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BOARD MEETING MINUTES

The Board of Directors of the Northwest Clean Air Agency met at 1:30 p.m. Thursday, April 11, 2024, at 1600 S. Second Street, Mount Vernon, WA, and by video conference.

MEMBERS PRESENT:

Skagit County	Mary Hudson Ron Wesen
Island County	Tara Hizon (via Zoom)
Whatcom County	Todd Donovan
Member-At-Large	Terry Nyman

MEMBERS ABSENT:

Janet St. Clair
Eric Johnston

ALSO PRESENT:

NWCAA staff members	Mark Buford, Alicia Huschka, Toby Mahar, Agata McIntyre, Seth Preston, and Tanya Asmundson
Legal counsel	Svend Brandt-Erichsen (via Zoom)

CALL TO ORDER

Board of Directors Chairman Todd Donovan called the meeting to order at 1:30 p.m.

PETITIONS FROM THE PUBLIC

There were no petitions from the public.

APPROVAL OF BOARD MEETING MINUTES

On motion by Ron Wesen, seconded by Mary Hudson, the minutes for the March 14, 2024, meeting were approved 5-0.

OLD BUSINESS AND PRESENTATION

The fiscal year 2024 financial report for the quarter ended March 31, 2024– Alicia Huschka

NWCAA Chief Financial Officer Alicia Huschka reviewed actual financial results compared to the annual budget for the fiscal year 2024 for the Operating Fund for the nine months ending March 31, 2024.

	Actuals Through March, 31, 2024	Annual Budget	Actual as % of Budget
Revenues	\$5,071,808	\$5,697,091	89%
Expenses	\$3,950,323	\$6,427,066	61%

The consolidated balance sheet at March 31, 2024 is as follows:

	Operating Fund	Cumulative Reserve Fund	Capital Replacement Fund	Supplemental Environmental Fund	Personnel Cost Resv. Fund	Legal Reserve Fund	Total
Assets	\$2,982,015	\$4,570,157	\$207,013	\$278,149	\$300,211	\$532,703	\$8,870,248
Liabilities	372,624	0	0	0	0	0	372,624
Fund Balance	2,609,391	4,570,157	207,013	278,149	300,211	532,703	8,497,624
Liabilities and Fund Balance	\$2,982,015	\$4,570,157	\$207,013	\$278,149	\$300,211	\$532,703	\$8,870,248

Huschka stated that revenues are tracking as anticipated, noting the cyclical nature of when certain revenues are billed during the year. Expenses are tracking as expected, and there is nothing out of the ordinary to report.

ACTION ITEMS

Bills and claims

Board members discussed the bills and claims report for March 2024 totaling \$ 426,470.30. Ron Wesen made a motion to approve the March 2024 bills and claims. Mary Hudson seconded the motion, and the Board approved the bills and claims 5-0.

STAFF REPORTS

Executive Director’s Report – Mark Buford

Buford reported to the Board:

- The 2024 budget was presented to the Advisory Council in March and received unanimous support to move the budget forward to the Finance Committee and full Board for consideration and adoption.
- NWCAA issued an NOV to the City of Bellingham related to operations at its Wastewater Treatment Plant and briefly discussed the steps being taken to investigate any potential conflict of interest issues arising from City of Bellingham Board membership.
- Buford updated the Board on the solar panel and charging stations project. After thorough investigation led by the agency's architects and engineers, HKP Architects, we have concluded that the NWCAA office building is not structurally suitable for rooftop solar panels. The Agency is researching the option of solar panels on the roof of an awning structure in the parking lot. The Board will be informed about the progress of this research and the cost of implementing the different alternatives identified as the information is available.
- The NWCAA staff expressed interest in re-examining asbestos regulations which apply only to residential single-family buildings. If asbestos containing materials were prohibited in the construction of residential structures, then the asbestos regulations could be updated to stop requiring inspections for single family residences constructed after that date. The legislature has already prohibited the use of asbestos containing materials in non-residential construction. Buford, while attending the next regular Washington Air Manager's meeting in May, will suggest working with the other clean air agencies on this complex issue which could take some time.
- As part of the integration of San Juan County into the NWCAA, cost-sharing has been an important discussion item. Ecology has agreed to provide funding for the Friday Harbor monitoring station (using Federal Inflation Reduction Act (IRA) money). In the course of the discussions, Ecology asked about additional NWCAA project needs that qualify for IRA funds. NWCAA identified the cost to upgrade and relocate the Oak Harbor monitoring station. The Department of Ecology agreed to request money for this task and as a result, approximately \$120,000 (combined) will be provided to the agency using IRA funds.

New source review and air operating permit update – Agata McIntyre

NWCAA Engineering Manager Agata McIntyre reported on the February 26 to March 25, 2024 construction permit (New Source Review) and Air Operating Permit activity.

- During this period the Agency received four Construction Permit applications. The Construction permit applications included a new paint spray booth at a metal fabrication shop and woodworking shop. Some of the sources requested a review of their equipment and some requested to modify the NOx testing frequency for existing Solar Mars 90S combustion turbines.
- There were two Construction Permits issued, one for a new gasoline dispensing facility and one for a Tier-4 diesel engine to power a WSDOT generator that supports operations of a remote radio repeater site.

Enforcement report – Toby Mahar

NWCAA Compliance Manager Toby Mahar reported on March 2024 enforcement activities. One Notice of Violation (NOV 4704) was issued to MAAX US Corporation for failure to submit

the 2023 annual compliance certification on time, which was discovered by staff. One penalty was issued (case 4654) to Phillips 66 Ferndale Refinery for failure to continuously maintain flare gas combustion zone net value at or above regulatory limits. This was a recalculated penalty based on an updated excess emissions calculation.

Complaints included 5 marijuana odor reports from Anacortes.

ADJOURNMENT

There being no further business to consider, the meeting was adjourned at 2:20 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 April 11, 2024, in Mount Vernon, Washington.

ATTEST: 

Terry Nyman, Secretary
NWCAA Board of Directors



Todd Donovan, Chair
NWCAA Board of Directors

DATED: May 9, 2024