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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, November 10, 2022, at 1600 South Second Street, Mount Vernon, WA.

### **MEMBERS PRESENT:**

|                 |                               |
|-----------------|-------------------------------|
| Skagit County   | Mary Hudson<br>Ron Wesen      |
| Island County   | Tara Hizon<br>Janet St. Clair |
| Whatcom County  | Brian Heinrich                |
| Member-At-Large | Carl Weimer for Terry Nyman   |

### **MEMBERS ABSENT:**

Todd Donovan

### **ALSO PRESENT:**

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

### **CALL TO ORDER**

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

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

On motion by Ron Wesen, seconded by Janet St. Clair, the minutes for the Oct. 13, 2022, meeting were approved 6-0.

### **ACTION ITEMS**

#### **Resolution 603 – Adopt new Asbestos fee schedule – Mark Buford**

NWCAA Executive Director Mark Buford reviewed Resolution 603, which the Agency needs to assist with achieving full cost recovery for NWCAA's Asbestos program. A public hearing was held on October 18, 2022, and no comments were submitted. The public comment period began on Sept. 7, 2022, and ended on Oct. 18, 2022, and no written or oral comments were received during this period.

Brian Heinrich made a motion to approve Resolution 603, Tara Hizon seconded the motion, and Board members voted 6-0 to approve the resolution.

#### **Resolution 604 – Adopt changes to NWCAA Asbestos Regulations – Mark Buford**

Buford reviewed the following revisions that are being included in this Resolution to change the NWCAA rules with regards to the Asbestos program:

- Update the adoption-by-reference date for externally referenced rules to allow the Agency to implement the most recent version of those state and federal rules.
- Correcting a regulation citation cross-reference to reflect a previous change in section numbering.
- Adding vermiculite into the asbestos-containing material definition with associated test method to better manage a material that commonly contains asbestos.
- Removing seasonal residences from the definition of owner-occupied, single-family residence to reduce potential asbestos exposure from improper do-it-yourself asbestos removal on structures that sometimes are claimed to be seasonal homes.
- Updating the notification waiting period table to correspond with the asbestos program fee schedule change by adding a category for Alternative Means of Compliance and for large projects with greater than 10,000 linear feet or greater than 50,000 square feet of asbestos containing material.
- Incorporating editorial clarifications and corrections to asbestos program text to clarify implementation and avoid misunderstandings.

Janet St. Clair made a motion to approve Resolution 604, Hizon seconded the motion, and Board members voted 6-0 to approve the resolution.

#### **Bills and claims**

Board members discussed the bills and claims reports for October 2022. Hizon made a motion to approve the October (\$432,928.08) 2022 bills and claims. Heinrich 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 wildfire smoke event that occurred in late October was much worse than usual mainly due to the fires occurring on the west side of the Cascade mountains. Winds from the east brought much of the smoke to our area. Columbia Valley was severely impacted by the smoke, so the Agency called a Stage II burn ban for that area. The School Districts coordinated directly with County Health Departments, to make decisions about cancelling sports events.
- The Agency has two salary ranges for Air Quality (AQ) Engineers, one for permit writers with a professional engineer (PE) license and another for permit writers without a PE license. Presently, the AQ Engineer with PE salary at the top step of the range is \$20,580 higher than the top step of an AQ Engineer without a PE. Having a PE license does benefit the Agency because permits must be signed (or co-signed) by a licensed engineer. However, both groups perform equivalent work in writing permits. The difference between the two salary scales is large and is affecting staff retention. Buford proposed an adjustment to the AQ Engineer salary range by increasing each step in the 9-step salary scale to be \$5,000 less than the AQ Engineer with a PE. Buford also recommended that this change in salary be made effective January 1, 2023, noting that there is budget available in the current year's budget to accommodate this increase. Board members supported Buford bringing this change forward during the December Board meeting.

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

NWCAA Engineering Manager Agata McIntyre reported on the October 2022 construction permit (New Source Review) and Air Operating Permit activity.

The Agency received one application for a construction permit and issued three permit decisions.

McIntyre noted that one of the permits issued was for Skagit Soils, a composting facility that is planning to double the capacity of their operation. Their new system will produce around 18,000 pounds of volatile organic compounds (VOCs), which is less than the 90,000 pounds of VOCs that could have resulted without the control methods that they will be putting in place for their expansion.

The system to control VOCs involves installing pipes to move air through the mounds of compost to ensure that aerobic microorganisms can thrive in the mounds. This is called positive aeration. The mounds will also be covered with a bio-filter of finished compost to trap VOCs within the mounds so that they can be eaten by microorganisms instead of being emitted. This permit took 226 days to issue, because the size of this project warranted a customized permit and working closely with the facility.

**Enforcement update – Toby Mahar**

NWCAA Compliance Manager Toby Mahar reported that NWCAA issued seven notices of violation (NOV) and one penalty in October. Of those, Mahar highlighted the following:

- **Case No. 4615** – was a NOV issued to Puget Sound Energy-Ferndale Generating Station for unpermitted releases of ammonia from a leaking valve within the control system on four days, ranging from 800 to 40 pounds of ammonia per day.
- **Case No. 4619** – Sierra Pacific received a NOV for failing to submit required reports in a timely manner.
- **Case No. 4617** – Anacortes Refinery / Marathon had a series of significant operational cold weather-related upsets during 12/26/21 – 12/28/21. NWCAA expects facilities to attend to weatherization.
- **Case No. 4567** – was a penalty issued to Silvastar Forest Products addressing failures to maintain records. The facility recordkeeping has improved but does not yet fully meet the permit requirements.

Odor complaints fell within the normal range. There were several odor complaints regarding Hannegan Properties (operates a seafood processing operation), and Bornstein Seafoods.

**EXECUTIVE SESSION**

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

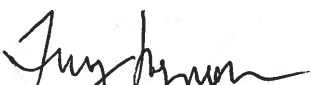
Hudson called the meeting back to order at 2:35 p.m. Hudson announced that no action was taken while in executive session.

**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 November 10, 2022, in Mount Vernon, Washington.

ATTEST:   
 Terry Nyman, Secretary  
 NWCAA Board of Directors

  
 Mary Hudson, Chair  
 NWCAA Board of Directors

DATED: December 8, 2022