

Southwest Clean Air Agency

Board of Directors Minutes

January 5, 2023

The regular meeting of the Southwest Clean Air Agency Board of Directors was held in the Southwest Clean Air Agency office, Vancouver, Washington on January 5, 2023.

Those present were: Ryan Smith, Vice-Chair, Member at Large
Dr. Alan Melnick, Director, Clark County
Ben Shumaker, Director, City of Stevenson
Gene Strong, Director, Wahkiakum County
Kim Harless, Director, City of Vancouver
Robert Stowe, Director, Town of Cathlamet
Ruth Kendall, Director, City of Longview
Max Vogt, Director, City of Centralia
Dennis Webber, Director, Cowlitz County

Excused: Sean Swope, Director, Lewis County
Richard Mahar, Director, Skamania County

Also Present: Staff: Uri Papish, Executive Director
Traci Arnold, Office Administrator

Guests: None

Call to Order

Mr. Smith called the meeting to order. A quorum was confirmed to exist.

Board of Directors Minutes

Mr. Smith asked for consideration of the November 3, 2022 minutes. Dr. Melnick moved and Mr. Vogt seconded that the minutes for the November 3, 2022, Board meeting be approved. Motion passed.

Consent Agenda

Mr. Smith asked for approval of the Consent Agenda including voucher numbers 154 through 201 and 203 through 207 in the amount of \$38,800.51 which have been approved for payment by the Executive Director, voucher 202 in the amount of \$10,485.30, October 2022 Salaries and Benefits in the amount of \$169,169.40, additionally voucher numbers 208 through 228 and 230 through 235 and 237 in the amount of \$8,887.54 which have been approved for payment by the Executive Director, voucher 229 and 236 in the amount of \$23,303.96, November 2022 Salaries

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and Benefits in the amount of \$172,136.19. Dr. Melnick moved and Mr. Shumaker seconded that the Consent Agency be approved. Motion passed.

Changes to Agenda

None

Info Items & Public Comment

None.

Public Hearing

None

Unfinished Business/New Business

Mr. Smith opened discussion on the election of Chair and Vice Chair for calendar year 2023. Mr. Papish explained that the Chair position assumes only a small amount of additional work in communicating with the agency and coming to meetings regularly. Mr. Smith asked for volunteers or nominations for the Chair and Vice Chair.

Mr. Smith nominated Dr. Melnick for Chair of the SWCAA Board of Directors. Ms. Kendall nominated Mr. Shumaker for Chair of the SWCAA Board of Directors. Discussion ensued regarding eligibility to serve as chair and if nominated members would accept the nomination. Mr. Shumaker declined the nomination. Mr. Smith asked if there were any further nominations for the Chair position. There were none. Mr. Smith closed the nominations and asked for a vote. The vote was unanimous and Dr. Melnick was named Chair of the SWCAA Board of Directors.

Mr. Smith turned the meeting over to Dr. Melnick.

Dr. Melnick asked for nominations for the Vice Chair of the SWCAA Board of Directors. He then nominated Mr. Smith. Mr. Smith nominated Mr. Shumaker. Dr. Melnick asked if there were any further nominations. There were none. Mr. Webber made a motion to have Mr. Smith serve as Vice Chair and Mr. Shumaker seconded. The motion passed unanimously.

Dr. Melnick and Mr. Smith expressed their gratitude for the approval of their nomination and thanked the Board members.

Dr. Melnick opened discussion on the adoption of SWCAA 400 "General Regulations for Air Pollution Sources" and recognized Mr. Papish. Mr. Papish said the Southwest Clean Air Agency is proposing to make changes to SWCAA 400 "General Regulations for Air Pollution Sources" to do the following: update definitions, update incorporation by reference of federal regulations, revise explanations of application and registration fees, move NSR applicability citations for coffee roasters, add minor registration and permitting exemptions,

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clarify source description in selected sections, revise emission test report requirements, revise permit application completeness criteria, revise NSPS adoptions, revise severability language, and make minor administrative edits. Attachment A provides a summary of the proposed changes. Attachment B provides the full text of the proposed rule revisions.

SWCAA held a public comment period for proposed changes to SWCAA 400. The comment period began on September 20, 2022, and ended on November 30, 2022. In addition to the required publication of notice with the state code reviser, SWCAA posted the proposed rulemaking on its website and sent emails or postcards to all registered sources and subscribers to rulemaking notifications. No comments were received during the comment period and no one from the public attended the public hearing. Attachment C provides the Hearings Officer Report.

Mr. Webber asked for clarification on some of the definitions related to Class I Areas. Mr. Papish said the areas listed as Class I Areas are described for reference, SWCAA would only have authority over a Class I Area if it was within SWCAA's jurisdiction.

Dr. Melnick asked for a motion to adopt the proposed revisions to SWCAA 400 "General Regulations for Air Pollution Sources" found in Attachment B. Ms. Kendall moved. Mr. Webber seconded the motion. Motion passed.

Mr. Vogt asked who the recommendation to adopt was coming from. Mr. Papish responded it is his recommendation.

Executive Session

None.

Control Officer Report

Mr. Papish summarized the information provided in the Control Officer Report and offered to answer any questions.

A. EPA Releases Final Heavy-Duty Truck NO_x Rule (December 20, 2022) - EPA

Administrator Michael S. Regan announced the agency's final rule to reduce emissions of nitrogen oxide (NO_x) from on-road heavy-duty (HD) vehicles and engines. Beginning with model year (MY) 2027, all heavy-duty trucks are required to meet a numeric NO_x emissions limit of 35 milligrams per horsepower-hour (mg/hp-hr), compared to the current standard, set by EPA 20 years ago, of 200 mg/hp-hr. According to EPA, its standards are 80 percent lower than the current standards. EPA also provides manufacturers with a 15-mg/hp-hr in-use compliance margin, without sunset, for the HHD and MHD NO_x emission standards. In addition to the new numeric NO_x emission standards and UL and warranty provisions, EPA also includes in the final rule provisions related to in-use test procedures and compliance, allowances, exceptions, and credits. These provisions may have an impact on the overall effectiveness of the numeric standards and on real-world emission reductions. According to the 1,150-page pre-publication

version of the action the final rule is effective 60 days after the date of publication in the *Federal Register*. In announcing the final rule, Administrator Regan stated, “EPA is taking significant action to protect public health, especially the health of 72 million people living near truck freight routes in America, including our most vulnerable populations in historically overburdened communities. But we’re not stopping there. This is just the first action under EPA’s Clean Trucks Plan to pave the way toward a zero-emission future.” The Clean Trucks Plan also includes new HD greenhouse gas (GHG) emission standards for MYs 2027 to 2030+ in a rule that builds on the incentives and support of the Inflation Reduction Act. EPA intends to propose the HD GHG rule in March 2023 and finalize it in December 2023. For further information: <https://www.epa.gov/regulations-emissions-vehicles-and-engines/final-rule-and-related-materials-control-air-pollution>; and <https://www.epa.gov/newsreleases/final-epa-standards-heavy-duty-vehicles-slash-dangerous-pollution-and-take-key-step>

B. EPA Issues 2019 Data Updates to AirToxScreen (December 21, 2022) - EPA has released data updates for 2019 to its Air Toxics Screening Assessment (AirToxScreen) tool, following on from the addition of 2017 and 2018 data in the past year. AirToxScreen is a web-based tool that maps air toxics in the United States and is intended to be used as a screening tool for state, local and tribal air agencies to understand outdoor air quality with respect to these emissions. AirToxScreen estimates the cancer risks from air toxics and estimates noncancer health effects for other pollutants and displays concentrations and risks at the census tract level. The 2019 AirToxScreen data update used the 2017 National Emissions Inventory (NEI) as a starting point and updated its data up to 2019 based on comments provided by state, local and tribal agencies. For further information: <https://www.epa.gov/AirToxScreen/2019-airtoxscreen-assessment-results>

C. Washington and Oregon Approve Transition to Zero Emission Vehicles (December 19, 2022) – Washington and Oregon have approved plans to transition vehicles in their states to meet zero-emission standards by 2035. The Washington Department of Ecology updated its Clean Vehicles Program to require all new, light-duty vehicles sold in the state to meet zero emissions by that year. The Oregon Environmental Quality Commission voted to require all new cars, trucks and SUVs sold in the state to meet zero-emission standards, by 2035. Washington and Oregon join a number of other states that are adopting California’s zero-emission vehicles policies. (The Clean Air Act allows California to establish emissions standards that are stricter than national standards and other states, under Section 177 of the Act, to adopt California’s but not set their own.) Washington State adopted Heavy-Duty Engine and Vehicle Omnibus rules and associated amendments. Starting in model year 2026, these rules require that new internal combustion engines for heavy-duty vehicles have 90 percent lower emissions of NO_x, as well as reductions in PM, and greenhouse gases (GHGs). Oregon adopted this rule in October 2022. Washington and Oregon both adopted California’s Advanced Clean Cars II rule, which will increase the percentage of passenger cars, light duty trucks, and medium duty vehicles sold in these states that are zero-emission vehicles (ZEVs). The sales mandate would take effect in model year 2026 and begin by requiring 35% of new passenger vehicles sales to be zero-emission vehicles. That percent will increase 6-9% per year until zero-emission vehicles make up 100% of new sales starting in model year 2035. It will also require light and medium duty

vehicles to meet stronger emission standards. For further information:

<https://ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC173-423-400Jan18>; and <https://www.oregon.gov/newsroom/Pages/NewsDetail.aspx?newsid=76539>

Dr. Melnick asked for a motion to adjourn the meeting. Mr. Smith made a motion to adjourn. Mr. Shumaker seconded the motion. Motion passed.

Board Policy Discussion Issues

None.

Issues for Next Meeting

- A. Public Hearing.
 - 1. As Necessary.
- B. New Business/Unfinished Business.
 - 1. Executive Director Evaluation Process
 - 2. COLA decision for 2024
 - 3. SWCAA Budget
 - 4. Air Toxics Rulemaking Proposal
- C. Board Policy Discussion Issues.
 - 1. As Necessary.
- D. Meeting Date and Location.
 - 1. February 2, 2023 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 February 2, 2023 at 3:00 p.m., Southwest Clean Air Agency, Vancouver, Washington.

Board Meeting Attendance:

| JURISDICTION | J 2023 | F 2022 | M 2022 | A 2022 | M 2022 | J 2022 | J 2022 | A 2022 | S 2022 | O 2022 | N 2022 | D 2022 |
|------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Clark County | + | + | + | + | + | + | C | + | + | + | + | C |
| Cowlitz County | A | + | + | + | + | + | C | 0 | + | + | 0 | C |
| Lewis County | 0 | 0 | + | 0 | 0 | + | C | + | + | + | 0 | C |
| Skamania County | + | + | + | + | + | + | C | + | + | + | + | C |
| Wahkiakum County | A | + | 0 | 0 | + | + | C | A | + | + | + | C |
| Cathlamet | + | + | + | + | + | 0 | C | + | + | A | + | C |
| Centralia | + | + | + | + | 0 | + | C | 0 | + | 0 | + | C |
| Longview | + | + | + | + | + | 0 | C | + | + | 0 | + | C |
| Stevenson | 0 | + | + | + | + | A | C | + | + | + | + | C |
| Vancouver | + | + | + | + | + | 0 | C | + | + | + | + | C |
| Member-At-Large | + | 0 | + | + | + | + | C | + | + | + | + | C |

+ = regular member present; 0 = unrepresented; A = alternate present; C = cancelled meeting

Dr. Melnick adjourned the meeting without objection at 3:50 p.m.

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 Chair
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 Executive Director
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