

Southwest Clean Air Agency

Board of Directors Minutes

January 7, 2010

The regular meeting of the Southwest Clean Air Agency Board of Directors was held in the Southwest Clean Air Agency office, Vancouver, Washington on January 7, 2010.

Those present were: Don Jensen, Chair, City of Longview
Bill Schulte, Director, Lewis County
George Raiter, Director, Cowlitz County
Mary Ann Duncan-Cole, Director, City of Stevenson
Jamie Tolfree, Director, Skamania County
Blair Brady, Director, Wahkiakum County
Harlan Thompson, Director, City of Centralia
Milton Cox, Director, Member at Large
David Goodroe, Director, City of Cathlamet

Excused: Kelly Sills, Director, Clark County
City of Vancouver

Also Present: Staff: Robert D. Elliott, Executive Director
Paul Mairose, Chief Engineer
Randy Peltier, Operations Manager
Traci Arnold, Office Administrator

Guests: Stan Rauh, Department of Ecology
Virginia Nugent, Clark County Resident
Roger Cole, Clark County Resident
Marla Shirts, Clark County Resident

Call to Order

Mr. Jensen called the meeting to order. A quorum was confirmed to exist.

Board of Directors Minutes

Mr. Jensen asked for consideration of the November 5, 2009 minutes. Mr. Raiter moved and Mr. Thompson seconded that the minutes for the November 5, 2009 Board meeting be approved. Motion passed.

Changes to Agenda

Mr. Elliott reported he would be adding two more items to the Control Officer's Report.

Public Comment

Mr. Jensen opened the Public Comment period and requested that the citizens who desire to offer public comments to please identify themselves. Roger Cole, Vancouver, Washington, said he represents the Southwest Washington Forum of the Sierra Club. He said their group has an interest in slowing climate change and reducing the amount of carbon dioxide emissions being released into the atmosphere by coal-fired power plants, such as TransAlta's Coal-Fired Power Plant in Centralia, Washington. Mr. Cole said the TransAlta Coal-Fired Power Plant releases nine million tons of carbon dioxide into the atmosphere every year. He said the long term goal of the Southwest Washington Forum of the Sierra Club is to replace the TransAlta's Coal-Fired Power Plant with something more environmentally friendly. Mr. Cole said he is in support of Earthjustice's appeal of TransAlta's Coal-Fired Power Plant Title V Permit to increase controls which will reduce the amount of carbon dioxide emissions. Mr. Raiter responded that SWCAA is a regulatory agency and enforces the current laws as they relate to TransAlta's Coal-Fired Power Plant. He said any modifications to those laws must begin with the state legislature.

Virginia Nugent, Clark County resident, said she strongly supports Earthjustice's appeal of TransAlta's Coal-Fired Power Plant Title V Permit. She said state laws require SWCAA to protect the health of the public and the quality of the environment. Ms. Nugent said coal is the dirtiest fuel and Washington's largest source of carbon dioxide emissions. She said carbon dioxide emissions are dangerous to the public's health as well as a large contributor to climate change. Ms. Nugent said if carbon dioxide emissions are not drastically reduced the effects will be devastating to mankind and the planet.

Marla Shirts, Yacolt, Washington, said she was concerned about the woodstove curtailment burn ban issued on December 10, 2009 when it was only 3 degrees Fahrenheit outside. She said there seems to be a lack of balance between realistic expectations for the public to burn and the reality of the situation. Ms. Shirts said she learned about the burn ban on the local news station and called SWCAA. She said she spoke with Randy Peltier, SWCAA Operations Manager, and that he explained things very thoroughly and professionally which she appreciated. Ms. Shirts said she is very concerned that agencies like SWCAA and EPA are never going to stop imposing limits which may or may not be needed. She asked for clarification where the monitor is located in Yacolt, Washington. Mr. Elliott responded the monitor is on the North end of the Yacolt school and collects data relating to wood smoke. Ms. Shirts expressed concern over the placement of the monitors because they are so few in number and this makes SWCAA's ability to accurately know what is going on with air pollution episodes questionable. She said she recognizes there are air pollution issues and appreciates the efforts SWCAA makes to ensure clean air for the public, however she feels there is not enough balance between rules and reality.

Consent Agenda

Mr. Jensen asked for approval of the Consent Agenda including the December 2009 timesheets for Executive Director Robert Elliott, voucher numbers 360 through 407, 409 through 411, 419 and 429, in the amount of \$13,006.71, which have been approved for payment by the Executive Director, voucher numbers 408, 412 through 418, in the amount of \$78,166.52, October and November Financial Report, October and November Monthly Activity Report, November 2009 salaries in the amount of \$89,799.89 and November 2009 benefits in the amount of \$32,094.20. Mr. Thompson moved, and Mr. Raiter seconded approval of the Consent Agenda. Motion passed.

Public Hearing

None.

Unfinished Business/New Business

None.

Control Officer Report

1.) Mr. Elliott reported EPA has announced today they are proposing to lower the ground level ozone standard. He said the current ozone standard is 75 parts per billion (ppb) which was put into place a few years ago after EPA review which reduced the standard from 80 ppb. Mr. Elliott said under the Federal Clean Air Act EPA must review all air quality health standards on a five year cycle to insure the public's health is being protected. He said the ozone standard could be lowered to a number between 60 ppb and 70 ppb. Mr. Elliott said this lower ozone standard is going to be difficult to meet for the Vancouver/Portland area because the area is currently at about 72 ppb.

2.) Mr. Elliott reported an update on the Earthjustice appeal of TransAlta's Coal-Fired Power Plant Title V Permit that is requesting the implementation of carbon dioxide (CO₂) and mercury (Hg) emission reductions. He said legal briefs outlining each party's perspective on the legal issues in this appeal were filed on November 24, 2009 and Motions for Summary Judgment were filed by all parties on December 14, 2009. Mr. Elliott said Earthjustice's lawsuit on the behalf of several environmental groups (i.e., Sierra Club, National Parks Conservation Association and Northwest Environmental Defense Center) requests that the TransAlta Title V permit be amended to include carbon dioxide emission limits (CO₂), mercury (Hg) emission limits and more stringent nitrogen oxide (NO_x) emission limits. He said the Pollution Control Hearings Board (PCHB) heard oral arguments on the legal issues raised in this appeal on January 6, 2010. Mr. Elliott said each side was given thirty minutes to present their legal issues which was followed by over one hour of questions from the panel of the Pollution Control Hearings Board (PCHB). He said there is no indication how the Pollution Control Hearings Board (PCHB) may rule on the legal issues. Mr. Elliott also said TransAlta has agreed to reimburse SWCAA for its attorney fees of this Title V renewal permit appeal. He said SWCAA and TransAlta have been named as joint Respondents in this appeal and SWCAA has hired the Seattle law firm of Marten Law Group to represent the agency during this appeal. Mr. Elliott said SWCAA's 2009/2010

Budget will require an amendment to accommodate the expenditures and reimbursement for the attorney fees.

3.) Mr. Elliott reported poor winter air quality notifications will be made to the Board of Directors. He said Department of Ecology's Wood Stove Burn Ban (Curtailment) Guidelines provide the statewide criteria for calling Stage 1 curtailments as occurred in Lewis County on December 11, 2009. Mr. Elliott said Ecology's guidelines state on page 2 that Stage 1 announcements are based on meteorological conditions. He said Stage 2 announcements, on the other hand, are based on both meteorological conditions and also monitored air quality data which demonstrates that air quality has already worsened to at least 70 percent or greater of the national air quality health standard (i.e., $25 \mu\text{g}/\text{m}^3$ or greater). Mr. Elliott said the Washington state legislature passed Senate Bill 6753 in 2008 to update the curtailment portion of RCW 70.94.473 of the Washington Clean Air Act. He said this legislative update addressed EPA's lowering of the Fine Particulate Matter ($\text{PM}_{2.5}$) national air quality health standard from $65 \mu\text{g}/\text{m}^3$ to $35 \mu\text{g}/\text{m}^3$. Mr. Elliott said Washington's statewide clean air agency efforts to prevent unhealthy air quality from occurring for its most vulnerable old and young citizens progressively moves through three possibilities: (1) only a Stage 1 curtailment announcement is needed to maintain healthy air; (2) a Stage 1 curtailment announcement is made but air quality continues to worsen and a Stage 2 curtailment is needed; or (3) air quality worsens so quickly toward the unhealthy condition that it is necessary to move straight to a Stage 2 announcement. He said Lewis County's conditions on December 11, 2009 did not exceed a Stage 1 announcement and the meteorological information relied upon for this Lewis County decision is included in Attachment Numbers 2 and 3. Mr. Elliott said Clark County, on the other hand, during the week of December 8, 2009 to December 14, 2009 experienced air quality continuously worsening where later in the week a Stage 1 curtailment was changed to a Stage 2 announcement. He said air stagnation (i.e., poor ventilation) was forecast for the Lewis County and Clark County region by the University of Washington Northwest Modeling Consortium for Thursday December 10, 2009 through Sunday December 13, 2009. He said the Oakville, Washington and Lacey, Washington monitoring data confirmed air quality was worsening leading up to the December 10, 2009 Lewis County Stage 1 curtailment announcement. Mr. Elliott said to obtain even closer monitoring data for curtailment announcements in Lewis County an agreement has been executed with the City of Chehalis for the installation and operation of a Fine Particulate Matter monitor (i.e., $\text{PM}_{2.5}$ nephelometer) to be placed on the roof of Chehalis City Hall. He said the equipment installation and electricity for this monitor was completed by the end of December 2009. Mr. Elliott said the Department of Ecology completed this installation by hooking up the telemetry system on December 29, 2009. He said installation of the Chehalis monitoring station was achieved by shifting one of two Vancouver monitors to Chehalis because funding and staffing does not exist for the installation and operation of a net gain in monitoring stations. He said Fine Particulate Matter (i.e., $\text{PM}_{2.5}$) monitors in SWCAA's jurisdiction are already located in Vancouver, Yacolt and Longview. Mr. Elliott said other Fine Particulate Matter monitors are located in Oakville, Lacey and Shelton.

Mr. Goodroe asked if the Department of Ecology's Wood Stove Burn Ban (Curtailment) Guidelines are voluntarily complied with or if there an enforcement mechanism. Mr. Elliott responded that each clean air agency decides if there will be penalties or a period of education before enforcement. He said SWCAA is using an educational approach for now but will review

each situation individually and pursue enforcement when appropriate. Mr. Raiter asked for clarification on a Stage II Burn Ban when a woodstove and/or fireplace is the only source of heat at a residence. Mr. Elliott responded that when the woodstove and/or fireplace is the only source of heat then the resident should continue to burn. He said the burn ban is called to eliminate unnecessary pollution. Mr. Schulte said there were some issues with the burn ban in Lewis County. He said those issues included: (1) there was no monitor in Lewis County at the time to provide real time data on air pollution levels, (2) he personally received no information from SWCAA about the burn ban, but instead learned of it through the Chronicle newspaper, and (3) Lewis County fire departments had no knowledge of the burn ban. Mr. Schulte said these factors made it impossible to acknowledge and/or enforce the burn ban. He said he received many phone calls from concerned citizens within Lewis County seeking clarification on the burn ban and how it applies to them. Mr. Schulte said he was glad to hear that his concerns are being addressed. He also said he received a call from Lewis County resident Janet Walch who was very concerned about a burn ban being called for residents trying to stay warm while the release of the burn ban allows other residents to burn their slash piles creating large amounts of smoke and pollution. He said he directed Ms. Walch to contact SWCAA for her issue with outdoor burning. Mr. Elliott responded that SWCAA did receive a call from Ms. Walch on November 11, 2009 and that SWCAA personnel went to the site in question. He said SWCAA staff made contact at the location of the organization who was performing the burning and reviewed all the rules for compliant burning including explaining to the company that only one pile could be burned at a time.

Mr. Shulte said he wanted SWCAA to proactively do three things to improve communication and education with Lewis County residents: (1) install a monitor in Lewis County to receive real time data on air pollution levels, (2) SWCAA's Lewis County board member must be notified of any burn bans being issued for Lewis County, and (3) a SWCAA representative needs to attend the Lewis County Fire Chief Meetings to educate them on the woodstove curtailment burn ban policy and how SWCAA can work with them as a partner in Lewis County on this issue. Mr. Elliott responded that a monitor has been installed at Chehalis City Hall to monitor fine particulate matter (PM_{2.5}) and provide real time data for Lewis County and that the monitor is operational as of December 29, 2009. Mr. Elliott responded that SWCAA has now added all the board members to the burn ban notification e-mail lists for their respective counties and additionally SWCAA staff will provide a courtesy call to each board member. Mr. Elliott said a member of SWCAA staff will work with the Lewis County Fire Chief's to provide education and improve communication on the woodstove curtailment burn ban policy. Mr. Schulte also recommended SWCAA work with the Lewis County Health Department to educate them about the woodstove curtailment policy and other air pollution issues.

Mrs. Duncan-Cole commented that industry has changed so much over the past decades that they are no longer the main contributors to air pollution and/or public health issues. She said educating the public about how they are impacting air pollution will be the next giant step for them to accept. Mr. Jensen agreed there has to be a massive education campaign to the public to assist with reducing air pollution. Mr. Elliott responded that SWCAA will continue its education campaign both with new situations and correcting misinformation in the media.

Mr. Brady requested that all press releases, burn ban related or not, made by SWCAA be sent to him and all other the board members who want them in advance. Mr. Elliott responded that he would implement this request into SWCAA's procedures.

4.) Mr. Elliott reported the California Air Resources Board (CARB) has adopted a regulation to implement a Low Carbon Fuel standard that will reduce greenhouse gas emissions from transportation fuels in the state by 10 percent by 2020. He said the new rule will take effect in 2011 and seeks to diversify the types of transportation fuels used. Mr. Elliott said according to CARB, more than 1.5 billion gallons of biofuels will be needed to implement the rule. He said this need will necessitate the construction of more than 25 new biofuels facilities and, thus, creating more than 3,000 new jobs, primarily in rural areas of California. Mr. Elliott said greenhouse gas emissions from the transportation sector account for 40 percent of California's greenhouse gas emissions. He said the Low Carbon Fuel standard is expected to achieve 16 million metric tons of greenhouse gas emission reductions by 2020.

5.) Mr. Elliott reported EPA issued a final small nonroad engine rule. He said five years after states were barred by Congress from regulating emissions from small nonroad spark-ignition (gasoline powered) engines under 50 horsepower, the EPA Administrator signed a final rule setting emission standards and fuel evaporative emission standards for small engines under 25 horsepower, as well as marine engines. Mr. Elliott said affected engines include: (1) gasoline powered nonroad engines below 25 hp when used in household and commercial applications, such as lawn and garden equipment, generators, utility vehicles, airport service equipment; and (2) gasoline powered marine engines and vessels, such as outboard engines, stern drive/inboard engines and personal watercraft. He said according to EPA, by 2030, the new standards will reduce annual volatile organic hydrocarbon emissions by 600,000 tons, nitrogen oxide emissions by 130,000 tons and fine particulate matter emissions by 5,500 tons by 2030 and annual carbon monoxide emission reductions of 1.5 million tons. Mr. Elliott said in 2003, Senator Christopher Bond (R-MO) was instrumental in enacting a legislative amendment that prohibited states except California from adopting emission standards from nonroad engines under 50 hp, citing potential fire threats from catalytic converters on lawnmowers. He said EPA subsequently conducted a study and found these engines to be safe when catalytic converters are used on the exhaust emissions.

6.) Mr. Elliott reported Google Earth has launched the Vulcan project, a new high-resolution, interactive map of U.S. carbon dioxide emissions from fossil fuels that allows the public to view air pollution from factories, power plants, roadways and residential and commercial areas. He said the United States accounts for 25 percent of global carbon dioxide emissions. Mr. Elliott said the Vulcan layer on Google Earth shows carbon dioxide emissions in metric tons at the state, county or per capita level and breaks down emissions by the different sectors responsible for the emissions, including aircraft, commercial, electricity production, industrial, residential and transport. Mr. Elliott said the Vulcan project data is intended to complement NASA's Orbiting Carbon Observatory, a satellite that quantifies levels of atmospheric carbon dioxide.

7.) Mr. Elliott reported from time-to-time SWCAA needs to surplus equipment that is either old, obsolete or has failed. He said two of the agency's Prius vehicles have reached over 70,000 miles and will be surplus through the state auction so that the agency can insure that it

maintains a fleet that is uniformly in good condition. Mr. Elliott said the agency's telephone system is also experiencing occasional random failures in which the system has to be reset indicating that this critical existing telephone system should be replaced and surplus.

Board Policy Discussion Issues

None.

Issues for Next Meeting

A. Public Hearing.

1. None.

B. New Business/Unfinished Business.

1. Election of Chair and Vice Chair for Calendar Year 2010.

C. Control Officer Report.

1. As Necessary.

D. Board Policy Discussion Issues.

1. As Necessary.

E. Meeting Date and Location

1. February 4, 2010 at 3:00 p.m., Southwest Clean Air Agency, 11815 NE 99th Street, Vancouver, Washington.

The next Board of Directors meeting will be held on February 4, 2010 at 3:00 p.m., Southwest Clean Air Agency, Vancouver, Washington.

Board Meeting Attendance:

JURISDICTION	J 2010	F 2009	M 2009	A 2009	M 2009	J 2009	J 2009	A 2009	S 2009	O 2009	N 2009	D 2009
Clark County	0	+	+	+	+	+	C	+	+	0	+	C
Cowlitz County	+	0	0	0	+	+	C	+	+	+	+	C
Lewis County	+	+	+	+	0	+	C	+	+	+	0	C
Skamania County	+	0	+	+	0	+	C	+	+	+	+	C
Wahkiakum County	+	0	+	+	0	+	C	+	+	+	+	C
Cathlamet	+	+	+	+	+	0	C	+	+	0	+	C
Centralia	+	+	+	+	+	+	C	+	0	+	+	C
Longview	+	+	+	+	+	+	C	+	+	+	0	C
Stevenson	+	0	+	0	+	+	C	+	+	+	+	C
Vancouver	0	+	+	+	+	+	C	0	+	+	0	C
Member-At-Large	+	+	+	+	+	+	C	+	+	+	+	C

+ = regular member present; 0 = unrepresented; A = alternate present; C = cancelled meeting

Mr. Jensen adjourned the meeting without objection 4:12 p.m.

Chair

Executive Director