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BOARD MEETING MINUTES

The meeting of the Board of Directors of the Northwest Clean Air Agency was held at 1:30 p.m. Thursday, October 13, 2022, at 1600 South Second Street, Mount Vernon, WA.

MEMBERS PRESENT:

Skagit County	Mary Hudson Ron Wesen
Island County	Tara Hizon Janet St. Clair
Whatcom County	Todd Donovan
Member-At-Large	Terry Nyman (<i>via ZOOM</i>)

MEMBERS ABSENT:

Brian Heinrich

ALSO PRESENT:

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

CALL TO ORDER

Board of Directors Chair Mary Hudson called the meeting to order at 1:32 p.m.

APPROVAL OF PRIOR BOARD MEETING MINUTES

On motion by Ron Wesen, seconded by Tara Hizon, the minutes for the Sept. 8, 2022, meeting were approved 5-0 (*Janet St. Clair arrived shortly after the vote*).

PRESENTATION

Fiscal year 2023 1st quarter financial report (through Sept. 30, 2022) – Alicia Huschka

NWCAA Chief Financial Officer Alicia Huschka reviewed actual financial results compared to the annual budget for fiscal year 2023 for the Operating Fund for the three-month period ended September 30, 2022.

	Year-to-date	Annual Budget	% of Annual Budget
Revenues	\$3,411,143	\$5,048,296	68%
Expenses	\$1,141,905	\$5,552,741	21%

Huschka stated that the revenues are tracking as anticipated, noting the cyclical nature of when certain revenues are billed during the year. Registered source billing is done during the month of February, and the billing for NWCAA large sources is done during the beginning of the fiscal year, during the month of July.

Huschka reported that there are no surprises with the budget so far, and the Agency funds are in good shape.

ACTION ITEMS

New Advisory Council member – Mark Buford

NWCAA Executive Director Mark Buford announced that Polly Dubbel has resigned from the Advisory Council, due to her workload and role as Skagit County's Public Health Communicable Disease Manager. Her co-worker, Britt Pfaff Dunton, Skagit County's Environmental Health Manager, is available to serve as Dubbel's replacement.

Todd Donovan made a motion to appoint Britt Pfaff Dunton to the Advisory Council, Wesen seconded the motion, and Board members voted 5-0 to approve the appointment.

Bills and claims

Board members discussed the bills and claims reports for September 2022. Donovan made a motion to approve the October (\$379,604.02) 2022 bills and claims. Hizon 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:

- The Agency recently received an approximate \$50,000 grant from the Washington State Archivist, to assist in the scanning of past documents, so that we can transfer them into our new LaserFische electronic storage system.

- Buford had a meeting with Sue Sullivan, from the Whatcom County Health Department and a member of our Advisory Council, to discuss potential climate reduction impact projects.
- The NWCAA office solar project is progressing. Staff recently met with a potential consultant to assist with bid specifications for this project.
- The Skagit County Upriver project is moving along. This \$50,000 budget approved project will be developed with the end goal of changing people's habits when it comes to handling their garbage waste. They have split the project into two phases.
 - 1) Full definition of the project.
 - 2) Identifying what works to change behaviors, to get people to stop burning their garbage.
- Wildfire smoke is back in our area. This is due to the winds flowing from east to west, which brings the smoke from the wildfires in the Cascades into our area. One area where the air quality is unhealthy, is in the Columbia Valley, up in the eastern part of Whatcom County. For that area we have called a Stage I Air Quality Burn Ban. This will remain in place, until it is no longer needed.
- Buford reminded Board members that he is due for a Performance Evaluation. The Employer Committee (Mary Hudson, Janet St. Clair, and Todd Donovan) will meet with Buford after the November Board meeting to conduct this review.
- Buford will soon take on the role of Co-President for the National Association of Clean Air Agencies. Part of his duties will be to help develop and sign off on letters to federal agencies and elected leaders on policy positions for the organization. Board members indicated their support for Buford taking on this new role.

New source review and air operating permit update –Toby Mahar for Agata McIntyre

NWCAA Compliance Manager Toby Mahar reported on the September 2022 construction permit (New Source Review) and Air Operating Permit activity.

The Agency received two applications for a construction permits and issued four permit decisions.

Mahar noted that one of the applications received was for the Anacortes Refinery (Marathon) to install a control system on the existing refinery Fluidized Catalytic Cracking Unit (FCCU) to reduce nitrogen oxide emissions. This change does not involve an increase in FCCU production.

Enforcement update – Toby Mahar

NWCAA Compliance Manager Toby Mahar reported that NWCAA issued 24 notices of violation (NOV) in September. Eighteen of these NOVs pertained to sources failing to pay their 2022 registration fees and or failure to report their emissions. Many of these cases have since been resolved.

- **Case No. 4610** – was a NOV issued to APC Advanced Powder Coating for denying entry to one of the NWCAA inspectors. Mahar noted that this was the first time Agency staff have had to issue a violation for this type of situation.
- **Case No. 4611** – NWCAA has issued an additional NOV to Bornstein Seafoods for constructing and operating new equipment, emitting particulate matter in excess of the regulatory limit, without permits or control equipment for the past year.
- **Case No. 4613** – Ferndale Refinery / Phillips 66 had a series of significant operational weather-related upsets during 12/26/21 – 1/31/22. NWCAA believes that more significant weatherization of the facility would have prevented some of these occurrences.

Odor complaints experienced a significant increase in September, mainly due to a few sources: Hannegan Properties (operates a seafood processing operation), Bornstein Seafoods, and the tanker off-gassing that occurred at the Vendovi anchorage site.

EXECUTIVE SESSION

Hudson announced that the Board and Agency staff were going into executive session at 2:15 p.m. to discuss an Agency enforcement issue. Discussion was estimated to last 20 minutes.


Hudson called the meeting back to order at 2:35 p.m. Hudson announced that no action was taken while in executive session.

ADJOURNMENT

There being no further business to consider, the meeting adjourned at 2:35 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 October 13, 2022, in Mount Vernon, Washington.

ATTEST:  For TN
Terry Nyman, Secretary
NWCAA Board of Directors


Mary Hudson, Chair
NWCAA Board of Directors

DATED: November 10, 2022