

SOUTHWEST CLEAN AIR AGENCY

Board of Directors Meeting
September 7, 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 - August 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

SWCAA's Revised Activity Report

SWCAA's new activity report has performance reporting metrics, including summaries and reports on trends. The new activity report provides graphs showing trends rather than tables showing the current month's activities.

- VII. Public Hearing
None

VIII. Unfinished Business/New Business

A. CPI Fee Increase Proposal

Issue – SWCAA’s Board of Directors has requested SWCAA bring a CPI fee increase to the Board for consideration on an annual basis.

Background –The Board has recommended revising fees on an annual basis equal to the Consumer Price Index (CPI) to keep up with inflation. The purpose of incremental CPI fee increases is to avoid having to do larger (catch-up) fee increases every several years. SWCAA’s Board has been adopting annual CPI fee increases to SWCAA’s fees since 2019. Last year the Board adopted a 6.1 percent fee increase and raised the per capita fee by three cents (from 55 to 58 cents). The three-cent per capita fee increase equaled to 5.45 percent instead of 6.1 percent due to rounding to the nearest cent.

Recommendation - Approve SWCAA to public notice and solicit public comment related to raising SWCAA’s 2024 fees by last year’s Western State’s CPI which is equal to 7.5 percent and raising the per capita fee by four cents (from 58 to 62 cents). The four-cent per capita fee increase would be 6.9 percent instead of 7.5 percent due to rounding to the nearest cent.

B. Executive Session

The Board may go into Executive Session for discussion related to litigation or potential litigation with legal counsel representing the agency in accordance with RCW 42.30.100(1)(i).

IX. Executive Director’s Report

- A. EPA OECA Releases 2024-2027 National Enforcement Priorities; Adding Climate Change And PFAS, Dropping Mobile Source Tampering (August 17, 2023)** EPA’s Office of Enforcement and Compliance Assurance (OECA) has released its national enforcement and compliance initiatives (NECIs) for Fiscal Years (FY) 2024 to 2027. The NECIs represent priorities that EPA uses to focus its resources on issues of significant noncompliance and that have national scope. In this round of NECIs, EPA added three new program areas: Climate Change, Per- and Polyflouryl Alkyls (PFAS), and Coal Ash Contamination. EPA will continue to advance two NECI areas, focused on Drinking Water Standards and Chemical Accidents. EPA combined and modified NECIs focused on air pollution, NAAQS compliance, industrial facility emissions into a single NECI focused on preventing air toxics emissions. EPA also dropped its NECI that focused on preventing emissions from mobile sources and aftermarket tampering. EPA said that its revised NECI list for 2024-2027 aligns their actions with two overarching Strategic Plan goals: Tackle the Climate Crisis and Take Decisive Action to Advance Environmental Justice. The new Climate Change NECI will address three emission source types: “methane emissions from oil and gas facilities; methane emissions from landfills; and the use, importation, and production of hydrofluorocarbons (HFCs)”. This aligns with NACAA’s recommendation to OECA in our March 13, 2023 comments on the proposed

NECIs, which state that “if EPA proceeds, existing regulations regarding HFC, methane and mobile source CO2 emissions already present opportunities for action.” The Air Toxics NECI will focus on all HAPs, particularly in overburdened communities, and particularly calls out “benzene, ethylene oxide, and formaldehyde” as priorities. EPA said that it was returning the mobile source emissions initiative to the core program because it had met the goals of this program area by FY 2023. “OECA and the Regions will continue to investigate and pursue enforcement against upstream manufacturers and distributors of defeat devices to leverage the greatest benefits for human health and the environment, as well as continue to provide training and coordinate with states and maintain outreach and compliance assistance to industry groups,” the memorandum says. NACAA had called for the retention of this initiative in our comments, documenting our concerns that this remains an area of widespread and significant violations, and flagging that the EPA’s Office of Inspector General had issued a Jan. 25, 2023, report titled “The EPA Is Not on Track to Reach Its National Compliance Initiative Goals to Stop Aftermarket Defeat Devices and Tampered Vehicles.” The new NECIs take effect October 1, 2023. For further information: <https://www.epa.gov/system/files/documents/2023-08/fy2024-27necis.pdf>

B. U.S. DOT Proposes New Fuel Efficiency Standards for Passenger Cars, Light Trucks and Heavy-Duty Pickup Trucks (July 28, 2023)- The U.S. Department of Transportation’s National Highway Traffic Safety Administration (NHTSA) proposed new Corporate Average Fuel Economy (CAFE) standards for MY 2027 through 2032 passenger cars and light trucks and MY 2030 through 2035 heavy-duty pickup trucks. Under the fuel efficiency proposal 1) the standards for passenger cars increase at a rate of 2 percent per year; 2) the standards for light trucks increase at a rate of 4 percent per year; and 3) the standards for heavy-duty pickup trucks increase at a rate of 10 percent per year. At this time, NHTSA projects that its proposed standards would require an industry-wide fleet average for passenger cars and light trucks of about 58 miles per gallon in MY 2032 and an industry-wide fleet average for heavy-duty pickup trucks of about 2.6 gallons per 100 miles in MY 2038. With respect to benefits, NHTSA projects that the proposed standards would reduce average fuel costs over the lifetime of a passenger car or light truck by \$1,043 and of a heavy-duty pickup truck by \$439 and, overall, will save consumers over \$50 billion on fuel over the lifetime of affected vehicles and conserve more than 88 billion gallons of gasoline through 2050. NHTSA states that the proposed standards “are directly responsive to the agency’s statutory mandate to improve energy conservation and reduce the nation’s energy dependence on foreign sources.” In addition, NHTSA estimates the proposed standards will prevent over 900 million tons of carbon dioxide emissions, which equates to taking over 233 million vehicles off the road from 2022 through 2050. For further information: <https://www.nhtsa.gov/sites/nhtsa.gov/files/2023-07/CAFE-2027-2032-HDPUV-2030-2035-NPRM-web-version.pdf> and <https://www.nhtsa.gov/laws-regulations/corporate-average-fuel-economy#75896>

EPA Announces Availability Of \$115 Million In Funding For DERA Grants (August 2, 2023) - EPA announced a Notice of Funding Opportunity (NOFO) for grants under the 2022-2023 Deisel Emissions Reduction Act (DERA) program, intended “to accelerate the upgrade, retrofit, and turnover of the legacy diesel fleet.” The agency expects to award a total of about \$115 million under this program, contingent upon, among other things, the availability of funding (about half of which will come from FY 2022 funds and half from FY 2023 funds) and the quality and number of applications received. Applications for

these DERA funds must be submitted to EPA by December 1, 2023. For technical support on grants.gov (the online portal through which applications for DERA funds are to be submitted) contact (800) 518-4726 or support@grants.gov. To receive ongoing information about this funding program, sign up to receive EPA's DERA News emails. For further information: <https://www.epa.gov/newsreleases/biden-harris-administration-announces-availability-115-million-grants-cut-harmful> and <https://www.epa.gov/dera/national#NOFO>

X. Board Policy Discussion Issues
As Necessary

XI. Issues for Upcoming Meetings

- Documentation of follow-up/implementation of Board actions/decisions; and
- CPI fee increase decision

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.