

Southwest Clean Air Agency

Board of Directors Minutes

August 3, 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 August 3, 2023.

Those present were: Ben Shumaker, Director, City of Stevenson  
Lee Tisher, Director, Wahkiakum County  
Robert Stowe, Director, Town of Cathlamet  
Ruth Kendall, Director, City of Longview  
Max Vogt, Director, City of Centralia  
Arne Mortensen, Director, Cowlitz County  
Richard Mahar, Director, Skamania County  
Sean Swope, Director, Lewis County  
Vacant, Member at Large

Excused: Dr. Alan Melnick, Chair, Clark County  
Kim Harless, Director, City of Vancouver

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

Guests: Ryan Smith

Call to Order

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

Board of Directors Minutes

Mr. Shumaker asked for consideration of the June 2, 2023 minutes. Mr. Mortensen moved and Mr. Mahar seconded that the minutes for the June 2, 2023, Board meeting be approved. Motion passed.

Consent Agenda

Mr. Shumaker asked for approval of the Consent Agenda including voucher numbers 415 through 434 and 436 through 446 and 448 through 453 in the amount of \$46,424.25 which have been approved for payment by the Executive Director, voucher 435 and 447 in the amount of \$21,840.70, April 2023 Salaries and Benefits in the amount of \$154,717.68.

August 3, 2023

Mr. Mahar moved and Mr. Mortensen seconded that the Consent Agency be approved. Motion passed.

### Changes to Agenda

Mr. Shumaker requested to add the election of a Vice Chair to the agenda after the appointment of the 'Member at Large' is voted on. Mr. Mortensen moved to add the election of the Vice Chair to the agenda. Mr. Mahar seconded the motion. Motion passed.

### Info Items & Public Comment

None

### Public Hearing

None

### Unfinished Business/New Business

Mr. Shumaker opened discussion on the appointment of "Member at Large" board position and recognized Mr. Papish. Mr. Papish said Board members are appointed by their respective governing body at least every four years as dictated by statute.

*"RCW 70A.15.2000 (b) In the case of an authority comprised of one county, with a population less than four hundred thousand people, or of more than one county, either a member of the governing body of one of the towns, cities or counties comprising the authority, or a private citizen residing in the authority. (4) The terms of office of board members shall be four years."*

Ryan Smith, SWCAA's "Member at Large" (or private citizen) member was last appointed by the SWCAA Board of Directors in June of 2019 and therefore his term is up. Ryan Smith was elected Vice Chair this year and has indicated he would like to be reappointed to the Member at Large position for another term. SWCAA posted a job announcement for the position in newspapers in each of the five jurisdictions represented by SWCAA to provide an opportunity for other applicants. SWCAA received no applications.

Mr. Schumaker asked for a motion. Mr. Mortensen made a motion to appoint Ryan Smith to the Member at Large position for an additional term. Mr. Mahar seconded the motion. Motion passed.

Mr. Shumaker opened discussion on election of a Vice Chair to the Board of Directors. Mr. Mahar made a motion to elect Ryan Smith as Vice Chair of the Board. Mr. Mortensen seconded the motion. Motion passed.

Mr. Shumaker opened discussion on the proposed revisions to SWCAA's Schedule of Minimum Civil Penalty and Enforcement Worksheets and recognized Mr. Papish. Mr. Papish said SWCAA's Schedule of Minimum Civil Penalty Assessment Levels has not been updated since 2012. There have been no consumer price index increases in the SWCAA assessment levels since 2012 so the ability of the penalties to encourage compliance without needing to take enforcement action has diminished over the past decade. EPA updates its minimum enforcement levels by the consumer price index at regular intervals and encourages state and local clean air agencies to take similar updating actions. The Western States Consumer Price Index increased by 36% between 2011 and 2022. Attachment A includes the existing minimum penalty schedule and a proposed approximate 36% to 38% increase along with additional changes to SWCAA's penalty worksheets.

On June 20th, 2023, SWCAA posted this proposal to increase the civil penalties and revise SWCAA's enforcement worksheets. SWCAA posted the public notice on SWCAA's website and sent out public notification mailings to approximately 1,500 affected businesses. SWCAA also sent digital notifications to interested parties who have signed up on SWCAA's website to receive such notifications. SWCAA held a public hearing on the evening of July 20th. No one attended the public hearing, and no public comments on the proposal were received. The Public Hearing Officer Report can be found in Attachment B.

Mr. Mortensen asked when the last increase was made to SWCAA's civil penalties. Mr. Papish said the last increase was during 2012. All penalties can be appealed to the Pollution Control Hearings Board (PCHB). When a penalty is appealed the PCHB uses their own criteria to evaluate if a penalty is reasonable or not. This appeal process is free to the alleged violator, however, any attorney involvement is not covered. Mr. Mortensen confirmed the penalties are going to be high enough to encourage compliance. Mr. Papish confirmed the economic benefit of non-compliance is considered during the evaluation.

Mr. Shumaker asked for a motion to adopt SWCAA's proposed increases to the civil penalties and revised SWCAA penalty determination worksheets found in Attachment A. Mr. Mortensen made a motion to adopt SWCAA's proposed increase to the civil penalties and revised SWCAA penalty determination worksheets. Ms. Kendall seconded the motion. Motion passed.

#### Executive Session

None

#### Executive Director's Report

Mr. Papish summarized the information provided in the Executive Director's Report and offered to answer any questions.

**EPA Publishes Proposed Phase Out of Perc Use for Dry Cleaning and Other Purposes (June 16, 2023)** - EPA has published in the *Federal Register* a proposed a 10-year phase out of perchloroethylene (PCE) for most dry cleaning; industrial and commercial uses, including the August 3, 2023

manufacture, processing and distribution of PCE in commerce for certain prohibited uses; and consumer use (88 Fed. Reg. 39,652). The proposal (announced on June 8, 2023), which is under the Toxic Substances and Control Act, also calls for a workplace chemical protection program for PCE, that includes an inhalation exposure concentration limit and prevention of direct dermal contact. For further information: <https://www.federalregister.gov/documents/2023/06/16/2023-12495/perchloroethylene-pce-regulation-under-the-toxic-substances-control-act-tsca>

**Biden Administration’s Hydrogen Plan Released (June 5, 2023)** - The U.S. Department of Energy (DOE) has released its “U.S. National Clean Hydrogen Strategy and Roadmap”, a framework for accelerating the production, processing, delivery, storage, and use of hydrogen. DOE described hydrogen as “a versatile and flexible energy carrier that can be produced with low or zero carbon emissions.” The Strategy and Roadmap examines three future demand scenarios, including 10 million metric tonnes (MMT) of clean hydrogen annually by 2030, 20 MMT annually by 2040, and 50 MMT annually by 2050. The report recommends three strategies: targeting strategic, high-impact uses for clean hydrogen, which will ensure that clean hydrogen will be utilized in the highest benefit applications, where limited alternatives exist (such as the industrial sector, heavy-duty transportation, and long-duration energy storage to enable a clean grid); reducing the cost of clean hydrogen by catalyzing innovation and scale, stimulating private sector investments, and developing the clean hydrogen supply chain; and focusing on regional networks with large-scale clean hydrogen production and end-use in close proximity. DOE said it plans to update the report every three years to keep pace with rapidly changing market and deployment conditions. For further information:

[https://www.hydrogen.energy.gov/clean-hydrogen-strategy-roadmap.html?utm\\_medium=print&utm\\_source=hydrogen-doe&utm\\_campaign=strategy](https://www.hydrogen.energy.gov/clean-hydrogen-strategy-roadmap.html?utm_medium=print&utm_source=hydrogen-doe&utm_campaign=strategy)

**ALA Publishes Report on Health Benefits of Zero-Emission Cars and Electricity (June 7, 2023)** - The American Lung Association (ALA) released “Driving to Clean Air: Health Benefits of Zero-Emission Cars and Electricity.” Among the findings presented in the report are that achieving 100 percent new zero-emission passenger car sales and clean, non-combustion electricity generation by 2035 could result in national cumulative benefits by 2050 of 89,300 fewer premature deaths, 2.2 million fewer asthma attacks, 10.7 million fewer lost workdays, with monetized health benefits of \$978 billion. ALA also provides state-by-state benefits and policy recommendations. For further information: <https://on.lung.org/3qptDRf>

**Bloomberg Report Predicts 28% of US New Car Sales Will be BEVs in 2026 (June 6, 2023)** - A new report by the consultancy Bloomberg New Energy Finance has found that global sales of non-hybrid internal combustion engine cars may have peaked in 2017, with oil use for vehicles already declining in the U.S. and Europe and expected to peak globally by 2027. The report predicts that global sales of new electric passenger cars will grow from 14 percent of vehicles sales in 2022 to 30 percent in 2030. The authors also estimate that battery electric vehicles (BEVs) will make up 28 percent of U.S. passenger car sales in 2026, up from 7.6 percent in 2022, largely driven by the Inflation Reduction Act (IRA) tax credit up to \$7,500 for new BEVs and \$4,000 for used BEVs. The report also finds that electric trucks will become more prevalent, becoming “as cheap as diesel equivalents even for long-haul applications” before 2030. Still, “Heavy trucks in particular are far behind the net-zero trajectory and should be a priority focus for policy makers,” the report says. For further information: <https://www.4cleanair.org/wp->

August 3, 2023

[content/uploads/2023-electric-vehicle-outlook.pdf](#)

Board Policy Discussion Issues

None.

Issues for Next Meeting

A. Public Hearing.

1. As Necessary.

B. New Business/Unfinished Business.

1. CPI fee increase proposal
2. Documentation of follow-up/implementation of previous Board actions/decisions
3. SWCAA Performance Metrics, including summaries and reports of trends
4. As Necessary.

C. Meeting Date and Location.

1. September 7, 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 September 7, 2023 at 3:00 p.m., Southwest Clean Air Agency, Vancouver, Washington.

Board Meeting Attendance:

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

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

Mr. Shumaker adjourned the meeting without objection at 3:46 p.m.

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 Chair

DocuSigned by:  
  
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 Executive Director