

Agata McIntyre: Let the record show that this hearing commenced at noon on June 11th, 2025, at the Squalicum Boathouse at 2600 North Harbor Loop Drive in Bellingham, Washington. This hearing is being held in person.

My name is Agata McIntyre. I am Northwest Cleaner Agency's engineering manager and have been designated by the agency's board of directors as the presiding officer for the hearing. This hearing is being held in accordance with Northwest Clean Air Agency Regulation Section 305 to hear public testimony and comments on proposed regulatory order for the Post Point Wastewater Treatment Plant in Bellingham, Washington. The entire proceeding is being recorded.

A few words about the scope of the proposed regulatory order before we move forward. Scope of the order is limited and the order, if issued, will provide an annual limit on carbon monoxide air emissions from the existing incinerators and require the installation of continuous carbon monoxide monitors on the existing incinerators. Neither the annual limit nor the continuous monitors are currently required. This order doesn't approve any physical modifications to the incinerators.

A copy of the order and the hearing notice and supporting background documents were posted for public review on May 8th on the Northwest Cleaner Agency's website under public notices. Written comments to the order will be accepted through midnight tonight, June 11th, 2025, and verbal testimony will be accepted at this hearing. A hearing notice was also published in the Washington Department of Ecology's permit register.

All persons, including the applicant, must raise all issues and submit all arguments supporting their position by the end of the comment period, that is, by midnight tonight, June 11th. The agency cannot incorporate any supporting materials by reference unless they are made part of the administrative record or are generally available reference materials. By the back of the room, by the door there is a sign-in sheet and Tanya has been asking if you would like to sign in.

If you wish to provide verbal testimony at this hearing, please add your name and contact information to the sign in sheet. I will provide a brief recess at the conclusion of this opening statement to allow time for anyone who wishes to testify to add their name to the sign-in sheet.

Each person wishing to provide verbal testimony will be asked to move forward and speak into the microphone, and I will call names in the order that you are signed in. Each person wishing to speak will have three minutes to do so. Seth Preston, the agency's communications manager, will monitor the clock. He has a yellow card to indicate 2 minutes and a red card that will show at 2 minutes and 30 seconds so you're getting close to the end. Please limit your testimony to three minutes per person. When you see the red card, please begin to wrap up your comments.

When you step forward to speak, please provide your name and contact information at the beginning. If you represent an organization, identify the organization on whose behalf you are speaking. For the audience, public speaking can be intimidating, so to provide everyone with equal chances to comment and a safe place to express their opinions, please listen quietly and respectfully and hold your applause. If you'd like to

show support for a speaker or an idea being expressed, please do so by raising your hand.

If anyone present wishes to submit comments in writing, in lieu or in addition to, the verbal testimony, please provide those to me or any agency representative, that would be me, Seth Preston, Toby Mahar, and Tanya Asmundson, before leaving this venue, or send it to me at agatam@nwcleanairwa.gov, and I have business cards right here as well if you would like that.

Agency staff will review and analyze all comments provided, both written and verbal. Staff will send copies of the final determinations to everyone who submitted comments and provided contact information. The final determination will also be available for review at the Northwest Clean Air Agency's office at 1600 South 2nd Street in Mount Vernon. The hearing will now recess briefly to allow anyone who wishes to testify verbally at this hearing to sign in.

Tanya Asmundson: Can we bring the sign in sheet up front?

Agata: Of course. Absolutely.

Tanya: Thank you.

Agata: Of course. Is there anyone who would like to add their names? No? Okay. In that case, we're going to come back out of recess, and now let's resume the hearing. Now I'd like to call forward the first person who indicated they'd like to provide verbal testimony. First speaker is Larry McCarter.

Larry McCarter: We're trying to circulate this. This is a website that we've created. It's written out as a URL of all of our information or the information that I thought I was going to be able to give you right now. It was going to take about half an hour, but they told me I could only talk for three minutes, so I'm going to do that. This piece of paper should be circulating. Please, take a picture of that and find this-- because there's really a lot of information. Can we make use of this microphone?

Seth Preston: Yes.

Agata: It would help, because this is the recording device.

Larry: I'm here today to ask the Northwest Clean Air Agency to deny the RO52 on the basis that Post Point does not have an air operating permit, does not have a site-specific monitoring plan, and the sensors that we use are being diluted by fresh air. The sensors are located in a position that give inaccurate readings. When you guys say we are not being polluted and that we're meeting the triple L, it's based on the fact of using these sensors that have 30% fresh air introduced through the cool shaft air. That means we don't know how much we're being polluted.

I'm upset about the RO52 because we do not have to issue it. RO52 is based on the potential to significantly deteriorate our community. What's happened is we have been assigned by the EPA that we have violated so much. For the last four years, we've done 100 tons, which, in the garbage business, is a lot of garbage. We're talking air pollutions, 100 tons of carbon monoxide. Carbon monoxide is created

because when you overfeed an incinerator such as ours, they create carbon monoxide.

Carbon monoxide is bad because it represents the fact that the fire is not burning well. When the fire doesn't burn well, it spits out everything that's bad in the sewage sludges, which are definitely polluting the chemicals of all sorts of concern. How many minutes? Where am I at?

Seth: You're about halfway through.

Larry: The dilution matter, the air operating permit. It's astounding to me to know that we do not have an air operating permit. We haven't had one since 2016, and to be fair to the city, we didn't know their air operating permit was not valid until 2019. In 2019, we found out we don't have an air operating permit. They're operating right now without any monitoring plan. The reason they don't get any violations is because they don't have a monitoring plan.

Seth: One minute.

Larry: What is that?

Seth: One minute.

Larry: They don't have a monitoring plan, which means they don't know if they're violating or not. They're assuming the two hours of the short-term stack test that we do a few times a year fits the bill. Again, they're using these crazy, improperly located sensors. The R052 permits them to put those sensors right in the same place, but that air totally destroys the number.

Seth: Three seconds.

Larry: How many?

Seth: Three.

Larry: Now you're confusing me. Now, you've got to give me a couple for that. The air operating permit, the dilution, the-- Okay, thank you.

[applause]

Larry: Thanks a lot.

Audience Member 1: Can I ask a question? I'm confused. I thought this was going to be more of a conversation, and with someone responding to the issues that we're expressing. That's not the case?

Agata: That's not the case, ma'am. No, the hearing is for us to hear your concerns.

Audience Member 1: Is your agency at all able to look at compliance with the law?

Agata: Yes, that's something that we do, but that's not part of this hearing right now. This discussion right now is just on the merits of the regulatory order to hear the concerns from the community about the merits of the regulatory order.

Audience Member 1: Okay.

Audience Member 2: May I ask-

Agata: Of course, yes.

Audience Member 2: -a follow-up question? With regard to the aspect of RO52 that Mr. Carter was speaking to, the placement of the sensors, and the dilution factor that happens with where they are now, can the RO52 be amended so as to require movement of the sensors to more appropriate areas so that they're actually sensing what's coming out before it gets diluted with fresh air?

Agata: Anything is possible. You're welcome to make comments through the end of today, and that would be the sort of thing that we would welcome your comments on and questions on. It's just that this venue was just a hearing to hear your concerns.

Audience Member 2: I understand that and I appreciate that, but is it within the ability of NWCAA to amend RO52 to make that kind of change if they were inclined to do so?

Agata: It is currently open for amendment. It is in draft, so yes, it can be opened right now.

Audience Member 2: Okay, thank you.

Eric Evans: Good question.

Agata: One more question, please. Yes.

Eric: I said good question.

Agata: Oh, good question, okay. Robin Hitz would be our next speaker.

Robin Hitz: I've worked in the waste business for a number of years, and I know how important it is to have all the permits, and this facility does not have all the permits. No air operation permit or site-specific monitoring plan. The permit this hearing is about seems to be discretionary. I am in support of Mr. McCarter's proposal. I'm sorry that he was only given three minutes. I would have liked to have heard more of what he had to say. I do encourage people to look at the URL that he's passed around and take a little bit more time looking into his proposal. Thank you.

Agata: Thank you very much. Those were the only two that we had signed up to speak. Is there anyone else who'd like to speak at this time? Ma'am, if you wouldn't mind putting your name down.

Jeri Halpine: Sure. Okay.

Agata: All right, thank you. Since I didn't read it just now, would you mind saying your name for the record?

Jeri: Sure. My name is Jeri Halpine. I didn't intend to speak, but I was looking through some of the slides, the slides on the presentation from the QR code. One of the slides early in mentions PFAS chemicals are forever chemicals. I know that during the Biden administration, over 16,000 PFAS chemicals were slated to be banned, and the Trump regime has now then brought them back.

With over 16,000 forever chemicals inundating our water sources, I think one of my concerns is how we are going to keep our water supply safe from these forever chemicals. They don't break down. They're linked to a long host of health issues. They get into our soil. They contaminate our food. I don't know what the plan is to address these forever chemicals. My understanding right now is that most water systems, or perhaps all water systems, are insufficient, inadequate in being able to filter them out. That's also in addition to microplastics, which is another topic, but I'll save my comments specific to forever chemicals. That's all I have.

Agata: Thank you. Next, we have Eric Evans.

Eric Evans: Hello. Thank you for giving me a second opportunity to speak. My name is Eric Evans. I didn't prepare anything, but I thought it was best that I didn't leave here without, at least, giving my opinion. Incineration is not, in my opinion, the answer to all of our problems. There are a number of different technologies available outside of incineration. My experience in working in and around wastewater treatment plants is incinerators fail. When they fail, you have problems. Bad problems instantly. It's happened just out here from Snohomish County, moving up this way. There's been actual failures in the incineration.

Many of the wastewater treatment plants are moving to technologies like gasification or similar. It's a very difficult process, but it's better than the incineration. I can't think of any reason why, in this far of technology, we're really looking at going back to thermal. We still don't know all-- I see Brian Caldwell has been working on a study looking at how PFOS and PFOA interact with incineration. I've spoken with them. They're pretty confident, but that's just them.

If you don't have the temperatures at the right area, you will miss it. There is alternate means in even landfilling. Nobody likes to hear landfill. Landfilling isn't just putting it in a dump and taking its place. Those nutrients that are in those treated fecal wastes can be used as daily cover organics. It can be treated at a landfill so that it can be used as a beneficial reuse. I just wish we weren't actually looking at this incineration.

Also, I want to say that I know Larry McCarter professionally. He has put an enormous amount of time into what he's talking about. I encourage anyone to look at what is in this presentation. If possible, if you would accept this into your records-

Seth: 30 seconds.

Eric: -as an add-in, I think that would be very favorable. It would give you a chance to take a look at what he has put in, probably hundreds and hundreds of hours of research. Thank you. Make the best decision.

Agata: Thank you very much. Next, we have Erin Parberry.

Erin Parberry: Hi.

Agata: Hi.

Erin: Sorry, I'm terrified of public speaking. I was hoping I wouldn't have to talk. I guess I should provide a little bit of background. My family and partner is downtown. I also worked in refineries since 2010, so I've had a lot of experience dealing with environmental issues. I'd just like to point out that if this was a public-sector business, they would be shut down by now, operating without permits, and potentially environmentally impacting our community.

I don't think it's very fair that the state or city is allowed to do it. The private sector can't. We spend a significant amount of money on environmental stuff. I think it should happen with the private sector and our government sector. I think that's all I have to say.

Agata: Thank you.

Agata: Is there anyone else who would like to speak?

Larry: I think I've got about 20 seconds left.

Agata: 20 seconds it is. Go ahead, please.

Larry: The reason RO52 should be denied is because of the PFAS issue. We know there's a limit of 100 tons, and you guys have set up the enforcement schedule to not be the tightest that you can be to protect us. I believe it's supposed to be a one-day period that we can determine with our new monitors within one day and interpolate for the year if we're going to break that 100-ton limit again.

The reps say, if you have an indication on day one, they have seven days to comply. If they fail that, we should shut them down. The reason I think you should just deny it right now is because they don't have an air operating permit. There's nowhere in the books that suggests you can give this order to a facility that doesn't even have an air operating permit. You're telling us we're going to have to wait 365 days before you even think about shutting them down again when, in fact, there are so many violations, the high-priority and the PSD violations, that it could be shut down today.

It should be because instead of spending \$250 a ton, which is what landfilling is, it's \$3,000 a ton. It makes no sense. We're polluting and we're wasting our money. Please help us and just say no to the institution so that we can move on and not this 50-year-old machine trying to make-- Oh, and by the way, the capacity has already exceeded like I'm exceeding my limit. The CO indicates we're overcapacity, and the city's plan that they have already presented to you that you're going to offer an extension or a bridge through the border is invalid because they'll never get there because they're already at capacity. Thank you.

Agata: Thank you.

Agata: Is there anyone else who would like to speak? With that, I would like to thank everyone for your courtesy and cooperation during this hearing. At the conclusion of the public comment period, which is tonight at midnight, Northwest Clean Air Agency staff will review and analyze all the written and verbal comments received. Staff will compile the comments along with the associated responses and share responses with commenters.

Audience Member 3: When is the written comment period closed?

Agata: Tonight at midnight.

Audience Member 3: Is that address in the paperwork?

Agata: Correct. Yes. You can also send comments to my email, please. I will pass that out. Let me just say that this hearing stands adjourned at 12:22.

Audience Member 4: How are you having a recording of that? Is this being recorded?

Agata: It is being recorded. There's a recording device right here, yes.

[00:21:39] [END OF AUDIO]