRAC needs to provide BDS, and the City Council, with the best possible solutions for improvement. The Nov 4th, 2 hour meeting of the committee has begun the process of a review of the first year of implementation, and will provide advisory actions to BDS and City Council after a thorough investigation and discussion.

I urge DRAC to wait to make any proposal for action until the subcommittee has a chance to review the staff and other committee members suggestions, and then as a committee report the findings to DRAC.