



1600 South Second Street  
Mount Vernon, WA 98273-5202  
ph 360-428-1617  
fax 360-428-1620  
info@nwcleanairwa.gov  
www.nwcleanairwa.gov



## **BOARD MEETING MINUTES**

The meeting of the Board of Directors of the Northwest Clean Air Agency was held at 1:30 p.m. Thursday, June 8, 2023, at 1600 S 2<sup>nd</sup> Street, Mount Vernon.

### **MEMBERS PRESENT:**

Skagit County	Mary Hudson Ron Wesen
Island County	Melanie Bacon Tara Hizon via ZOOM
Whatcom County	Todd Donovan Brian Heinrich
Member-At-Large	Terry Nyman

### **ALSO PRESENT:**

NWCAA staff members	Mark Buford, Alicia Huschka, Toby Mahar, Agata McIntyre, Seth Preston, and Laurie Caskey-Schreiber
Legal counsel	Svend Brandt-Erichsen

### **CALL TO ORDER**

Board of Directors Chair Ron Wesen called the meeting to order at 1:30 p.m.

### **APPROVAL OF PRIOR BOARD MEETING MINUTES**

On motion by Mary Hudson, seconded by Brian Heinrich, the minutes for the May 11, 2023, meeting were approved 7-0.

### **ACTION ITEMS**

**Resolution 606 – Authorize supplemental (per capita) income for fiscal year 2024 in the amount of \$225,300 – Alicia Huschka**

NWCAA Chief Financial Officer Huschka presented Resolution 606 for Board approval. This resolution authorizes the collection of supplemental income for calendar year 2024 in the amount of \$225,300 from cities, towns, and counties based on a \$0.50 per capita rate. Huschka noted that there was no rate increase for this budget. The last increase was adopted in June 2022 which increased the per capita rate from \$0.35 to \$0.50.

Motion to approve Resolution 606 was made by Heinrich, seconded by Todd Donovan, and approved 7-0.

**Resolution 607 – Adopt Operating and Reserve Fund budgets for fiscal year 2024 – Alicia Huschka**

Huschka presented Resolution 607 to adopt the FY 2024 budgets for the Operating Fund and Reserve Funds.

<b>Fund</b>	<b>Total Revenues</b>	<b>Total Expenses</b>	<b>Net Transfers In (Out)</b>
<b>Operating Fund</b>	\$5,346,191	\$5,485,247	\$ 217,943
<b>Capital Replacement Fund</b>	\$ 5,700	\$0	\$ (107,000)
<b>Personnel Costs Reserve Fund</b>	\$ 13,000	\$0	\$ 0
<b>Cumulative Reserve Fund</b>	\$ 190,000	\$0	\$ (100,000)
<b>Legal Expense Reserve Fund</b>	\$ 23,000	\$0	\$0

Donovan made a motion, seconded by Melanie Bacon, to approve Resolution 607. The Board approved the resolution 7-0.

**Resolution 608 – Adopt the fiscal year 2024 budget for Supplemental Environmental Projects Fund – Alicia Huschka**

Huschka presented Resolution 608 to adopt the FY 2024 budget for the Supplemental Environmental Projects Fund, further explaining that the final authorized greenhouse gas mitigation project in progress, adding solar panels to the roof of the NWCAA building, will be presented to the Board as a budget amendment when a more precise remaining project cost estimate is determined.

<b>Fund</b>	<b>Total Revenues</b>	<b>Total Expenses</b>	<b>Net Transfers In (Out)</b>
<b>Supplemental Environmental Projects</b>	\$4,500	\$0	\$(10,943)

Heinrich made a motion, seconded by Donovan, to approve Resolution 608. The Board approved the resolution 7-0.

**Resolution 609 – Revising the Guidelines for use of revenue from penalties and settlements – Mark Buford**

NWCAA Executive Director Mark Buford presented Resolution 609 for Board approval. This resolution clarifies and updates the Agency's guidelines regarding the use of revenue from penalties and settlements. This resolution supersedes Resolution 230 which was adopted in 1995.

Hudson made a motion, seconded by Heinrich, to approve Resolution 609. The Board approved the resolution 7-0.

**Bills and claims**

Board members discussed the bills and claims report for May 2023. Hudson made a motion to approve the May 2023 bills and claims totaling \$386,151.98. Heinrich seconded the motion, and the Board approved the bills and claims 7-0.

**STAFF REPORTS**

**Director's report – Mark Buford**

Buford reported to the Board on the following matters:

- Buford recently attended a meeting with the Georgia Basin/ Puget Sound International Airshed group. Among the stakeholders who participated in this meeting were people from Washington State, U.S. Environmental Protection Agency (EPA), Metro Vancouver, The B.C. Ministry of Environment, Environment and Climate Change Canada, Health Canada, and other officials responsible for the region's air quality.

Among the topics discussed was the likelihood that the Canadian wildfire smoke will be impacting large portions of those states located in the norther tier of the United States this year. The Canadians are expecting a record number of wildfires this season due to drier than normal conditions.

NWCAA Communication Manager Seth Preston will be putting out daily smoke forecasts via Facebook, Twitter, and Instagram to keep everyone updated about the local air quality.

- NWCAA Engineering Manager Agata McIntyre and Environmental Engineer Robyn Jones have completed most of their work with the Department of Ecology related to emissions from Washington refineries. The project involved assessing refinery emissions and examining current and potential emissions control equipment. This was a complicated lengthy process that McIntyre and Jones have been working on

for the past year. Buford commented that both staff members did an excellent job on behalf of the Agency.

McIntyre and Jones will submit their recommendations about future rulemaking / RACT decisions which will be designed to address visibility issues in National Parks, by controlling Nitrogen Oxide (NO<sub>x</sub>) emissions at the refineries. The Agency undertook this evaluation at the request of Ecology and the refineries. Funding for the Agency staff work for this project has been billed to the refineries in our jurisdiction.

- With the passing of Resolution 609 which revised Agency guidelines regarding the use of revenue from penalties and settlements, we are better prepared to discuss how the next Agency project-based grant funding process should proceed. Board members requested that this topic be added to the August meeting agenda.
- Buford reported that the Agency is currently undergoing two State audits. The State Auditor's Office is conducting a financial audit of the Agency's fiscal year 2021 and 2022 in addition to an attestation audit of the Agency's Air Operating Permit program. The exit conference will likely take place in July. All Board members are welcome to attend. The second audit is a compliance review by the Department of Retirement Systems that has just gotten under way.
- Buford reminded Board members that there will be no Board meeting in July. Typically, the Board meets 10 times per year, and in the past the Board has chosen to not meet in January and July. The next Board meeting will be held on August 10.
- Buford noted that this was Brian Heinrich's last Board meeting, as he has accepted a position outside of working for the City of Bellingham. Buford thanked Heinrich for his years of great service as a NWCAA Board member (2012-2023).

#### **New source review and air operating permit update – Agata McIntyre**

NWCAA Engineering Manager Agata McIntyre reported on the May 2023 construction permit (new source review) activity and air operating permit activity.

During May 2023, the agency received two applications for construction permits and issued three construction permits. One of the construction permits issued was for Vapor Point. Vapor Point will be authorized to operate portable air pollution control devices (thermal oxidizers with scrubbers) that will combust gases coming from storage tanks and other vessels as they are being emptied (de-inventoried) in preparation for maintenance. Such projects are expected to take place at refineries and other facilities that operate tanks and process vessels with Volatile Organic Compounds.

The Engineering staff are also continuing their work to:

- Renew AOP permits (due every 5 years for each of the 22 AOP facilities).
- Review the cost of installing additional air pollution controls for nitrogen oxide and sulfur dioxide at existing boilers, heaters, and turbines at refineries (refinery RACT).



**Enforcement update – Toby Mahar**

NWCAA Compliance Manager Toby Mahar reported that the Agency issued one violation during the reporting period.

- **Notice of Violation 4643** - issued to Travis & Vanessa Swalander for illegal burning and for failure to get a demolition permit.

The Agency also issued one penalty during the reporting period.

- **Penalty 4639** - issued to Safeway Gas Station – Anacortes, for failure to obtain proper permits for a prior modification to their gas dispensing facility.

Mahar reported that May odor complaints were relatively high. In early May a vessel loading at the Marathon Anacortes refinery dock released a vapor cloud that impacted at least a dozen citizens. The incident is still under investigation.

There is also a new coffee roaster in downtown Bellingham that is generating odor issues for the nearby businesses and residents in that area. The Agency is encouraging them to adopt the latest control technology to avoid being pulled into permitting and registration if the odor issues are not resolved voluntarily.

**ADJOURNMENT**

There being no further business to consider, the meeting adjourned at 2:28 p.m.

**CERTIFICATION**

I hereby certify this is a true and correct copy of the minutes of the meeting of the NWCAA Board of Directors held on June 8, 2023, in Mount Vernon, Washington.

ATTEST:   
Terry Nyman, Secretary  
NWCAA Board of Directors

  
Ron Wesen, Chair  
NWCAA Board of Directors

DATED: August 10, 2023