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## **BOARD MEETING MINUTES**

The meeting of the Board of Directors of the Northwest Clean Air Agency was held at 2:30 p.m. Thursday, Sept. 8, 2016, at 1600 S. 2nd St., Mount Vernon, Wash.

### **MEMBERS PRESENT:**

Skagit County	Joe Lindquist
Island County	Jim Campbell Richard Hannold
Whatcom County	Brian Heinrich Carl Weimer
Member-At-Large	Terry Nyman

### **MEMBERS ABSENT:**

Ron Wesen

### **ALSO PRESENT:**

NWCAA staff members	Mark Asmundson, Mark Buford, Celestina Davidson, Therese Holm, Toby Mahar, Agata McIntyre, Seth Preston, and Laurie Caskey-Schreiber
Legal counsel	Loch Clark

### **CALL TO ORDER**

Board of Directors Chairman Rick Hannold called the meeting to order at 2:33 p.m.

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

Brian Heinrich identified a correction needed on page four of the August Board minutes. In the second paragraph, the minutes need to substitute "hydro" instead of "heating" project.

Board members agreed to the correction. On a motion by Jim Campbell, seconded by Joe Lindquist, the amended minutes for the Aug. 11, 2016, meeting were approved 6-0.

### **ACTION ITEMS**

#### **Resolution 540 – Amending FY 2017 Operating fund – Mark Asmundson**

Asmundson presented Resolution 540 for Board approval. This resolution corrects an accounting error with NWCAA's Air Operating Permit (AOP) program.

The Agency is only allowed to charge AOP fees that reflect the cost of operating this program. There is a cost reconciliation that occurs every year to account for any difference in the amount of fees charged and the program expenses for the fiscal year 2 years prior. This results in an adjustment which is either added to or subtracted from the AOP Program fees in the budget year following the accounting reconciliation.

During Fiscal Year 2014, the actual program costs were \$67,704 less than what was collected. The AOP fees collected in FY 2016 should have been reduced by \$67,704, but the fees were inadvertently increased by that amount. Therefore, a \$135,408 refund is due to the AOP sources. After the resolution is approved by the Board, refund checks will be issued to NWCAA's AOP sources.

The agency will institute additional internal controls to prevent this error from occurring again.

Motion to approve Resolution 540 was made by Heinrich, seconded by Campbell, and was approved 6-0.

#### **Resolution 541 – Revocation of Resolution 320 – Mark Asmundson**

Resolution 541 revokes Resolution 320, which allowed for a suspension of imposing monetary penalties against the Whidbey Island Naval Air Base.

Asmundson stated that clarifications to the law have been made that render the exception contained with Resolution 320 irrelevant. Asmundson reached out to command staff at the Naval Air Station, and they acknowledged the need to adhere to the same set of rules that are applied elsewhere in NWCAA's jurisdiction.

Motion to approve Resolution 541 was made by Lindquist, seconded by Campbell, and was approved 6-0.

#### **Bills and claims**

Board members discussed the bills and claims report for August 2016 (totaling \$475,262.30). Carl Weimer made a motion to approve the August 2016 bills and claims. Heinrich seconded the motion, and the Board approved the bills and claims 6-0.

## **STAFF REPORTS**

### **Director's report – Mark Asmundson**

Asmundson reported to the Board on the following matters:

- Dave Blake retired in June 2016, and the transition away from offering indoor air services has been relatively smooth. Most of the Agency's indoor air equipment was donated to the Opportunity Council, for use with its indoor air / healthy homes program. NWCAA still offers a lot of self-help information on the agency's website.
- Asmundson mentioned again that the Pollution Control Hearing Board (PCHB) recently ruled that it does not have jurisdiction over the Brooks Manufacturing appeal of the National Emissions Standards for Hazardous Air Pollutants (NESHAP) fee, and the matter was dismissed.

However, Brooks is also appealing the same fee in Whatcom County Superior Court.

- Asmundson introduced Celestina Davidson, who interned at the Agency this summer. Davidson worked on developing a handbook for gas station inspections.
- Asmundson expressed his gratitude for the support the Board members have demonstrated toward him and his leadership for the past decade. Asmundson values the collaborative relationship that he has established with NWCAA's sources, and he has worked to establish a team approach at the Agency. The quality of the Agency staff continues to be strengthened, and he's thankful that NWCAA has had such a strong board over the past ten years to support and assist him in achieving the milestones that have occurred at the Agency during his tenure.

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

NWCAA Engineering Manager Agata McIntyre reported on the August 2016 construction permit (new source review) activity.

The agency received six applications for construction permits and issued four construction permits.

One of the construction permits issued in August was for the new Oak Harbor Waste Water treatment facility. McIntyre expressed her appreciation for how this facility was designed. The design includes full enclosure of odorous processes with process air routed to air scrubbers and a final step of activated carbon air pollution control prior to releasing air to the atmosphere.

### **Enforcement update – Toby Mahar**

NWCAA Compliance Manager Toby Mahar reported on August enforcement.

Mahar stated that agency enforcement team has been working to create a level playing field among the spray-coating operations within the agency's jurisdiction. Agency staff have

identified at least 24 businesses that needed to register with NWCAA. Inspectors have been working with these owners to bring their businesses into compliance, without issuing any penalties, if they are willing to cooperate in a timely fashion.

Two notice of violations (NOVs) were issued during August. Ferndale Ready Mix was cited for not having their emission stack accessible to one of the Agency inspectors. The stack was obstructed, so it wasn't possible to perform a visual reading of their emissions. The other violation was issued to an individual for the mishandling of asbestos contaminated material.

### **PRESENTATION**

McIntyre presented information about the Ozone modeling project. McIntyre discussed the following (slide presentation attached to minutes):

- **Ground-level ozone** is one of the six pollutants for which we have National Ambient Air Quality Standards (NAAQS). The others are Carbon Monoxide (CO), Particulate Matter (PM<sub>2.5</sub> & 10), Nitrogen Dioxide (NO<sub>2</sub>), Sulfur Dioxide (SO<sub>2</sub>), and Lead (Pb). NAAQS are numeric values. If the measured pollutant is above the NAAQS, the area where the monitor is located plus any areas which contribute significantly to the high concentrations are identified as "nonattainment" by the U.S. Environmental Protection Agency (EPA).
- **EPA sets nonattainment areas** – EPA makes the decision about the boundary of each nonattainment area based on recommendations from state agencies. In Washington, the Washington Department of Ecology makes this recommendation. Local air agencies that have jurisdiction for some portion of the nonattainment area must then make and execute plans to return to attainment.
- **NWCAA's jurisdiction is in attainment** – NWCAA monitors air quality in Whatcom, Skagit, and Island counties. We have always been in attainment for all pollutants in our area.
- **Ground-level ozone** is not emitted directly, but rather it is created when Nitrogen Oxides (NO<sub>x</sub>) and Volatile Organic Compounds (VOC) react together in the presence of sunlight. Ozone formation takes time, and can therefore occur far from where NO<sub>x</sub> and VOC are released. Because ozone takes time to form, we must watch monitors outside NWCAA's jurisdiction to make sure that NO<sub>x</sub> and VOC generated in NWCAA's jurisdiction aren't contributing significantly to nonattainment readings at those monitors.
- **Possible nonattainment area** – The monitor at Enumclaw, WA, approximately 95 miles south of Mount Vernon, has historically been close to the ozone NAAQS and has shown potential exceedances.

The ozone NAAQS are based on three years of data averaged together. The measured three-year average ozone concentration in Enumclaw for 2006-2008 exceeded the 75 parts per billion (ppb) ozone NAAQS in place at that time. Ecology reported this exceedance to EPA, and discussions began about how to draw the boundary for the nonattainment area. Before EPA made a final decision, the 2009 ozone data became available. The three-year average ozone concentration for 2007-2009 was below the NAAQS. This new information became available at a time when there was significant controversy about the validity of the ozone NAAQS. The net

result was that EPA did not re-designate the Enumclaw monitor as nonattainment. The question of how to draw the nonattainment area boundary was never settled.

The EPA published a new, lower, ozone NAAQS (70 ppb) in 2015, and Ecology is again looking at ozone in Enumclaw. The monitored three-year average for 2013-2015 was 66 ppb, which is below the NAAQS. However, EPA's decision about whether the monitor is in or out of attainment isn't due to be made until after the 2016 data becomes available.

**The big question** – What will the 2016 ozone season show? A high value in 2016 could bump the three-year average over the NAAQS. If it does, we're right back to the question of whether NOx and VOC generated in NWCAA's jurisdiction contribute significantly to ozone exceedances in Enumclaw. If they do, some (or all) of NWCAA's jurisdiction could be part of the nonattainment area.

Being included in the non-attainment area would mean that NWCAA would have to implement more stringent air quality requirements to get back in attainment. However, if sources in our area aren't contributing significantly to the problem in Enumclaw, it would be difficult, if not impossible, to make any difference with changes that we implement.

- **Ozone Study** – In 2014, the NWCAA Board authorized \$90,000 for an ozone study. NWCAA initially worked in partnership with Ecology and Puget Sound Clean Air Agency to design a study that would be executed by Washington State University (WSU). Unfortunately, WSU was unable to complete the study within the necessary timeframe and significant technical challenges were identified. The idea was shelved.

Looking at the ozone concentrations during the spring of 2016, NWCAA staff became concerned that our region may be heading into a hot summer, which could lead to high ozone readings at the Enumclaw monitor. Agency staff wanted to move ahead with an ozone study, so that information would be available in case the 2014-2016 ozone concentrations exceeded the NAAQS, and a decision needed to be made about the size of the nonattainment area. Agency staff consulted with Ecology staff who recommended that we look at work done by Georgia Tech in its 2006 ozone study of the Puget Sound area. Ecology felt that the study used sound methodology, but the data was outdated. NWCAA contracted with Georgia Tech to perform a study for \$70,000, with preliminary results available by fall of 2016.

Georgia Tech is running the Community Multi-scale Air Quality Model (CMAQ) for two specific high-ozone episodes at the Enumclaw monitor, one in 2014, and one in 2015. Each episode was about one week long. Ecology staff have been involved in every step of designing the study.

The study will provide information about how sensitive ozone concentrations in Enumclaw are to the NOx and VOC generated from different sources. NWCAA is interested in knowing:

1. How sensitive is ozone in Enumclaw to NOx and VOC emissions from refineries in Whatcom and Skagit counties?
2. How sensitive is ozone in Enumclaw to NOx and VOC emissions from all sources in Island, Skagit, and Whatcom counties?

In addition to answering these questions, the study is also looking at other NOx and VOC contributors closer to the monitor to help in Ecology's decision-making process.

Georgia Tech recently provided preliminary study results:

- o The ozone concentration in Enumclaw is not very sensitive to NOx and VOC generated by the refineries in Whatcom and Skagit counties; and
- o The ozone concentration in Enumclaw is not very sensitive to the NOx and VOC from all of the sources in Whatcom, Skagit, and Island counties.

Data still needs to be checked and peer reviewed. Additional review is ongoing.

- **2016 ozone** – We’re nearing the end of the period when high ozone values are typically seen. We’ve had a cooler summer than expected, and the ozone concentrations in Enumclaw have been fairly low. So far, the three-year average ozone concentration for 2014-2016 is at 67 ppb, which is below the NAAQS.

Deputy Director Mark Buford is pleased that Ecology has been involved and supportive of the study. If a nonattainment boundary needs to be set in the future, Ecology’s recommendations will likely influence the EPA’s final decision about the location of the boundary.


**ADJOURNMENT**

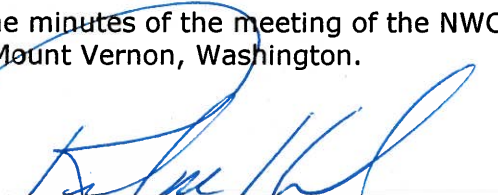
There being no further business to consider, the meeting adjourned at 3:47 p.m.

**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 September 8, 2016, in Mount Vernon, Washington.

ATTEST:

  
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Terry Nyman, Secretary  
NWCAA Board of Directors

  
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Richard Hannold, Chair  
NWCAA Board of Directors

DATED: October 13, 2016