



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 1:30p.m. Thursday, December 13, 2018, at 1600 S. 2nd St., Mount Vernon, Washington.

MEMBERS PRESENT:

Skagit County	Joe Lindquist Ron Wesen
Island County	Richard Hannold
Whatcom County	Brian Heinrich Satpal Sidhu
Member-At-Large	Terry Nyman

ABSENT: Bob Severns

ALSO PRESENT:

NWCAA staff members	Mark Buford, Alicia Huschka, Toby Mahar, Agata McIntyre, Seth Preston, Lyn Tober, and Laurie Caskey-Schreiber
Legal counsel	Loch Clark

CALL TO ORDER

Board of Directors Chairman Brian Heinrich called the meeting to order at 1:31 p.m.

APPROVAL OF PRIOR BOARD MEETING MINUTES

On motion by Satpal Sidhu, seconded by Joe Lindquist, the minutes for the November 8, 2018, meeting were approved 6-0.

PRESENTATION

Board member recognition – Mark Buford

NWCAA Executive Director Mark Buford thanked exiting Board members, Rick Hannold and Joe Lindquist, for their service to the Agency. Hannold had served on the Board from 2015-18, and Lindquist 2007-18. Buford presented each member with a plaque commemorating their time and work with the Agency.

NEW BUSINESS

Review of Proposed Regulation Change – Lyn Tober

NWCAA Permit Writer Lyn Tober presented a list of proposed changes to the Agency Regulations. Some of these changes were presented to the Board last year.

During the interim, Agency staff have done outreach to interested stakeholders, gained their feedback and responded to the comments that were submitted. A rough draft, of the proposed regulation revisions, was presented to the U.S. Environmental Protection Agency (EPA) Region 10 staff in July 2018, and they have indicated their support (via an October 2018 pre-approval letter) for the changes that are being proposed. Following Board approval, the Agency staff will then forward these revisions to the Washington State Department of Ecology to be included in the State Implementation Plan (SIP). If the draft revision remains intact, it is likely that EPA will accept the SIP changes, and adopt them into the Federal Register.

The Proposed changes to the NWCAA Regulations are:

1. **New Source Review** (NWCAA Sections 300-305): Update and clarify the construction permitting (New Source Review) regulations to reduce regulatory burden and focus permitting on areas where the Agency can provide significant air quality benefits. *(Detailed list was distributed via a handout from Tober – attached to the December Board minutes)*
2. **Registration Program** (NWCAA Section 320 & 321): Modifying the registration program to improve transparency and equity. Agency will clarify the list of facilities that must register with NWCAA and make changes to better align the NWCAA rule with the Washington Department of Ecology's rules.
3. **Ambient Standards** (NWCAA Sections 400-428): We are removing the ambient air quality standards in our rule in favor of referencing the state rule that already applies statewide.
4. **Weight / Heat Rate Standard – Emission of Sulfur Compounds** (NWCAA Section 460): Updating this section to only include only those requirements that add air quality benefit in the current conditions.
5. **General Definition Section** (NWCAA Section 200): Revising this section to remove unnecessary definitions, clarify language, and move definitions embedded in our gasoline station rules to this section.

6. **Update adoption-by-reference list** in NWCAA Section 104: Proposing to revise and readopt the external adoption-by-reference list in NWCAA Section 104. This will allow the Agency to implement the most recent version of the referenced state and federal rules.

NWCAA Engineering Manager Agata McIntyre explained that the next phase will be to start the official public comment period on February 6, 2019 for the changes that are being proposed. A public hearing will be held on February 28, 2019, and the Board will vote on moving these revisions forward to Ecology at the March 14, 2019 Board meeting.

McIntyre hopes that Ecology adopts the changes being proposed in time for EPA to publish them in the Federal Register in June of 2019. She acknowledged that this is a very time consuming, bureaucratic process, which explains why the NWCAA regulations were last updated in 1995.

Board members indicated their support for the work that has gone into this project.

ACTION ITEMS

Resolution 570 – Amending the Personnel Manual – Alicia Huschka

NWCAA Chief Financial Officer Alicia Huschka presented Resolution 570 for Board approval. This resolution authorizes the Agency to amend the Agency Personnel Manual in two areas: Section 1 – under “Travel, Training, and Lodging Expenses,” update the process pertaining to the reimbursement for airfare. Employees will no longer have to present their boarding pass to get reimbursed for coach airfare. The term “basic” coach class airfare, was changed to “coach class airfare.”

For Section 2 – this revision adds the following clarification for Unpaid Leave Conditions: “Employees who take unpaid leave for a full month or more, shall not accrue annual leave, sick leave or holiday pay, during the leave period. Further, if the employee, upon return to work, works a partial month, then the annual leave and sick leave accruals for the month will be pro-rated.”

Motion to approve Resolution 570 was made by Lindquist, seconded by Hannold, and approved 6-0.

Bills and claims

Board members discussed the bills and claims reports for November 2018. Hannold made a motion to approve the November 2018 (\$375,614.85) bills and claims. Ron Wesen seconded the motion, and the Board approved the bills and claims 6-0.

STAFF REPORTS

Director’s Report – Mark Buford

- **Air Manager’s meeting with EPA, Region 10 staff**
Buford recently attended the annual Washington State Air Quality Manager’s meeting with EPA Region 10 staff. While there, the group discussed wildfires, woodstove smoke and Purple Air Monitors. Research has been done to improve the monitor’s operation in

humid climates, but many are still wondering how these monitors expire (e.g. do they continue to operate effectively until they die? Or do they start to perform poorly and then expire?). Many of the Air Directors are optimistic about the use of these low cost monitors.

During the meeting, they also learned that EPA's plans to reallocate their grant formula to favor the East Coast Clean Air agencies, will not move forward as planned. The U.S. Congress has prohibited the regional grant reallocation plan.

- **Upcoming Legislative session.**

Buford will be following any legislative bills pertaining to air quality issues. He has heard that there may be some legislation coming forward about outdoor burning. Buford intends to keep Board members informed about any air related new legislation moving forward.

- **Agency update.**

The Agency has had a very productive year.

- NWCAA has issued 40 permit decisions.
- Agency staff are now collecting emissions inventory for all registered sources (their registration fee will be based on this information)
- Danielle Overstreet, the new Database Administrator, has made significant improvements to the system. Clients are now able to apply online for their asbestos permits and that information gets directly entered into our STRATUS database. So far, NWCAA has issued approximately 550 asbestos permits for 2018.
- The Agency has met its social media goals with 272 Twitter followers and 869 Facebook followers.
- Issued Air Operating permits for the two sewage sludge incinerators in our jurisdiction (Post Point in Bellingham and the Anacortes facility). EPA delegated NWCAA to have the authority to issue these permits. So far, NWCAA is the only Air Agency in the State to have gain this authority.

New source review and air operating permit update – Agata McIntyre

NWCAA Engineering Manager Agata McIntyre reported that for the month of November the Agency received seven construction permit applications and issued one permit.

McIntyre also explained that the number of Large Sources (25) will soon drop to 24, because Nordic Tugs is opting out of the Air Operating Program (AOP). Their production levels have dropped off over the years, so they no longer need to stay in the AOP program, even though their facility has the capacity to build more ships than what they have been currently doing. The new permit will allow them to be a registered source with significantly lower registration fees, however they will still have to report their emissions on an annual basis. Washington State is one of the few states that allows this kind of change to occur—to opt out AOP permit program without having to reduce their actual footprint operating capacity.

Enforcement update – Toby Mahar

NWCAA Compliance Manager Toby Mahar noted that the Monthly report has undergone a slight change. The time period for this report will now have a cutoff date on the 25th for every month. Previously the timeframe was based on the calendar month. However this

often made it difficult for Agency employees to compile this report in time for the Board packet mail out.

Listed on the November Monthly report, Mahar noted that the Agency had to issue six violations to registered sources, who failed to pay their 2018 registration fees and or failure to report their annual emissions. Mahar explained that these violations are a big deal, and have the potential to snowball in the severity of the penalty fees if they continue to operate. Two businesses on the list have been responsive and their situations are being addressed, but there are four other cases that still remain unresolved.


ADJOURNMENT

There being no further business to consider, the meeting adjourned at 2:23 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 December 13, 2018, in Mount Vernon, Washington.

ATTEST:



Terry Nyman, Secretary
NWCAA Board of Directors



Brian Heinrich, Chair
NWCAA Board of Directors

DATED: February 14, 2019