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BOARD MEETING MINUTES

The Board of Directors of the Northwest Clean Air Agency met at 1:30 p.m. Thursday, December 9, 2021, via video conference.

MEMBERS PRESENT:

Skagit County	Mary Hudson Ron Wesen
Island County	Janet St. Clair
Whatcom County	Todd Donovan Brian Heinrich
Member-At-Large	Terry Nyman

MEMBER ABSENT:

Tara Hizon

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 Chairman Brian Heinrich called the meeting to order at 1:30 p.m.

APPROVAL OF PRIOR BOARD MEETING MINUTES

On motion by Todd Donovan, seconded by Mary Hudson, the minutes for the Nov. 18, 2021, meeting were approved 5-0 (*Janet St. Clair arrived shortly after the vote*).

NEW BUSINESS

NWCAA Executive Director Mark Buford explained that Terry Nyman's four-year term serving in the Board At-Large position was expiring in December 2021. Heinrich made a motion to renew the appointment of Terry Nyman for the Board At-Large position, and the new term will begin in January 2022, and expire in December 2025. Donovan seconded the motion, and the Board approved the appointment 5-0.

Buford put forward the Advisory Council members, whose terms expire at the end of December 2021. Kathryn Hanowell, Carl Weimer, Rebecca Spurling, and Cris Matochi have all agreed to serve another four years. Heinrich made a motion to reappoint all four Advisory Council members for another term, commencing from Jan. 2022 through Dec. 2025. Ron Wesen seconded the motion, and the Board voted 5-0 to renew their terms.

Advisory Council member John Wolpers has retired, and Buford would like to replace his position with Whatcom County Environmental Health Department Manager Sue Sullivan. Donovan made the motion to approve the appointment (Jan. 2022 – Dec. 2025), seconded by Wesen, and the Board approved 5-0.

Advisory Council member Sandy Paris, whose term was set to expire, will be retiring from her job and she has decided to also retire from her position on the Advisory Council.

Finally, Advisory Council member Mary Hess has resigned from the Council. Buford expressed gratitude for Hess' contributions and asked the Board to formally accept her resignation. Heinrich made the motion to accept the Hess resignation, Wesen seconded, and the Board voted 6-0 to approve the motion.

ACTION ITEMS

Bills and claims

Board members discussed the bills and claims reports for November 2021. Wesen made a motion to approve the November (\$347,447.87) 2021 bills and claims. Hudson seconded the motion, and the Board approved the bills and claims 6-0.

STAFF REPORTS

Director's report – Mark Buford

Buford reported to the Board on the following matters:

- Recently the Agency was contacted by the Federal Bureau of Investigations (FBI) because of potential cyberattacks that may have occurred during January 2021. The Microsoft software that NWCAA used had some vulnerabilities before a patch was available to be implemented. NPI (computer consultants) is conducting a complete review of the Agency's system, and so far there are no signs of an intrusion.
- At a prior meeting, Buford mentioned that the Agency had an opportunity to partner with Whatcom County on acquiring some meteorological equipment, which will be

located at the Lummi Island ferry dock. Whatcom County was seeking \$5,000 and this would allow the Agency to gain valuable data to assist in our weather forecasting efforts. However, since that time, Whatcom County has identified more pressing needs for their share of the initial capital cost though the County continues to acknowledge the need for the project. Buford still supports this project and would like to cover the full initial capital cost, which would be approximately \$9,000. This one-time cost, with no ongoing maintenance obligations, would also allow the Agency to add another location for air monitoring equipment. Board members indicated their support for this decision.

- Buford has been working with Kathryn Hanowell and Rebecca Spurling to incorporate Environmental Justice values and goals into the Agency's Strategic Plan. The small side group will then present their recommendations to the full Advisory Council in January, and later to the full Board in February.
- The office building roof is leaking once again. There may be some additional repair costs for fixing these problem areas.

New source review and air operating permit update – Agata McIntyre

NWCAA Engineering Manager Agata McIntyre reported on the November 2021 construction permit (new source review) activity. During November, the Agency received three and issued five construction permits.

McIntyre mentioned that Agency staff continue the lengthy process of revising Agency regulations that pertain to portable equipment, including rock crushers. The new rules will create a level playing field for rock crushers operating in NWCAA's jurisdiction by requiring all rock crushers to comply with the same set of requirements that will be listed in the rule. After rule approval, the Agency will stop requiring construction permits for rock crushers and instead list operating requirements in the rule. This will improve the consistency of emission controls while decreasing the permit cost for rock crushers since they won't be charged permit fees.

McIntyre reviewed the projected timeline for these rules:

- June 2021 – Introduction of proposal to Board
- July 2021 – Informal Stakeholder input
- August 2021 – Redraft based on informal comments
- September 2021 – EPA review
- October 2021- Update Board
- November 2021 – File proposal with WA Code reviser
- December 2021 – Board Briefing & Public Hearing
- February 2022 – To Board for adoption
- March 2022 – New rules goes into effect

Enforcement update – Toby Mahar

NWCAA Compliance Manager Toby Mahar reported that NWCAA issued six notices of violation in November. Two of these notices were to the Shell Puget Sound Refinery for excess emissions that occurred prior to the new ownership under HollyFrontier.

A violation was issued to Commercial Aircraft Interior for spray coating without obtaining a permit.

North Shore Maintenance has had ongoing operational issues of concern to air pollution control as well as failing to obtain necessary permits for spray coating. They are facing a significant penalty, and staff are working with them to get them back into compliance.

The complaints for November were within the normal range.

EXECUTIVE SESSION

Heinrich announced that the Board was going into executive session at 2:32 p.m. and would be back in session at 2:52 p.m. (*later extended in open session to 3:02 p.m.*) The purpose of the executive session was to discuss with legal counsel representing the Agency matters relating to Agency enforcement actions. No actions were taken.

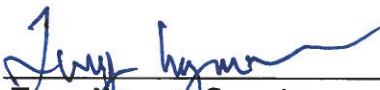
ADJOURNMENT

There being no further business to consider, the meeting adjourned at 3:03 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 9, 2021, in Mount Vernon, Washington.

ATTEST:



Terry Nyman, Secretary
NWCAA Board of Directors



Mary Hudson, Chair
NWCAA Board of Directors

DATED: February 10, 2022