The meeting of the Board of Directors of the Northwest Clean Air Agency was held at 1:30 p.m., Thursday, August 8, 2013, at 1600 South Second Street, Mount Vernon, Washington.

MEMBERS PRESENT:

Skagit County        Ron Wesen
                     Joe Lindquist

Island County       Kelly Emerson

Whatcom County       Brian Heinrich for Kelli Linville

Member-At-Large     Terry Nyman

MEMBERS ABSENT:

Jim Campbell
Carl Weimer

ALSO PRESENT:

NWCAA Staff Members  Mark Asmundson, Mark Buford, Julie O'Shaughnessy,
                     Katie Skipper and Laurie Caskey-Schreiber

Advisory Council     No one present

Legal Counsel        Loch Clark

CALL TO ORDER

Kelly Emerson, Board Chair, called the meeting to order at 1:37 p.m.

APPROVAL OF PRIOR BOARD MEETING MINUTES

On motion by Ron Wesen, seconded by Joe Lindquist, the minutes of the June 13, 2013, Board meeting were approved, with Brian Heinrich absent *(Heinrich arrived at 1:47 p.m.)*.
UNFINISHED BUSINESS

Fire Warden Program update – Julie O’Shaughnessy

O’Shaughnessy gave a brief status report of the Outdoor Burning Programs and distributed a handout sheet, which identified the regulations that govern this program. She mentioned that a title change was necessary due to the counties no longer operating under the Fire Warden Program model.

O’Shaughnessy stated that agreements are being developed and all seems to be going well at this point in time. She is hopeful that the programs will be successful.

Columbia Valley air quality program update – Katie Skipper

Skipper gave a presentation about the progress that is being made to address the air quality in Columbia Valley (presentation attached). Skipper explained that we have been meeting on a monthly basis with a core group of concerned citizens from within the Columbia Valley Urban Growth Area and a few people from elsewhere along the Mt. Baker corridor.

Skipper estimates that it may take some time to develop and implement a program for this area, but the stakeholders seem to be very supportive of this direction.

ACTION ITEMS

Approval of Bills and Claims

On a motion by Joe Lindquist, seconded by Brian Heinrich, the Board approved the bills and claims for June ($340,097.75) and July ($260,755.13) of 2013.

STAFF REPORTS

Director’s Report – Mark Asmundson

Asmundson reported to the Board on the following matters:

- The ongoing business of the agency continues to be very brisk.
- The portion of the work for which NWCAA has been principally responsible relating to the Reasonably Available Control Technology (RACT) litigation is almost complete. Asmundson thanked Toby Mahar and Mark Buford for their hard work with this project.
- The ozone study for which we are contracting with a professor at Washington State University (WSU) continues to move along, although slower than anticipated. WSU is in the conceptual development phase at this time, and costs will be determined once the project design is complete. Asmundson thanked Kelly Emerson for suggesting that NAS Whidbey might be interested in participating in the study. They have been contacted and have indicated their interest in supporting this study.
• The three agencies co-leading the environmental impact statement process (Whatcom County, Washington Department of Ecology and U.S. Army Corps of Engineers) for the proposed Gateway Pacific Terminal project have completed scoping. Asmundson was pleased that all of our suggestions seem to have been incorporated in the scope of the EIS. He expects that this information will assist us with our analysis once Gateway submits an application.

• Asmundson reported on the refinery RACT greenhouse gas litigation. He recently attended the oral argument hearing before a three judge panel of the 9th Circuit Court of Appeals and he believes that it went well for NWCAA.

• Asmundson announced that BP Cherry Point Refinery graciously prefunded a portion ($500,000) of their Greenhouse Gas Mitigation payment, which wasn’t expected until October. This early payment has allowed the agency to contract with the Opportunity Council to implement the Community Energy Challenge programs in Skagit and Island counties.

• Asmundson recently attended the National Association of Clean Air Agencies (NACAA) Board of Directors meeting, which was held in New York. He gained positive feedback from other agency directors about our ability to consistently issue new source review permits within 60 days of receiving a completed application. Apparently this isn’t the case elsewhere.

• Asmundson announced that currently there are fire safety burn bans in all three of our counties.

**New Source Review & Air Operating Permit (AOP) Update – Mark Buford**

Mark Buford reported that we received nine new Notice of Construction (NOC) applications, and the agency issued eight operating permits for the months of June and July 2013. He also noted that one of the permits was for a boat building facility in La Conner, and the agency issued a permit for a crude unloading facility for Phillips 66, which brings the total to three for these types of facilities in our jurisdiction.

**Enforcement Activity Update – Julie O'Shaughnessy**

O'Shaughnessy noted that Whatcom Builders, which operates an asphalt plant in Ferndale, has received numerous notices of violation recently due to odor issues. They are working to resolve the problem with an extension to their exhaust stack. The agency has also been working with Darigold to achieve and demonstrate compliance with required performance tests. The initial penalty of $16,500, imposed for failing a performance test was conditionally reduced to $9,500 upon agreement to increase performance test frequency.

O'Shaughnessy also reported that Lowe's has received a notice of violation for failing to maintain proper operating and fuel specification records. She noted that this is the company's fourth violation for the same error since 2003.

**MISCELLANEOUS**

Kelly Emerson asked for an update regarding marijuana odors. O'Shaughnessy said that the agency will be looking for opportunities to weigh in on any zoning decisions that cities and counties are making pertaining to where these growing facilities are allowed to operate.
Ron Wesen asked if the odor issue has improved at the Shell / Puget Sound Refinery, and O’Shaughnessy responded the problem appears to be resolved. Complaints referencing wastewater odors have been essentially nonexistent since refinery staff discovered and addressed a problem in a line to their wastewater treatment plant.

Next Meeting

The next regular Board meeting will be held on Thursday, September 12, 2013, at 1:30 pm.

ADJOURNMENT

There being no further business to consider, the meeting adjourned at 2:43 p.m.

CERTIFICATION

I hereby certify this is a true and correct copy of the minutes of the meeting of the NWCAA Board of Directors held on August 8, 2013, in Mount Vernon, Washington.

ATTEST:  
Terry Nyman, Secretary  
NWCAA Board of Directors

Kelly Emerson, Chair  
NWCAA Board of Directors

DATED: September 12, 2013