

Southwest Clean Air Agency

Board of Directors Minutes

June 3, 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 June 3, 2010.

Those present were: Don Jensen, Chair, City of Longview
Axel Swanson, Vice Chair, Cowlitz County
Pat Campbell, Director, City of Vancouver
Blair Brady, Director, Wahkiakum County
Milton Cox, Director, Member at Large
Kelly Sills, Director, Clark County
Mary Ann Duncan-Cole, Director, City of Stevenson
Jamie Tolfree, Director, Skamania County

Excused: Bill Schulte, Director, Lewis County
David Goodroe, Director, City of Cathlamet
Dan Henderson, Director, City of Centralia

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

Guests: Stan Rauh, Department of Ecology

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 May 6, 2010 minutes. Mr. Cox moved and Mr. Campbell seconded that the minutes for the May 6, 2010 Board meeting be approved. Motion passed.

Changes to Agenda

None.

Public Comment

None.

Consent Agenda

Mr. Jensen asked for approval of the Consent Agenda including the May 2010 timesheets for Executive Director Robert Elliott, voucher numbers 663 through 719, 721 through 723 and 725, in the amount of \$21,310.90, which have been approved for payment by the Executive Director, voucher numbers 720 and 724, in the amount of \$7,983.83 and April 2010 Financial Reports, April 2010 Monthly Activity Report, April 2010 Salaries in the amount of \$90,423.21 and April 2010 Benefits in the amount of \$31,858.66. Mr. Brady moved, and Mr. Cox seconded approval of the Consent Agenda. Motion passed.

Public Hearing

None.

Unfinished Business/New Business

Mr. Jensen opened discussion on the cancellation of the July 1, 2010 Board of Directors meeting and recognized Mr. Elliott. Mr. Elliott explained the 4th of July occurs near the regularly scheduled July Board of Directors meeting. He said the Washington Clean Air Act requires that SWCAA's Board of Directors meet at least 10 times per year. Mr. Elliott said six meetings have been held through the June Board meeting. He said vouchers needing payment in July will be hand delivered for the necessary Board signatures. Mr. Jensen asked for a motion. Mr. Cox moved to approve cancellation of the July 1, 2010 Board of Directors meeting. Mr. Sills seconded the motion. The motion passed unanimously.

Control Officer Report

1.) Mr. Elliott reported an update on the Gorge Air Quality Strategy report. He said Oregon DEQ has announced that it intends to deny PGE's Boardman Petition requesting that it be allowed to operate until 2020 without complying with DEQ rules that require installation of significant emission controls and then shut down operations in 2020. Mr. Elliott said EPA's Regional Haze rules specify that in PGE Boardman's case Best Available Retrofit Technology (BART) emission controls need to be installed by 2015 (i.e., within 5 years of EPA approval of DEQ's Regional Haze state implementation plan which is forecast to occur in summer 2010). He said by denying PGE's petition, Oregon DEQ gives itself the opportunity to use a starting basis for amending its PGE Boardman BART rule with something other than only PGE's Petition. Mr. Elliott said PGE Boardman is currently required to spend approximately \$479 million on emission controls by 2018. He said DEQ staff will be announcing later this summer its proposed response. Mr. Elliott said the Environmental Quality Commission's (EQC) final decision on a possible amendment of the current DEQ BART rule might occur in December 2010.

2.) Mr. Elliott reported the Sierra Club has filed an appeal in Thurston County Superior Court against SWCAA and the Title V renewal permit issued to TransAlta. He said the Sierra Club has filed an appeal of the Pollution Control Hearings Board (PCHB) April 2010 ruling that supported SWCAA's decisions on the TransAlta renewal Title V Operating Permit. Mr. Elliott said the

Sierra Club alleges in its Petition for Review with the Thurston County Superior Court that the "PCHB's Order Granting Summary Judgment to SWCAA is an erroneous interpretation and application of the law." He said the filing concludes that the "PCHB's incorrect legal conclusions are contrary to the purpose and requirements of the Clean Air Act and the Title V Air Operating Permit program, as well as established federal, state and regulatory precedent." Mr. Elliott said the Sierra Club is asking the court for a remand to the PCHB with an order to vacate its Order Granting Summary Judgment for SWCAA and also to remand the Title V Permit back to the SWCAA with instructions for SWCAA to establish permit terms, including emissions limits for carbon dioxide and mercury, particular control technologies, or operating standards, if necessary, that assure compliance with all applicable requirements, including the general emissions standard's prohibition on detrimental emissions and need to meet reasonably available control technology (RACT) requirements. He said SWCAA's Fiscal Year 2010/2011 budget will need to be amended in August 2010 to reflect the Thurston County Superior Court appeal pass through expenses to TransAlta.

3.) Mr. Elliott reported global warming is the greatest threat to our national parks according to a report prepared by two environmental groups. He said the report cites the 25 national parks with the greatest vulnerability to global warming. Mr. Elliott said they include: Mount Rainier National Park, Yellowstone National Park, Yosemite National Park, Glacier National Park, Joshua National Park, Everglades National Park and Great Smoky Mountains National Park. He said the threats these and other national parks face include loss of ice and snow, loss of water, higher seas and stronger coastal storms, more downpours and flooding, loss of plant communities and wildlife, loss of fishing and increased air pollution.

4.) Mr. Elliott reported the National Association of Clean Air Agencies (NACAA) has submitted comments on EPA's proposed changes to the renewable fuel standard (RFS) stating that the use of renewable fuels for the purposes of energy security and greenhouse gas emissions have been made without sufficient study of the impacts on air quality. He said EPA data shows that the combined upstream and downstream emissions from the 36 billion gallons a year renewable fuels standard adopted by the Energy Independence and Security Act of 2007 will result in significant increases in criteria air pollutants and toxic air pollutants. Mr. Elliott said NACAA urges that this impact be mitigated in the rule and that NACAA is also concerned the full lifecycle emissions of the renewable fuels standard be considered, including direct and indirect emissions, such as land use changes. He said the association notes that biofuels induced land use changes can result in large greenhouse gas emissions in the near term with respect to renewable fuels (e.g., corn ethanol, sugarcane ethanol and soy-based biofuels) and that it takes a significant amount of time for these emissions impacts to be negated by replacing petroleum with biofuels.

5.) Mr. Elliott reported that EPA has released a report on SO₂ emission reductions obtained from power plants under an acid rain program. He said according to EPA, emissions of sulfur dioxide (SO₂) from power plants in the United States in 2008 were already below the 2010 statutory annual emission cap of 8.95 million tons. Mr. Elliott said the 1990 Federal Clean Air Act established a nationwide cap on sulfur dioxide (SO₂) emissions from power plants for 2010 and beyond. He said emissions of sulfur dioxide nationwide from power plants dropped to 7.6 million tons in 2008. Mr. Elliott said this emissions level is 52 percent of the sulfur dioxide emissions from power plants emitted in 1990.

Board Policy Discussion Issues

None.

Issues for Next Meeting

A. Public Hearing.

1. None.

B. New Business/Unfinished Business.

1. As Necessary

C. Control Officer Report.

1. As Necessary.

D. Board Policy Discussion Issues.

1. As Necessary.

E. Meeting Date and Location

1. August 5, 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 August 5, 2010 at 3:00 p.m., Southwest Clean Air Agency, Vancouver, Washington.

Board Meeting Attendance:

JURISDICTION	J 2010	F 2010	M 2010	A 2010	M 2010	J 2010	J 2010	A 2009	S 2009	O 2009	N 2009	D 2009
Clark County	0	0	+	0	+	+	C	+	+	0	+	C
Cowlitz County	+	+	+	0	+	A	C	+	+	+	+	C
Lewis County	+	+	+	+	+	0	C	+	+	+	0	C
Skamania County	+	+	+	0	+	+	C	+	+	+	+	C
Wahkiakum County	+	+	+	+	+	+	C	+	+	+	+	C
Cathlamet	+	+	0	+	+	0	C	+	+	0	+	C
Centralia	+	+	A	+	+	0	C	+	0	+	+	C
Longview	+	+	+	+	+	+	C	+	+	+	0	C
Stevenson	+	+	+	0	+	+	C	+	+	+	+	C
Vancouver	0	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 3:25 p.m.

Chair

Executive Director