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## SPOKANE REGIONAL CLEAN AIR AGENCY BOARD MEETING MINUTES

**October 7, 2010**                      **9:30 a.m.**  
**Spokane Clean Air's Conference Room**  
**at 3104 E. Augusta Ave.**

### **BOARD MEMBERS PRESENT:**

Mayor Edward Crockett  
Councilmember Rose Dempsey (Chair)  
Commissioner Bonnie Mager (V-Chair)

### **STAFF MEMBERS PRESENT:**

Ron Edgar, Chief of Technical Services  
Matt Holmquist, Compliance Administrator  
Lisa Woodard, Public Info. Officer  
Derek Aubrey, Air Quality Specialist  
Michelle Wolkey, Legal Council  
Mary McDermott, Secretary

**WORK SESSION:** No Items Scheduled

**BOARD MEETING:** The board meeting was called to order at 9:32 a.m.

### **1. Advisory Council Report – Peter Williams**

I am not here representing an outside entity, but I do work as an Associate Dean of Student Services of Spokane Community College and I'm also an adjunct faculty with Gonzaga University Department of Political Science. But I'm here as the Vice Chair for the Advisory Council. Just a very brief update concerning our last meeting; we had a presentation concerning public education and outreach partnership with Margee Chambers and Lisa Woodard. I think you are probably quite familiar with the work that they do but the Advisory Council's opinion is that the Clean Air Agency's involved in very valuable public education and outreach which certainly serves the mission of our Agency very well. We continue to be very impressed with the work that they do. One specifically example that ties in with my own work is their annual Spokane Youth Environmental Conference and it's designed for grades seven through twelve and it occurs at the Spokane Community College Lair Student Center and it is coming up on May 24<sup>th</sup>. It is always a very exciting event with lots of students involved in a number of activities. We also had a presentation with Margee Chambers concerning pollution prevention consults. Again, as you probably know, the Agency provides free pollution prevention consultations which are designed to help businesses meet and exceed air quality regulations.

Again, the Advisory Council thinks that's valuable work and we were very impressed with the presentation.

## **2. Director's Report for September – Ron Edgar**

We are continuing to work on the indirect source rule that would affect transportation centers where a lot of diesel and other transportation sources could possibly make pollutants that would cause health impacts. The South Coast Air Quality Management District (SCAQMD) lost a court case recently regarding their rules for rail yards to reduce idling and submit emissions data to them. Spokane Clean Air is going to look at that to make sure it doesn't make the same mistakes SCAQMD made as far as the rule that Spokane Clean Air is trying to put together. We are looking at contacting EPA to see what the rule would have to look like to be put into the State Implementation Plan (SIP). If a rule gets into the SIP, it is also federally enforceable and that would put more weight behind any rule that Spokane Clean Air adopts. There is a long way to go on that rule and we are trying to get a list of stake holders so that we can have some workshops to discuss this plan. Bill attended the West Coast Collaborative meeting to discuss and learn about emission reduction programs and funding for diesel engines, including locomotives. Also the notice for the fire protection discipline representative for the Advisory Council is on our website, but we have not had any response at this time. There was a little discussion between the Board and Staff on the vacant advisory position.

## **3. Public Information/Education Update for September 2010 – Lisa Woodard**

Lisa gave an overview of the September activities. We were at the following events: The fair with 10 or 12 other agencies at the "Go Green" booth, Valleyfest, Group Health Northwest Bike Races, Audubon School and Deer Park's School District event at the Clayton Fair grounds (agricultural/environmental) with about 300 kindergarten through second graders. The compliance assistance program consisted of the fall CAP newsletter, web articles on the web site and posted articles on the Car Care Fair at SCC and the chipping events. Special projects consisted of the state wide wood smoke campaign; we are the administrator of that project for the DOE and the contractor held a focus group over on the west side of the state to test the messages and creativity to see what the people in the focus group had to say. Our wood smoke campaign will focus on the issue of seasoned wood for cleaner burning and the second message will be to pay attention to the burn bans. The chipping event was very productive from Fire Districts 8 and 9, but Fire District 10 was pretty slow. ABCO donates the containers and we had 195 cubic yards of material collected. The additional sites for this chipping event were possible because DNR provided \$800 per site. I will be reporting the results of the chipping event to a group that meets next week called the Community Wildfire Prevention Program. We have the "Burn it Smart, Burn it Safe" seminars on Saturdays, starting October 23 to November 13. Media events consisted of KHQ coming to the smoke school event our inspectors have to certify at every year and on the chipping event. A reporter contacted Lisa and Ron and wanted to know about any enforcement/complaint activity around the Second Avenue road construction and what the agency does. We contacted SNAP on their wood distribution program and they will hand out a wood heating packet with each load. There was some discussion between the Board and Lisa.

**4. Compliance Activity for August 2010 – Matt Holmquist  
Permitting and Air Monitoring Activity for August 2010 – Ron Edgar**

Matt gave an overview of the August inspections (registered facilities, asbestos, outdoor burning, wood stove, dust and odor). There was a meeting at Fire District 9 to discuss their interest in administering a residential burning program. Most of the fire districts were represented at that meeting. They are exploring the possibility of administering an eight day burn season as early as the spring of 2011. They don't want to do a written permit program which is what Fire Districts 2, 5, 11 and 12 administer. We would assist with public education with the fire districts. The Fire Districts did express interest in reducing the no-burn area to be a little more than the urban growth area (UGA). The fire districts would respond to complaints on the eight burn days that they administer the program; they would be the primary responder. Then they would make referrals to Spokane Clean Air if they wanted some enforcement taken. At a future board meeting we will come back with a draft delegation agreement for the Board to look at. There was some discussion between Matt and the Board.

Ron gave an overview of the permitting and air monitoring activity. The two engineers that were on 80% are now full-time again. The permits are now on the web page. Air quality has been pretty good for the month except for some moderate days in the beginning with PM<sub>2.5</sub> and PM<sub>10</sub>. Ozone for August has not been a problem. What happens with ozone is that it takes time and sunshine, so the higher numbers tend to be down wind. Ozone is called a secondary air pollutant; it is formed when nitrogen oxide compounds and hydrocarbons react in the sunlight in the air and so it takes time. There were a couple unhealthy days from the dust storms. There was some discussion between the Board, Ron and Matt on the Waste-To-Energy Plant AOP violation.

**5. Treasurer's Report for September 2010 – Ron Edgar**

Ron gave a quick overview of the report. The State Auditor is supposed to be at Spokane Clean Air's office Wednesday to do its audit. There were no questions from the Board.

**6. CONSENT AGENDA – ACTION ITEM** – Approval of the September 2, 2010 Board Minutes. Approval of Vouchers for September 2010 – Numbered 5104 through 5173 totaling \$43,778.89 and September Payroll of \$126,446.39 for a Grand Total of \$170,225.28.

Commissioner Mager moved to approve the Consent Agenda as amended and Mayor Crockett seconded it. Motion passed unanimously.

**PUBLIC HEARING OPENED AT 10:08 A.M.**

**7. Resolution 10-15 – Amendment to Regulation I, Article X Fees & Charges – Matt Holmquist**

Matt gave a recap of the highlights of the proposed revisions. They consist of removing fee waiver for hardship, clarifying that the registration emissions point fee may include sources of fugitive emissions, give the Board flexibility in moving towards fee-based cost recovery, add

complex permit condition revision fee, reference the WAC for applicable agricultural fees, move some agency fees to fee schedules and make hourly fee rates consistent with the applicable hourly fee rates. There was some discussion between the Board and Matt.

Beth Hodgson: I'm Beth Hodgson with Spring Environmental. Matt and I have talked several times about this, but I took the time one more time to read the whole thing through last night and I have a concern and this is on 10.06 B and it's the footnote B and this is relative to the emissions fees. It's page two of twelve on the attachment. It says the additional fee applies to each ton of each criteria pollutant, volatile organic compound and toxic air pollutant emitted and the VOC is something new. It previously was regulated; you didn't have to pay a fee based on it. I don't have a problem with adding that but many of the toxic air pollutants are VOCs so as a result, the way this language is written now about 75% of the 461 taps are VOCs. So when a facility submitting their WEDS report, they're going to end up being assessed fees for the VOCs that are toxics. Ron stated that it has been Spokane Clean Air's policy not to double count on anything as far as the fee was concerned.

Beth Hodgson: And that was your practice but this rule doesn't state that and so that was one of my concerns that right now this allows double counting on some of the toxics. So that's my concern. And you could put the language and say "and non VOC toxic air pollutants" and that would address it. But I just wanted to raise that as if at point where you are double counting for the small facilities it could make a couple hundred dollars worth of difference. Its \$63 a ton, doesn't tend to be tons, you know many tons of toxics but it's still double counting. So I wanted to share that with you.

Commissioner Mager asked what the staff's reaction to that solution, do you see any problem with adding that additional language to clarify that it's not our policy to double count. Matt replied he doesn't see a problem with that. Ron is right, that's not the intent. This was to reflect exactly what we're doing and we're not double counting as far as I know and so if we changed where it says "volatile organic compound and non VOC toxic air pollutant emitted" that should be fine. Councilmember Dempsey stated that if we can clear this up she would appreciate it so that there isn't the chance to misconstrue and just because the practice is right now would the practice be the same next year? Ron and Matt asked Michelle, legal council, if that language would be non-substantive. Michelle stated that if you are reading that as allowing for double counting and then you're not going to double count that seems to be more than just discriminate type of change. Commissioner Mager stated what if it's just considered clarification because the policy has always been not to double count and this language just clarifies that intent. Michelle stated that's true and we are doing something less than what people were expecting so I don't know that someone is going to be unhappy with you because you made something less restrictive in the rule. Ron asked if we would need to go back out for public hearing again, because the requirement is to refile if it's substantive. Michelle stated taking everything into account that we are clarifying to do what we've always done and it's less restrictive and less onerous than what was in the book to begin with, I think it should be fine. Matt added that he would add in the "and the non VOC" language right before toxic air pollutant emitted.

Commissioner Mager moved to approve Resolution 10-15 with the language change as proposed above and Mayor Crockett seconded it. Motion passed unanimously.

**8. Resolution 10-16 – Amendment to the Fee Schedule for Registration Fees – Matt Holmquist**

Matt stated that this resolution strikes the burn out oven/incinerator fee category and strike the footnotes, which are maintained in Section 10.06B.1.

There were no public comments. Commissioner Mager moved to approve Resolution 10-16 and Mayor Crockett seconded it. Motion passed unanimously.

**9. Resolution 10-17 – Amendment to the Fee Schedule for Notice of Construction/Intent Fees – Matt Holmquist**

Matt stated that this resolution adds the complex permit condition revision fee. This would help maintain cost recovery should there be a complex NOC or NOI submitted.

There were no public comments. Mayor Crockett moved to approve Resolution 10-17 and Commissioner Mager seconded it. Motion passed unanimously.

**10. Resolution 10-18 – Adoption of Fee Schedules for Operating Permit, Outdoor Burning Permit and Paving Waiver Fees – Matt Holmquist**

Matt stated that this resolution in addition to creating the respective fee schedules, it also increases the fee for units covered under the acid deposition standards from \$65 per hour to \$67 per hour; it decreases the other outdoor burning permit review fee from \$65 per hour to \$55 per hour; and it increases the paving waiver review fee from \$50 per hour to \$55 per hour after the first hour of review.

There were no public comments. Commissioner Mager moved to approve Resolution 10-18 and Mayor Crockett seconded it. Motion passed unanimously.

**11. Resolution 10-19 – Amendment to Interagency Agreement and its Budget for the Statewide Wood Smoke Reduction Campaign – Lisa Woodard**

This is an amendment to our current agreement with DOE to allow for the additional funding from Ecology into the project.

There were no public comments. Mayor Crockett moved to approve Resolution 10-19 and Commissioner Mager seconded it. Motion passed unanimously.

**12. Resolution 10-20 – Approval of an Interagency Agreement with Puget Sound Clean Air Agency Providing Matching Funds for the Statewide Wood Smoke Reduction Campaign –Lisa Woodard**

Lisa pointed out a typo on the resolution that the Board has which has been corrected on the resolution to be signed by the Board and that is the amount Puget Sound Clean Air Agency has committed to matching funds up to \$70,000 not \$76,000 in support of the wood stove project campaign through an Interagency Agreement.

There were no public comments. Mayor Crockett moved to approve Resolution 10-20 as noted with the change above and Commissioner Mager seconded it. Motion passed unanimously.

**PUBLIC HEARING CLOSED AT 10:37 A.M.**

**13. Board Concerns** – There were no board concerns.

**14. Public Forum** – There were no public speakers.

**The meeting adjourned at 10:38 a.m.**

The next Board Meeting will be November 4, 2010 at 9:30 a.m. in Spokane Regional Clean Air Agency's office located at 3104 E. Augusta Avenue.

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COUNCILMEMBER ROSE DEMPSEY, CHAIR

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WILLIAM DAMEWORTH, SECRETARY