

SOUTHWEST CLEAN AIR AGENCY

Board of Directors Meeting
February 2nd, 2023, at 3:00 PM
Southwest Clean Air Agency
11815 NE 99th St. Suite 1294
Vancouver, Washington

This meeting will be held by video conference using Zoom:

<https://us02web.zoom.us/j/82154159897>

Meeting ID: 821 5415 9897

Or call in by phone (669) 900-9128

AGENDA

- I. Call to Order
SWCAA Chair Alan Melnick
- II. Roll Call/Determination of Quorum
SWCAA Chair Alan Melnick
- III. Board of Directors Minutes
Board of Directors Minutes - January Meeting
- IV. Changes to the Agenda
SWCAA Chair Alan Melnick
- V. Consent Agenda
 - A. Approval of Vouchers
 - B. Financial Report
 - C. Monthly Activity Report
- V. Info Items & Public Comment
None
- VII. Public Hearing
None
- VIII. Unfinished Business/New Business

Executive Director Performance Review Discussion

The Board may go into Executive Session for discussion related to the Executive Directors performance evaluation in accordance with RCW 42.30.10(1)(g). Any decision made about the performance review or process will be made during the open public meeting following the Executive Session.

IX. Control Officer Report

A. **OECA Proposes 2024-2027 National Enforcement Initiatives in The Federal Register (January 12, 2023)** - EPA has published a notice in the *Federal Register* (88 Fed. Reg. 2093) proposing its National Enforcement and Compliance Initiatives for 2024 through 2027, that will serve as crosscutting priorities for the agency's Office of Enforcement and Compliance Assurance (OECA) to target its resources to the most serious environmental violations. OECA has six initiatives underway from its 2020-2023 list of priorities, which include 1) reducing emissions of harmful air pollutants from stationary sources; 2) reducing emissions from hazardous waste facilities; 3) reducing "significant noncompliance" with national pollution discharge elimination system (NPDES) permits; 4) reducing noncompliance with drinking water standards at community water systems; 5) reducing risks of accidental releases at industrial and chemical facilities; and 6) stopping aftermarket defeat devices for vehicles and engines. OECA proposes to continue Initiatives 1 through 4, and conclude national initiatives on 5 (air emissions from hazardous materials facilities) and 6 (mobile source emissions tampering). OECA asserts that it has met its goals for Initiative 5, and that the "Agency has made significant progress on [initiative 6], addressed serious violations through enforcement actions reducing pollution and improving air quality, and raised awareness of the concerns." For 2024-2027, EPA is proposing two new National Enforcement and Compliance Initiatives, "Mitigating Climate Change" and "Addressing PFAS Contamination." The agency also seeks comment on whether two additional initiatives, "Reducing Exposure to Lead" and "Addressing Coal Combustion Residuals", should warrant consideration as new initiatives. EPA will be accepting public comment on the proposed 2024-2027 National Enforcement and Compliance Initiatives until March 13, 2023. For further information: <https://www.govinfo.gov/content/pkg/FR-2023-01-12/pdf/2023-00500.pdf> and <https://www.epa.gov/enforcement/national-enforcement-and-compliance-initiatives>

B. **EPA Proposes to Revise Primary Annual PM_{2.5} NAAQS, Retain 24-Hour NAAQS Without Revision (January 6, 2023)** - Administrator Michael S. Regan announced a proposed rule to revise the particulate matter (PM) National Ambient Air Quality Standards (NAAQS) based on the agency's 2021-2022 reconsideration of a December 18, 2020, EPA decision to retain without revision the existing PM NAAQS. The agency proposes to revise the current 12-micrograms-per-cubic-meter ($\mu\text{g}/\text{m}^3$) primary annual PM_{2.5} standard to a level within the range of 9-10 $\mu\text{g}/\text{m}^3$ and is seeking comment on an annual standard as low as 8 $\mu\text{g}/\text{m}^3$ and as high as 11 $\mu\text{g}/\text{m}^3$. For the primary 24-hour PM_{2.5} standard, EPA proposes to retain the current 35- $\mu\text{g}/\text{m}^3$ standard without revision and is seeking comment on lowering the standard to as low as 25 $\mu\text{g}/\text{m}^3$. The agency further proposes to retain without revision the secondary annual and 24-hour PM_{2.5} standards and the primary and secondary PM₁₀ standards; EPA seeks comment on revising the level of the secondary 24-hour PM_{2.5} standard to as low as 25 $\mu\text{g}/\text{m}^3$. "EPA also proposes updates to the Air Quality Index for PM_{2.5}. Although the proposal does not address area designations the package includes maps identifying which areas would violate a 10- $\mu\text{g}/\text{m}^3$ primary annual standard and a 9- $\mu\text{g}/\text{m}^3$ primary annual standard based on current data, as well as maps depicting the impact of other standards scenarios EPA considered. EPA believes a vast majority of areas will be in attainment of the proposed range of standards based on current data and that forthcoming federal rules, as well as

investments made with funding under the Inflation Reduction Act and Bipartisan Infrastructure Law, will allow many areas to attain a revised standard. In terms of annual benefits and costs, in 2032 under a 10- $\mu\text{g}/\text{m}^3$ annual standard EPA estimates 1,700 avoided premature deaths, 110,000 avoided lost workdays, \$17 billion in net benefits and \$95 million in costs. Once the proposal is published in the *Federal Register* there will be a 60-day public comment period, including a public hearing. The agency anticipates finalizing a PM NAAQS rule by early 2024. For further information: <https://www.epa.gov/pm-pollution/proposed-decision-reconsideration-national-ambient-air-quality-standards-particulate> and <https://www.epa.gov/newsreleases/epa-proposes-strengthen-air-quality-standards-protect-public-harmful-effects-soot>

C. **White House Issues New Regulatory Agenda (January 4, 2023)** -The White House Office of Management and Budget (OMB) issued its Fall 2022 Agenda of Regulatory and Deregulatory Actions on January 4, 2023. The latest regulatory agenda includes 2,651 rule changes in various states of action and consideration by the Federal Government, including 212 from EPA that are related to clean air agencies' work. The White House said the Fall 2022 Regulatory Agenda "advances the Administration's ambitious climate and clean energy agenda with ongoing efforts to promote clean air and clean water, improve energy security and efficiency, and help mitigate the dangers of climate change." The last regulatory agenda was released in June 2022. The planned dates for the issuance and finalization of several EPA rules have been pushed back since the previous regulatory agenda, including a one-month delay for proposals for greenhouse gas (GHG) emissions from new and existing power plants; final methane rules, and reconsideration of National Ambient Air Quality Standards for PM 2.5 and ozone. Also included in the regulatory agenda are GHG emissions standards for heavy-duty engines and vehicles (Phase 3), with a notice of proposed rulemaking (NPRM) expected in March 2023; NESHAPS for Ethylene Oxide from commercial sterilization and fumigation, whose NPRM is expected in March 2023; revisions to Minor New Source Review (NSR) Program Requirements for State Implementation Plans, with an NPRM date of October 2023; and updates to the Air Emission Reporting Requirements (AERR) with an NPRM expected in May 2023. Also, on EPA's list are plans to publish an advance notice of proposed rulemaking in February 2023 seeking input on future regulations addressing certain PFAS chemicals under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), according to the agenda. In addition, the Securities and Exchange Commission intends to delay its issuance of climate disclosure regulations for the financial sector by six months, to April 2023; and the Government Services Administration, which procures federal property, logistics, and services, has also delayed its proposed rule aimed at reducing emissions from federal buildings. For further information: <https://www.whitehouse.gov/omb/briefing-room/2023/01/04/2022-unified-regulatory-agenda-and-regulatory-plan/>

X. Board Policy Discussion Issues
As Necessary

XI. Issues for Upcoming Meetings
COLA decision for 2023 (April)
ED Evaluation (April)
SWCAA Budget (May)

Air Toxics Rulemaking Proposal (TBD)

XII. Adjourn

Notes:

(1) Served by C-TRAN Routes: 7, 72 and 76.

(2) Accommodation of the needs for disabled persons can be made upon request. For more information, please call (360) 574-3058 extension 110.