



SPOKANE COUNTY  
AIR POLLUTION  
CONTROL AUTHORITY

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## BOARD MEETING MINUTES

December 1, 2005 9:00 a.m.  
SPOKANE COUNTY PUBLIC WORKS BUILDING  
LOWER LEVEL HEARING ROOM

### PRESENT WERE:

Mike Brewer  
Matthew Pederson  
Michele Pope  
Commissioner Harris  
Commissioner Mielke

### STAFF:

Ron Edgar, Interim Director  
Michelle Wolkey, General Counsel  
Matt Holmquist, Compliance Administrator  
Barbara Nelson, Finance & Personnel Admin.  
Mary McDermott, Secretary II

**WORK SESSION:** The work session was called to order at 9:04 a.m.

### **Request for Funding of the Vehicle Emission Repair Program (VERP) by SNAP – Ron Edgar and Kerri Rodkey of SNAP**

Ron Edgar stated that this item came before the Board in August and he had a request from SNAP to bring it before the Board again. This program has been a very successful program for the reduction of emissions for Spokane. It has helped to fix cars with emission problems for individuals who cannot afford to have their vehicles fixed properly. VERP was chosen by Avista as a program to offset emissions from their northeast turbine during the energy crisis and they were running over the number of hours that their permit would allow. Avista went through a long procedure of what was the most cost effective offset program that they could develop for running above the allowable hours on their permit. The funding for this request would come from the 15% of diesel retrofit money that is to be used on emission reduction programs. The money would be administered by SNAP and they have a budget already in place for this program. SNAP also works closely with the Department of Ecology's (DOE) inspection maintenance people to make sure that the vehicles that are sent for repair are vehicles that can be repaired and the repairs are done properly. SNAP gets opinions from the shops as to whether or not these vehicles are repairable at or below the \$500 limit, if not, they are not allowed in the program.

Mike Brewer stated that he likes the idea and it is worth it to help low income people improve their vehicles that would otherwise be putting out a lot of pollution. Commissioner Harris stated that SNAP always gets the most benefit for their dollars when running any program and he would like to see it back at the January meeting. Commissioner Mielke also agrees to bring it back in January. Michele Pope asked for consideration of the Board to think about the fact that SCAPCA has pending

deficits of its own and the Board needs to be looking at SCAPCA's in-house needs versus worrying about an agency that is outside of SCAPCA. She also questioned using tax payer dollars to keep people in cars they can't afford. She doesn't believe that it is SCAPCA's responsibility as a government agency to do that. Ron responded that the money that would be used is not money that can be used for the operation of SCAPCA; it is designated by the legislature for emission reduction programs. The people that we are helping could probably get the money for a waiver but not enough to fix their car properly and that would leave dirty running vehicles still polluting the air in Spokane.

### **Asbestos Fee Review Discussion – Ron Edgar and Matt Holmquist**

Ron Edgar stated that for this proposal, SCAPCA has been discussing the need to eliminate the amendment fee for finishing an asbestos project early. SCAPCA would like the Board's permission to open the regulation and make these changes. The asbestos program, by policy when the Board adopted the regulation, was meant to be a cost recovery program. Matt Holmquist did a breakdown of what the income and cost has been for this program and has proposed a moderate increase in fees to recover the costs and get back on track for full cost recovery. It has been many years since those fees have been changed and there has been an increase in overhead in this area which has made this program fall short of its cost recovery. SCAPCA would like to make changes in the regulation to correct the problem with the amendment fee for finishing a project early and bring the other fees up to full cost recovery. The increase will range from \$30 to \$60 for the majority of the asbestos applications that would come in. This would be taken to the Advisory Council and to the asbestos abatement contractors so that they can see what is being proposed in the amendment fee and overall fee structure. Does the Board want SCAPCA to proceed with this process of fee changes for asbestos?

Michele Pope asked if there was any thought or effort put into looking at decreasing costs? Ron replied that SCAPCA has tried to decrease costs and the only way to decrease costs in the asbestos program would be to decrease the number of hours and inspections spent in this area. Matt Holmquist added that the hours have decreased in this area. Michele Pope asked if the increase in costs was due to an increase in salaries and overhead. Matt replied that the overhead costs have gone up an average of 16 to 18 percent each year. The fee schedule was based on an Air Quality Specialist I (AQS) on a five step scale. Consultants did an evaluation and changed the salary scale to an eight-step scale and AQS Is were promoted to AQS IIs. The salary and benefits figure should not go up as long as we keep track of how much time is being spent by various staff working on the program. The overhead is what can keep going up and that includes rent, insurance, benefits and everyday operational expenses. Michele Pope asked if SCAPCA looks at any ways of still decreasing the costs by having different staff levels handling different things so that you don't have AQS IIs handling something that somebody else could handle. Matt replied he and Ron have discussed this and the issue that you would have is by decreasing the amount of time spent on that program, what are the repercussions to that program and where does that person spend that time. The Air Operating Permit (AOP) Program and the asbestos program are two of the best programs in terms of cost recovery. So the adjustment in time spent on these programs would only cause the costs of other programs to go up and SCAPCA would still need to address that problem.

Ron Edgar added that the employees have been with SCAPCA for a long time and are at the top of their salary step scales and have qualified for the AQS II promotion. So unless we cut more staff and we have cut one inspection person, which has been a 20% reduction in the number of inspectors, there is not a whole lot more that can be done. Michele stated that SCAPCA should look at

if they need different levels of staff or don't need different levels of staff. Matt added that most of the program costs are from the inspection staff. If we had a different level person doing inspections and follow-up, SCAPCA would have to train that person to make sure they have the training and requirements and then you would have to promote them to an inspector position; there is no way to get away from that. There is a lot time spent on the NOI billing and data base entry which is approximately \$15,000 plus of the program costs and we are always looking to be more efficient in that. Getting down below the current 1.2 FTEs would be doable, but it would be a challenge in terms of what part of the program you would be cutting and where these persons would be spending their time on alternative programs that are not cost recovery. Ron added that these fees were established in 1998 and have not been changed since. We have been spending down SCAPCA's fund balance and in turn not raising fees according to cost increases of overhead, insurances, salaries, etc. and it is catching up to SCAPCA. He would like to put in reasonable increases in fees and take them to the businesses and individuals so that they can give SCAPCA and the Board their responses.

Commissioner Mielke stated that the proposed fees for 2006 show that SCAPCA is still behind a little over \$8,000 a year. He believes that if SCAPCA is going to do changes in its regulation, it should make it so that it will balance the income and expense. Matt replied that if the Board directs SCAPCA to proceed forward with these increases for this program, he will get a better estimate on the overhead and salaries so that SCAPCA can get full-cost recovery over the next three to five years. He would also like to propose to SCAPCA and its Board to look at the fee schedules more frequently in the future instead of waiting ten years and that will keep the fee increases at a low percent and keep up with inflation. Commissioner Harris commented that revenues are fee driven by applications in this program, but you still have fixed costs. It was the Boards fault for allowing the fees to go for as many years as this without looking at the facts to see if the fees are sufficient to cover the costs of the program. The fees should be looked at every one to two years and adjusted accordingly, that way it will increase in smaller amounts instead of playing catch-up with drastic increases. He would also like to see how many applications there were for each year. The projection should be that these applications are going to decrease because as they get rid of the asbestos from old buildings and new housing is being built this program will slowly go away.

### **Air Operating Permit (AOP) EPA Program Deficiency Finding – Ron Edgar**

Ron Edgar stated that in addition, the AOP program which is SCAPCA's large sources with 100 ton of criteria pollutants or 10 ton or more of toxic air pollutants, this program is mandated by EPA and the Federal Clean Air Act and should be at full-cost recovery. This program requires engineers to be involved in it and the costs of their salaries and benefits are higher than other programs. The amount of work that SCAPCA does for the AOPs is mandated by EPA. We have looked around the country and state at similar programs and the fee schedule is worked out where you have your base and emission fee and at the end of the year you calculate the hours spent on those companies and if there have been extra hours due to permit changes or they are applying for a renewal of their AOP, you bill them accordingly so that the AOP Program breaks even every year. SCAPCA proposes to go to the Advisory Council and the stake holders for their input on this. EPA is telling SCAPCA that it has to pick up the fees where it is short from the last 12 years and SCAPCA will propose that over the next ten years it adds an extra surcharge to the sources still in the AOP Program to recover the short falls. We would like to bring this back to the Board so that the rule change can be approved by the adopted budget in June.

Commissioner Mielke asked if Ron would bring back a spread sheet that shows the old and new fees. Ron replied that he would have something worked out that would show the entire program costs, etc. that go with the AOP Program.

**BOARD MEETING:** The board meeting was called to order at 9:48 a.m.

### **Minutes of the November 3, 2005 Board Meeting**

Michele Pope moved to approve the November 3, 2005, board meeting minutes and Commissioner Mielke seconded it. Motion passed unanimously.

### **Executive Session to Discuss Potential Litigation – Michelle Wolkey**

At 9:50 a.m. the Board adjourned into executive session. At 10:16 a.m. the Board reconvened.

### **Public Information/Education Update**

Lisa Woodard gave an overview of the community and youth outreach activities and events for November. We are starting to do work with the American Lung Association to identify four elementary schools that will be doing our idling campaign. Packets are sent home with the kids and there is an incentive for the kids to return the parent pledge forms. Signs will be erected in the loading and unloading areas. We had a presentation on this program to District 81 health and fitness educators. The fall newsletter was sent out in November. We had two gasoline station workshops for owners and operators. The dry cleaners workshop was postponed until February because there were not enough people registered. A compliance calendar will be going out to the dry cleaners with a lot of useful information on them for the dry cleaners. Early next year we are planning a workshop related to asbestos. In November, SCAPCA launched its winter “It All Adds Up To Cleaner Air” campaign with spots on TV about wood heating. A winter kit has been put together for major worksites called “Seven Days to Cleaner Air” which tells people what they can do each day to help improve air quality. We are working on solidifying a partnership with DuraFlame to get information out to the community on burning clean. There was an air stagnation episode and a news release was developed and sent out along with a couple of news interviews.

### **Activity Report for October 2005 – Ron Edgar**

Ron stated that there was nothing of great significance to point out.

### **Voucher Approval for October \$122,927.69**

Mike Brewer moved to approve the October 2005 vouchers and Michele Pope seconded it. Motion passed unanimously.

### **Income/Expense Statement for October 2005 – Ron Edgar and Barbara Nelson**

Ron Edgar stated that SCAPCA started receiving its federal and state grants as of November 3, so they are not on the revenue side of the statement. On the expense side, the legal costs have gone

over SCAPCA's budgeted amount and in a couple of months he will bring back a budget adjustment for that. Advertising ran over its budget due to the special board meetings and advertising for the sale of the truck.

### **Recommendations to Change Air Quality Technician 80% position to 100% for remainder of Fiscal Year – Ron Edgar**

Ron Edgar stated that SCAPCA has two Air Quality Technicians and he would like to be able to pass some of his air quality work load onto them. There is no need to change anything in the budget; there is enough money in that line item because SCAPCA has not filled two employee positions at this point. He would like the Board's approval to pay the 80% Technician 100% for the rest of the fiscal year.

Mike Brewer moved to approve the Technician from 80% to 100% for the remainder of the fiscal year and Commissioner Mielke seconded it. Motion passed unanimously.

### **Report on the Executive Director Search Committee – Matthew Pederson**

The search committee has met and has come up with a suggested salary range and the current job description was reviewed and the committee has some changes they would like to see made prior to advertising. We took into account the last 14 years of job salary history for the previous director's position, time served and annual COLAs received throughout that time and came up with a range of \$71,000 with a high of \$83,000 per year. Michele Pope stated that in prior years when the Board did its evaluation of the director, the Board looked at other similar positions within the county that had similar responsibilities, budgets, etc. The job description was left as is with a few minor changes. Under License and Certifications, the only license and certification required on the current job description is that they have a valid Washington State Drivers License and we are suggesting eliminating that requirement based on the fact that a person might live in Idaho. Under Education, we are asking that they have a bachelor's degree in public administration, environmental, physical or natural sciences, or environmental planning or a closely related field or relative proof of work experience in one of those fields and changing from two to five years for professional experience. The Committee has filled the last two positions on the search committee with Paul Schmidt the City of Cheney Administrator and Dr. Charles Wolff an occupational physician. With the Board approval we would like the Search Committee to meet next Thursday to move forward with the advertising.

### **Public Concerns**

Mike Noder wanted to speak on some health air quality issues. He was recently appointed to the Solid Waste Advisory Committee and has come across a couple of things that would be of interest to SCAPCA. He would like comments from the Board in two to four months. They are in the process of updating their comprehensive plan and they have a consultant involved so some of these issues he doesn't believe are going to be handled properly and he would like to get some input from the Board. It has to do with an article that was written in the Wall Street Journal on July 22, 2005 and a similar one written in the New York Times on that same day having to do with common industrial chemicals that are in the background. They're finding a lot of health risks and effects do to very, very low traces of industrial compounds in the background emissions and they could be coming from emissions such as the Solid Waste Plant. He encouraged the Board to read these articles. Some of the items that they

said you would find in everyday household items that are coming up in the blood system of residents across the country are poly carbonates, plastic bottles, food can linings, cosmetics, shampoos, pills, nail polish, plastic toys, household packaging materials, stuff we see every day that's probably going into the Solid Waste Plant and coming out the stack. I have raised this in the committee and spoken to the Solid Waste staff and they said there is no problem. I'm not convinced because according to this article the levels are below the EPA's ability to detect. So how they would know if it's being properly handled at this time is not clear. They are talking about birth defects in women and other significant stuff. If SCAPCA could put this on their agenda down the line, the consultant process is suppose to take 18 months and that would be ample time for the Board to take a look at it. He believes the Boards comments would be valuable.

### **Board Concerns**

Matthew Pederson acknowledged that Mr. Brewer has completed his term on the SCAPCA Board and has chosen to step down from his position. He thanked Mr. Brewer for his service with SCAPCA, the City of Spokane and Spokane County. Mike Brewer stated that he has enjoyed his time on the Board and he has always tried to treat the position as influencing everybody in the area, which he considers the Inland Empire. Commissioner Harris added that he and the people in the community have appreciated Mike's service and the things that he has done and accomplished on behalf of the people of America.

Ron Edgar stated that there are two Advisory Council position terms that are expiring. John Livingston and Peter Williams have both agreed to serve another term. It will be brought to the Board for a vote at the next meeting. Approximately a year ago, at the request of the Chamber of Commerce, the Board added an additional member to the Advisory Council and when SCAPCA advertised for that position, nobody came forward to fill it. Would the Board like SCPACA to try to fill it again? Michele Pope asked if the Chamber of Commerce got word back that the Board did open that position. Ron replied they were contacted as far as he was aware. Michele would like to have that verified. Commissioner Mielke suggested taking a look at the Valley, Regional and West Plains Chambers, associated industries, realtors, etc.

The meeting adjourned at 10:45 a.m.

The next Board Meeting will be January 5, 2006 at 9:00 a.m. in the lower level of the Public Works Building.

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MATTHEW PEDERSON, CHAIR

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RON EDGAR, SECRETARY