



BOARD MEETING MINUTES

January 5, 2006 9:00 a.m.
SPOKANE COUNTY PUBLIC WORKS BUILDING
LOWER LEVEL HEARING ROOM

PRESENT WERE:

Matthew Pederson
Michele Pope
Commissioner Harris
Commissioner Mielke

STAFF:

Ron Edgar, Interim Director
Barbara Nelson, Finance & Personnel Admin.
Mary McDermott, Secretary II

WORK SESSION: The work session of the board meeting was called to order at 9:04 a.m.

EPA Proposed PM Standards

Ron Edgar gave an overview of the EPA's proposal to revise the National Ambient Air Quality Standards (NAAQS) for particle pollution as of December 20th, 2005. The revisions would strengthen a fine particle standard important for both health and visibility, and would improve and refocus the coarse particle standards on those particles that are associated with public health concerns. It addresses two categories of particle pollution: 1) fine particles (PM_{2.5}), which are 2.5 micrometers in diameter and smaller, and 2) inhalable coarse particles (PM_{10-2.5}), which are smaller than 10 micrometers in diameter but larger than PM_{2.5}. Particulate matter is a complex mixture of extremely small particles and liquid droplets. Fine particles is the stuff you get from the combustion of gases (i.e., sulfates, nitrates carbon, etc. which come from the burning of coal, oil, natural gas, diesel, etc.). Inhalable coarse particles come from crushing, grinding and blowing dust. Smoke and dust is the general way of describing these pollutants.

Larger particles deposit in the upper respiratory tract and the smaller, inhalable particles penetrate deep into the lungs. Many scientific studies have linked breathing particle pollution to a series of significant health problems including asthma, coughing and difficult or painful breathing, chronic bronchitis, decreased lung function and premature death in people with heart and lung disease.

The Clean Air Act requires EPA to set two types of NAAQS for 'criteria' pollutants. Primary standards protect public health with an adequate margin of safety and secondary standards to protect public welfare and the environment (visibility, wildlife, crops, vegetation, national monuments and buildings). EPA has set NAAQS for six common air pollutants: particulate matter, ground level ozone (smog), carbon monoxide, lead, nitrogen dioxide and

sulfur dioxide. The law requires EPA to review the scientific information and the standards for each pollutant every five years. The law also requires EPA obtain advice from the Clean Air Scientific Advisory Committee (CASAC) on each review. The EPA will give its final decision on standards by September 27, 2006. EPA's current standards are PM_{2.5} set at 15 µg/m³ for the year with the 24-hour standard set at 65 µg/m³ and the PM₁₀ (between 2.5 and 10 µm) set at 50 µg/m³ for the annual average and 150 µg/m³ for the 24-hour average.

What the EPA is proposing for the PM_{2.5} primary 24-hour standard is to take the 65 to 35 µg/m³. They are also considering alternative levels for the 24-hour standard, between the range of 35 and 30 µg/m³. In addition, the Agency will take comment on alternative approaches for selecting the level of the standard and on levels as high as the current level of 65 µg/m³ and as low as 25 µg/m³. The PM_{2.5} primary annual standard will retain the current annual standard at 15µg/m³. The proposal would set the PM_{2.5} secondary standards for both the annual and 24-hour standards at levels identical to the primary standards. EPA is also taking comment on whether to set a separate PM_{2.5} standard designed to address visibility in urban areas.

EPA's current standards for coarse particles (PM₁₀) were set in 1987. The proposed revisions would change the definition of standard so that it covers only particles between 10 and 2.5 micrometers in diameter also known as PM_{10-2.5} and "inhalable coarse particles." PM_{10-2.5} would focus on coarse particles that come from sources like high-density traffic on paved roads, industrial sources and construction activities typically found in urban areas. The proposed standard would not cover situations where most coarse particles in the air come from sources like windblown dust and soils, agricultural and mining sources found in rural areas.

The proposed new PM_{10-2.5} standard would be a 24-hour standard at 70 µg/m³. EPA is proposing to revoke the current 24-hour PM₁₀ standards except in areas that have both violating monitors and a population of 100,000 or more. The Agency is proposing to immediately revoke the current annual PM₁₀ standards in all areas.

For Spokane, this means that there will need to be a closer watch and tighter controls on street sanding and sweeping, lower wood stove curtailment trigger, possibly more wood stove bans, we will need to look at additional street and parking lot paving and there will be more requests of natural event exceptions. This will have an impact on those county roads that are in the Metropolitan Statistical Area (MSA) but not in more rural areas.

BOARD MEETING: The board meeting was called to order at 9:29 a.m.

ACTION ITEMS:

Minutes of the December 1, 2005 Board Meeting

Michele Pope moved to approve the December 1, 2005, board meeting minutes and Commissioner Mielke seconded it. Motion passed unanimously.

Public Information/Education Update – Activity Report for November

The decision was made to forgo these two items do to time constraints.

Voucher Approval for November \$160,905.24 & December \$125,185.54

Michele Pope moved to approve the November and December, 2005, vouchers and Commissioner Harris seconded it. Motion passed unanimously.

Income/Expense Statement for November 2005 – Ron Edgar and Barbara Nelson

There were no questions from the Board on the statement.

Presentation of FY-05 Annual Financial Report – Ron Edgar and Barbara Nelson (mailed under separate cover)

There were no questions from the Board on the financial report.

Resolution 06-01 – Approval to Fund VERP Using Air Pollution Control Account Funds – Ron Edgar and Ken Gamble of the Department of Ecology

Ron Edgar gave an overview of the breakdown on the repairs that have been done. The people involved in the VERP program are: SCAPCA for program funding, data analysis and partnership agreement maintenance; SNAP for program administration, client screening and record keeping; DOE for technical oversight, repair authorization and complaint investigation; and VERP Authorized Emission Repair Facilities that perform the vehicle emission repairs.

A total of 674 client vehicles were processed, 606 vehicles were repaired, 68 vehicles were deemed non-repairable, 555 of the vehicles passed the emission test after repairs and 51 vehicles did not pass the emission test but were waived and showed significant improvement. There are five different categories for emission repair and they are: engine mechanical, computer and sensors, environmental systems, fuel systems and tune-up and maintenance.

The past three years have shown the VERP to be an effective way to assist the low income community to meet their emission test requirements and help assure cleaner air for us all. The successful emission repair of the low income vehicles effectively improves air quality by cleaning up some of the worst polluting vehicles in the region.

Ron Edgar added that there is one change he would like to make in the Memorandum of Understanding. Item number 10 under Laws Governing, with discussion with SCAPCA's legal counsel and the Department of Ecology, they are deleting the last line (In the event of litigation arising out of or related to this agreement . . .), if this is agreeable to the Board. Michele Pope stated that she is opposed to this because SCAPCA has worked hard with businesses, the public and STA to get people out of their cars and onto the buses. It makes no sense at all and it is an inappropriate use of tax payer's money to fix individuals cars they can't afford to. The money could be better used to retro fit buses and other items that would benefit the public. Commissioner Mielke agrees with Michele's point of trying to get people to use other modes of transportation, but he believes that they need to try to improve the services of STA so that it is more accommodating to the public. Commissioner Harris stated that the STA system does not go to most of the places that people need or want to go to, but they are working on it. He further stated that clean air and clean water are two

very important items for the City and County and reducing emissions in 606 out of 674 cars is a big reduction of emissions. He would like to see this program monitored more closely.

Ken Gamble added that the effectiveness of the program is great. The mechanical breakdown is a small portion and the computer breakdown is much bigger because older vehicles only ran for 100,000 miles and new vehicles run over 100,000 miles. STA is great but it is a limited system and can't service well enough. Michele Pope asked about using the money to clean the streets. Commissioner Harris replied that the County has increased street maintenance.

Commissioner Mielke moved to approve Resolution 06-01 and Commissioner Harris seconded it. Motion passed with Commissioners Mielke, Commissioner Harris and Matthew Pederson in favor and Michele Pope being opposed.

Resolution 06-02 – Reappointment of Advisory Council Members

Ron Edgar stated that two Advisory Council Members terms are expiring, Peter Williams the public health representative and John Livingston the meteorology position, and they have agreed to serve for another term.

Michele Pope moved to approve Resolution 06-02 and Commissioner Mielke seconded it. Motion passed unanimously.

Resolution 06-03 – Board of Directors Meeting Public Forum Policy

Michele Pope asked if it is appropriate to have the public comments or public forum at the beginning or end of the meeting. Commissioner Mielke stated that if someone is here to speak on agenda items, they should wait until staff has given there overview and then come up and speak on that item for a limit of three minutes. The Public Forum part of the meeting is for questions not associated or dealing with agenda items and should have a limit of three minutes. Commissioner Harris stated that we need to have a policy for SCAPCA letting the public know that the Board of SCAPCA is available to the public and they can speak or ask questions during the public forum. It should have a time limit of three minutes per person, unless otherwise authorized. Commissioner Mielke added that SCAPCA could create something that people who want to speak on an agenda item or during public forum could fill out and state what agenda item they want to speak on or what there comment is regarding for speaking during the public forum. The Chair of the Board can call on that individual after the staff presentation on that agenda item or to speak during public forum. Once an agenda item is closed, it may not be brought back up during the public forum. Commissioner Harris would like to have the one-hour portion of Attachment A deleted and just have the three minute per person limit. Matthew Pederson added that it should be printed on the agenda after each item for public comment. Commissioner Mielke asked to include under public forum, the details or description of the public forum and the three minute time limit per person. Karen Lindholdt stated that they should allow for public comment after each Resolution.

Commissioner Mielke moved to approve Resolution 06-03 with the deletion of the one-hour limit in the document and Commissioner Harris seconded it. Motion passed unanimously.

Report on the Executive Director Search Committee – Matthew Pederson

a. Approval of Executive Director Job Description

Matthew Pederson gave an overview of the job description for the executive director of SCAPCA with a couple of minor changes and the language that will be used in the advertising of this position. The salary will start at \$70,000 annually depending on qualifications. It will be advertised on many web sites and in four major newspapers and applications will be accepted from January 15, 2006 to February 28, 2006. The next meeting for the Search Committee will be January 9, 2006 at 2:00 p.m. Ron Edgar asked if he should wait until after the January 9th meeting before he starts any action on this item and Matthew replied yes.

Commissioner Mielke moved for approval of the job description for the director's position and Michele Pope seconded it. Motion passed unanimously.

Board Concerns:

a. Selection of Board Chair and Vice Chair for 2006

Karen Lindholdt would like to comment on the issue of the EPA standards and what she believes the SCAPCA Board should do. She also stated that the City should be able to appoint the person that will sit on the Board and that the Board should table the appointment of the Chair and Vice Chair of the SCAPCA Board until the City has appointed its representative to be seated on the Board so that they have a say in who is appointed. Commissioner Harris asked how this appointment for the city representative works. Matthew Pederson replied that the 13 Mayors in the county can make an appointment. Karen added that it does not have to be an elected official. Commissioner Harris wants to go over the law regarding the appointment for the City Representative and asked to hold this item over until the February 2, SCAPCA Board Meeting. Matthew Pederson noted that the appointment of the Chair and Vice Chair would be tabled until the appointment of the new City Representative.

Commissioner Mielke asked to have the SCAPCA Board Meetings start time moved to 9:30 a.m. to accommodate the Boards schedules. This was noted by Ron Edgar to handle the changes for the board meeting start time.

END OF ACTION ITEMS

Public Forum

Karen Lindholdt stated that she thinks that the representative from the City is an important component on the SCAPCA Board and she asked that they table this decision until the City Representative has been appointed. Commissioner Harris added that normally the new representative wouldn't be Chair. Karen stated that this new person might want to have a vote, nothing against Mr. Pederson, but she thinks it's important considering it's a five person Board and only four are sitting on it now. Considering that the population of the Spokane City is like 90% of the County, the input this person has plays an important role in the SCAPCA Board and

therefore it seems to her this person should have a say in who is the Chair and Vice Chair as we have learned, the Chair and Vice Chair play important roles on this Board.

Karen Lindholdt also stated that what she didn't hear is that she thinks it would be very important to allow for public comment after each resolution. She agrees with Mr. Mielke, that there are certain resolutions, administrative that really aren't appropriate for the public to be involved in. Her only concern is if there is some type of document outside that we check when we come into this meeting, we are interested based on what we know, on what we read on the internet and have talked to folks of the SCAPCA Board.

Karen Lindholdt went on to say that it just seemed to her that as a citizen, she struggles to see who here represents her interests as a citizen of Spokane. Mr. Pederson is the Deputy Mayor of Airway Heights, we have two County Commissioners who represent the County and do it very well and we have Ms. Pope who is an at large member, but I want someone who understands air quality and impacts on the City of Spokane, there are a lot of us living here in this urban area. That's what I am stating to Mayor Hession and I appreciate your support Commissioner Harris to Mayor Hession and his appointment with us. Commissioner Harris stated that somewhere in the law it says that the largest city in the county has a representative. Now if the largest city in the County is still the City of Spokane, he doesn't know how it got interpreted or how the WAC got miswrote, but he knows there is a legal law and a tenant law and the tenant law is the largest city in the county have a representative on this Board. The other part of the law that which gets convoluted says that the Commissioner will be on it or their representative, so he could technically appoint anybody he wants to be his representative. Karen Lindholdt added that she doesn't believe the intent of the law is that it has to be an elected official and it seems to her that it would behoove the City as it would the Board in the future if you purposed to appoint somebody who has a background in air quality to take on the role of the city. Matthew Pederson stated that he doesn't think that it would make a difference and the Board wouldn't loose anything if they do table the election of the Chair and Vice Chair as the last agenda item this month to the first agenda item of next month when that person is in the seat and has the opportunity to take part in the process. Karen asked Matthew Pederson if he would support the City of Spokane's appointment of a member. Matthew Pederson replied that it is his intention, as the newly elected Mayor of the City of Airway Heights, to support the City of Spokane's nomination to that position.

Karen Lindholdt addressed the EPA proposed PM Standards. Given what happened with the SCAPCA Board and the issues that arose regarding SCAPCA's support for the California Emissions Standards, she wanted to address what she would submit the SCAPCA Board do to support the new EPA PM Standards. She is asking that, and is happy to address this with Mr. Edgar, but she wanted to throw this out to the Board. Mr. Edgar did a very nice job of summarizing these issues, but this is of huge national health importance because these 24-hour standards which the EPA has reviewed hundreds if not thousands of studies to look at the health impact of being exposed to PM_{2.5} on a 24-hour basis and the standard was at 65. EPA has many scientist reviews and studies which determined that the level should be lowered to 35 micrograms per cubic meter of PM_{2.5} in a 24-hour level. She has clients who believe that level is still too high and will be commenting that the level needs to come down. She would submit that as a minimum, SCAPCA should essentially support this reduction in the 24-hour standard because of the impact it is going to have on the Boards citizens. She would come in and do a

public health presentation and work with Dr. Thorburn or come in and do some type of summary for the Board on what the health impact of reducing the standard would do. It is a very important issue and it is going to impact all of us and she thinks it is something that SCAPCA should weigh in on and she knows that Board would very much like to take a more formal approach to these things and that was part of the problem that occurred with the adoption of the California Clean Air Standards and Oregon did drop their standards which means that Washington will follow. The health aspect of everything we do is very critical and she can see by default, this is going to be her role to hopefully in a pleasant way reminding the Board of public health and the impacts of what the Board does and she hopes it's pleasant and she hopes for a good relationship with the Board, but she does think that this is something that all of SCAPCA should weigh in on because it will impact many folks. Maybe Mr. Edgar had in mind to do that anyway, but she wanted to get this out in the open because of the discomfort that was caused with the California Emission Standards.

Commissioner Mielke commented that today we have the EPA proposed standards on the agenda but it is under the work session, which she took advantage of the public forum, but the fact that it was advertised as a work session item, typically it is not an opportunity for the public to come in and provide input on this issue. The only thing he would like to say is before SCAPCA takes an official position, that it actually has a public hearing and allow comments to be taken. This is his perspective with regard to the California emission issue; we didn't have a process in place that allowed public input to help us shape our position. Karen Lindholdt agreed that she would suggest public hearings being listed as an action item, knowing that it will take a while for the staff to draft this letter.

The meeting adjourned at 10:39 a.m.

The next Board Meeting will be February 2, 2006 at 9:30 a.m. in the lower level of the Public Works Building.

MATTHEW PEDERSON, CHAIR

RON EDGAR, SECRETARY