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BOARD MEETING MINUTES

The Board of Directors of the Northwest Clean Air Agency met at 1:30 p.m. Thursday, March 14, 2024, at 1600 South Second Street, Mount Vernon, WA.

MEMBERS PRESENT:

Skagit County	Mary Hudson Ron Wesen
Island County	Janet St. Clair
Whatcom County	Todd Donovan via ZOOM Eric Johnston
Member-At-Large	Terry Nyman via ZOOM

MEMBERS ABSENT:

Tara Hizon

ALSO PRESENT:

NWCAA staff members	Tanya Asmundson, Mark Buford, Matt Holmquist, Alicia Huschka, Toby Mahar, Agata McIntyre, Seth Preston, and Laurie Caskey-Schreiber
Legal counsel	Svend Brandt-Erichsen via ZOOM

CALL TO ORDER

Board of Directors substitute Chairman Ron Wesen called the meeting to order at 1:33 p.m.

APPROVAL OF PRIOR BOARD MEETING MINUTES

On motion by Mary Hudson, seconded by Janet St. Clair, the minutes for the Feb. 9, 2024, meeting were approved 4-0. (*Todd Donovan approved Ron Wesen and Terry Nyman approved Mary Hudson to signing the minutes on their behalf.*)

ACTION ITEMS

New Advisory Council Appointment – Mark Buford

NWCAA Executive Director Mark Buford recommended appointing Tony Kelley to the NWCAA Advisory Council. Mr. Kelley is a small business owner in Everson, resides in Eastern Whatcom County, and serves as a volunteer firefighter in Columbia Valley. He is also very familiar with the air quality issues involving this community.

Eric Johnston made a motion to approve appointing Mr. Kelley to the Advisory Council, Hudson seconded the motion, and Board members voted 6-0 to approve the four-year appointment.

Bills and claims

Board members discussed the bills and claims reports for February 2024 (\$417,579.37). Johnston made a motion to approve the February 2024 bills and claims. Hudson seconded the motion, and the Board approved the bills and claims 6-0.

PRESENTATION – NWCAA REGISTERED SOURCE PROGRAM – Matt Holmquist

NWCAA Registered Source Manager Matt Holmquist gave an update on the Agency's program for registered sources.

- NWCAA has two groups of regulated sources:
 - Minor (also called "registered") – Businesses with air pollutant emissions less than major source thresholds. NWCAA currently has approximately 530 registered sources. Some examples are gas stations, dry cleaners, and auto body shops.
 - Major – Businesses with emissions of criteria air pollutants or hazardous air pollutants greater than federal thresholds. Examples include refineries, natural gas turbines, sewage sludge incinerators. These types of facilities require an Air Operating Permit (AOP). The AOP coalesces all applicable regulations and permit conditions into a single document that is renewed at least every 5 years. NWCAA currently has 22 AOP sources.
- In 2023, NWCAA inspectors visited 50% of the Registered sources, and found that 35% of them were out of compliance with our regulations. The Agency's goal is to inspect at least 75% of our sources on an annual basis. More frequent inspections generally result in better compliance rates.
- Sources report their emissions on an annual basis and registration fees include a component based on those reported emissions.
- Multiple staff are involved with our Registering sources and ensuring compliance with all (Federal, State, and Local) regulations as well as NWCAA construction permits.

OLD BUSINESS – UPDATES – NWCAA Penalty / Settlement fund use – Mark Buford

The Advisory council recently met on Feb. 29, 2024. Board member Todd Donovan attended that meeting. The group revisited the criteria that the Board first established in August 2023 for evaluating projects for funding.

- Timing not urgent, but soon.
- Some prefer work to be done within the NWCAA jurisdiction.
- Something that people can see – highly visible to the public.
- Add Climate Resiliency projects (not just emissions reductions).
- Improve public facilities that can support clean air spaces during wildfire smoke events.
- Reducing Greenhouse Gas projects still a priority.
- Prioritize projects with small business component to them.
- Okay with third party managing process and possibly the grants themselves.
- All okay with gaining Advisory Council and staff perspectives.

The group decided that they would like to establish a scorecard before they solicit proposals for funding. Buford has suggested and the group agreed to consider working with a facilitator to get the process moving forward. Buford hopes that the group has the scorecard created within the next 3-4 months.

During the last Advisory Council meeting the group met with staff from Sustainable Connections and the Opportunity Council to consider their request for funding a project to join the nationwide "Switch is On" program. The Advisory council members requested more details about the project before they make any funding recommendations. The group will be meeting again on March 28, 2024.

STAFF REPORTS**Director's report – Mark Buford**

Buford reported to the Board on the following matters:

- The Agency received a letter from San Juan County, which is considered the formal ask to rejoin the NWCAA jurisdiction. The next step in the process is for the County governments of Island, Skagit, and Whatcom, to approve their re-joining via a resolution. Buford will be meeting with Janet St. Clair, Ron Wesen, and Todd Donovan to get the resolutions before each County Council or Commission for approval. After that process has been completed, the San Juan County Council must pass a similar resolution that would finalize the process. Buford hopes to have this completed by the end of 2024.
- The U.S. Environmental Protection Agency (EPA) has been very busy with the anticipated review of their recent actions as the current Presidential administration completes their four-year term. Congress has a time-limited ability to dismiss recent actions by federal agencies that can come into play when administrations change. EPA has been communicating to State and Local stakeholders to keep them abreast of the regulatory proposals that are at risk.

- The Washington State Legislature is wrapping up their session. The CURB ACT is not moving forward at this time but may come back at some point in time. The Flame Cap Kiln Bill has moved forward to the Governor's office for signature.
- Agency staff continue to work on the Fiscal Year (FY) 2025 Budget. A draft budget will be presented to the Advisory Council on March 28, 2024. The Finance Committee (*Hudson, Donovan, & St. Clair*) will be meeting at 12 p.m. on April 11, prior to the Board meeting, to discuss the proposed NWCAA FY 2025 budget. Lunch will be provided at the committee meeting. The full Board will review the budget during the May Board meeting. During the June Board meeting, the FY 2025 Budget will be up for formal adoption.
- NWCAA Administrative Assistant Laurie Caskey-Schreiber is retiring at the end of March. The Agency has hired Tanya Asmundson to fill her position. Buford and the Board of Directors thanked Caskey-Schreiber for her years of service to NWCAA.

New source review and air operating permit update – Agata McIntyre

NWCAA Engineering Manager Agata McIntyre reported on the February 2024 construction permit (new source review) activity.

- During February, the Agency received two applications for construction permits and one new permit was issued.
- One of the construction permit applications received was from Cairnsprings Mills, located on the Port of Skagit property. They are a boutique facility producing flour. They will control their dust with silo bin filters and baghouses.
- The Air Operating Permit (AOP) renewal for the Marathon Anacortes Refinery was posted for a 30-day public comment period (necessary prior to permit issuance). This is a large permit that consolidates all of the facility's air-related regulatory requirements (federal, state, and local) and construction permits into one document. The permit must be periodically revised and renewed (generally every 5 years).

Enforcement update – Toby Mahar

NWCAA Compliance Manager Toby Mahar reported on February 2024 enforcement and provided the following highlights of compliance activities.

- NWCAA issued the following four Notice of Violations (NOVs) in February:
 - Case 4702
 - Case 4677
 - Case 4703
 - Case 4700a

Penalty 4685 was issued to Terisa Countryman (property owner) for illegal outdoor burning during a burn ban. NWCAA has received no response from Ms. Countryman to date.

Complaint numbers for February were normal. NWCAA received marijuana odor complaints from the Padilla Heights area of Anacortes and a grower south of Mount Vernon. The Agency

has been investigating in coordination with the county (Skagit County ordinance requires no odor past property boundary) and the State Liquor Control Board.

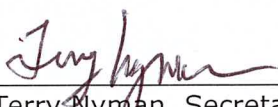
The Post Point Wastewater Treatment Plant in Bellingham has reported emissions in excess of the major source threshold for CO that impacts the facility Air Operating Permit process. In addition, the facility has reported facility upgrades that have triggered applicability of 40 CFR 60 Subpart LLLL. Agency staff are working with the facility, including standing monthly meetings to attend to compliance with permit requirements and compliance plans.

ADJOURNMENT

There being no further business to consider, the meeting was adjourned at 2:54 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 March 14, 2024, in Mount Vernon, Washington.

ATTEST: 

Terry Nyman, Secretary
NWCAA Board of Directors



Todd Dohovan, Chair
NWCAA Board of Directors

DATED: April 11, 2024