

Southwest Air Pollution Control Authority

Board of Directors

June 15, 1993

The regular meeting of the Southwest Air Pollution Control Authority Board of Directors was held in the Longview City Council Chambers, Longview, Washington, on June 15, 1993 at 3:00 p.m.

Those present were: Linda Horowitz, Chair
Warren Dahlin, Director, Lewis County
Dean Evans, Director, Skamania County
Doug Larson, Director, Member at Large
David Lynam, Alternate Director, Clark County
Mark Miller, Director, City of Centralia
Ron Ozment, Director, Wahkiakum County
Hal Palmer, Director, City of Longview

Also present: Staff: Robert D. Elliott, Executive Director
Paul Mairose, Chief Engineer
Steve Mrazek, Air Quality Engineer
Jerry Bradford, Air Quality Control Specialist
Virginia Fry, Office Manager

Guests: Sue Mauermann, WDOE
Dan Johnson, WDOE
Linda Blalock, WDOE
Len Dozier, Vancouver
Kevin Downing, DEQ
Dave Shilton, PacifiCorp
David Wilson, PacificCorp
Beverly Brown, The Reflector
Steve Harvey, Cowlitz-Wahkiakum Council of Governments

Excused: Mary Ann Duncan-Cole, Director, City of Stevenson
James Macey, Director, Cowlitz County
Vacant Position, Director, City of Cathlamet

Mrs. Horowitz called the meeting to order. Minutes of the May 17, 1993 meeting were discussed. Mr. Palmer moved, and Mr. Dahlin seconded that the minutes be approved with an amendment on page 2, paragraph 3, to include "Lewis County gave a 3% COLA raise in 1993." Motion passed.

Public Hearing

Mrs. Horowitz opened the Public Hearing by stating that SWAPCA's Business Rules specify the following procedures for the Hearing: Staff will make its presentation on each regulation, then proponents will be recognized, followed by the opponents. Each speaker will give their name, address and the company being represented. The first three regulations will be addressed as a SWAPCA Public Hearing, then the Public Hearing will be turned over to the Department of Ecology (WDOE) for their Public Hearing, followed by the remaining SWAPCA Public Hearing items. SWAPCA and WDOE are holding a joint Public Hearing for regulations which need to be included in the State Implementation Plan.

Mrs. Horowitz asked Mr. Elliott to present his comments on the Operating Permit Regulations (SWAPCA 401). He stated that staff has been working with the Technical Advisory Committee over the past eight months on this regulation including developing a fee schedule. The Regulations have been published in the Washington State Register. A number of comments have been received asking SWAPCA to postpone final adoption until WDOE formally adopts their Air Operating Permit Regulations. Mr. Elliott recommended continuing the Public Hearing until WDOE adopts their regulations and to reopen the comment period until the August Board meeting. All written comments received to date will remain a part of the record. Following discussion, Mrs. Horowitz asked for public comment. There were none. Mr. Miller moved, and Mr. Evans seconded continuing the Public Hearing on SWAPCA 401 until the Board meeting following WDOE's adoption of its final Air Operating Permit Regulations, leaving the comment period open until that time. Motion passed.

Mrs. Horowitz asked Mr. Elliott to present his comments on the Standards of Performance for New Sources (SWAPCA 400-115). He stated that the Board needs to adopt this regulation by reference to update our Regulations. Adopting by reference is a modification from the original proposal and will aid SWAPCA administratively. This adoption allows SWAPCA to stay in compliance with the Federal Standards and enables SWAPCA to receive enforcement delegation. This regulation must be incorporated into the State Implementation Plan. Following discussion, Mrs. Horowitz asked for public comment. There were none. Mr. Palmer moved, and Mr. Lynam seconded approval of the adoption of SWAPCA 400-115. Motion passed.

Mrs. Horowitz asked Mr. Elliott to present his comments on Emission Standards for Sources Emitting Hazardous Air Pollutants (SWAPCA 400-075). He stated that the Board needs to adopt this regulation by reference to update our Regulations. This adoption allows SWAPCA to stay in compliance with the Federal Standards and enables SWAPCA to receive enforcement delegation. Mrs. Horowitz asked for public comment. Mr. Dave Shilton of PacificCorp stated that the Regulations do not preempt the electric utilities as addressed under Section 112 of the Clean Air Act. Mr. Elliott recommended continuing the Hearing on this regulation until staff can analyze PacificCorp's comment more closely. Following discussion, Mr. Lynam moved, and Mr. Ozment seconded continuing the Hearing on SWAPCA 400-075. Motion passed.

Mrs. Horowitz turned the meeting over to Lydia Blalock of the Department of Ecology. She stated that she will be taking comments on whether the Standards of Performance of New Sources (NSPS) regulation should be a part of the State Implementation Plan. She stated copies of the draft have been made available at various locations throughout SWAPCA's jurisdiction. Paid legal notices were published in the newspapers of record in each of the five counties which make up SWAPCA's jurisdiction. Hearing notices were sent to 1,332 interested parties. Ms. Blalock opened the Hearing for public comment. There were none. She then turned the Public Hearing back to SWAPCA.

Mrs. Horowitz asked Mr. Elliott to present his comments on the General Regulations for Air Pollution Sources (SWAPCA 400). He proposed continuation of the Hearing on this regulation until WDOE finalizes its regulations. Mrs. Horowitz opened the Hearing to public comment. There were none. Mr. Palmer moved, and Mr. Larson seconded continuing the Hearing on SWAPCA 400. Motion passed.

Mrs. Horowitz asked Mr. Elliott to present his comments on the Standards for Asbestos Control (SWAPCA 476). He stated that several written comments were received from PacificCorp. The format for this regulation is based on Puget Sound Air Pollution Control Authority's program. SWAPCA is the last local authority to formally adopt an asbestos program. He reviewed the attached written responses to the public comments. Following discussion, Mrs. Horowitz asked for public comments. She recognized Mr. David Wilson of PacificCorp. He stated that Pacific Power & Light is constantly reinsulating and the 10 day notification requirement can be cumbersome and requested a change to include annual forecasting and quarterly reports. Mr. Elliott reported that this request is met through the proposed changes in the proposed regulation, but that further discussion would be held with PacificCorp to clarify this point. Mr. Palmer moved, and Mr. Ozment seconded adoption of SWAPCA 476 including the noted changes. Motion passed.

Mrs. Horowitz asked Mr. Elliott to present his comments on the Oxygenated Fuels Regulation (SWAPCA 492). He stated that written comments were received from Unocal, ARCO Products Company, BP Oil and Western States Petroleum Association. He reviewed the attached written responses to the public comments. Following discussion, Mrs. Horowitz asked for public comment. She recognized Len Dozier of Vancouver. He asked if there are any numerical measurements to justify expansion of this program from Clark County to include the remaining four counties in SWAPCA's jurisdiction and what led the State to do a study relative to expansion. Following discussion, Mr. Miller moved, and Mr. Larson seconded adoption of SWAPCA 492 for Clark County with staff's proposed changes, but also excluding any reference of expansion of this program to the other four counties under SWAPCA's jurisdiction. Motion passed.

Mrs. Horowitz asked Mr. Elliott to present his comments on the Volatile Organic Emissions from Petroleum Contaminated Soil Regulation (SWAPCA 493). He stated that WDOE has requested that SWAPCA continue the Hearing on this regulation to at least the July Board meeting to accommodate further discussion between the two agencies on this regulation. WDOE was the only organization to comment on this regulation and their comments will remain a part of the record. Mrs. Horowitz asked for public comment. There were none. Mr. Palmer moved, and Mr. Larson seconded continuing the Hearing on SWAPCA 493. Motion passed.

Mrs. Horowitz asked Mr. Elliott to present his comments on the Open Fires Regulation (SWAPCA 426). Mr. Elliott stated that Mr. Len Dozier was the only individual to comment on this regulation. He stated

that WAC 425 and SWAPCA 426 have some overlapping information. Mr. Elliott proposed adopting the regulation, but eliminating any duplication with WAC 425. Mrs. Horowitz asked for public comment. Mr. Dozier indicated his support for the change. Following discussion, Mr. Palmer moved, and Mr. Lynam seconded adoption of SWAPCA 426 to be renumbered as 425 and including any changes required to eliminate duplication. Motion passed.

Mrs. Horowitz asked Mr. Elliott to present his comments on Department of Ecology Regulations to be adopted by reference as follows:

- SWAPCA 425 - Open Burning;
- SWAPCA 433 - Solid Fuel Burning Device;
- SWAPCA 434 - Emergency Episode Plan;
- SWAPCA 460 - Controls for New Sources of Toxic Air Pollutants;
- SWAPCA 470 - Ambient Air Quality Standards for Particulate Matter;
- SWAPCA 474 - Ambient Air Quality Standards for Sulfur Dioxide;
- SWAPCA 475 - Ambient Air Quality Standards for Carbon Monoxide, Ozone,
and Nitrogen Dioxide;
- SWAPCA 490 - Emission Standards and Controls for Sources Emitting
Volatile Organic Compounds (VOC);
- SWAPCA 491 - Emission Standards and Controls for Sources Emitting
Gasoline Vapors.

Mr. Elliott stated he recommends adoption as currently published to insure that all regulations being enforced by SWAPCA are current. Mrs. Horowitz asked for public comment. There were none. Following discussion, Mr. Lynam moved, and Mr. Dahlin seconded adoption. Motion passed.

Public Comment

Mrs. Horowitz asked for public comment from the public. There were none.

Unfinished Business

Mrs. Horowitz opened discussion on the proposal for the Agency to acquire additional office space on the first floor. Mr. Elliott stated that to accommodate future planned staff additions current space will become cramped. He commented that there is an opportunity to acquire additional space immediately adjacent to SWAPCA's office now and the 1993/1994 budget includes funds for this possible space acquisition. Mrs. Horowitz expressed her opposition to governmental agencies expanding their office space. Mr. Dahlin suggested that the Agency's Conference Room might possibly be utilized for the additional needed office space and the Board return to its previous practice of holding Board meetings at the Vancouver City Council Chambers. Mr. Palmer suggested that this decision may be more appropriate within the decision making authority of the Executive Director. Mr. Ozment commented that since this is only the first opportunity for the Board to discuss this issue perhaps it should be rescheduled for a future meeting. Mr. Elliott recommended that this proposal be tabled to a future meeting. Following discussion, the Board tabled any decision until a future Board meeting.

Mr. Elliott reported that SWAPCA has received an open burning variance request from Eagle Lisher, Inc. for the Columbia Gorge Interpretive Center. Mr. Elliott commented that the company committed in its letter to several programs to minimize air pollution and recommended approval of the variance. Following discussion, Mr. Evans moved, and Mr. Dahlin seconded approval of the variance. Motion passed.

Financial Report

Mrs. Horowitz asked for the summary of budget expenditures for May 1993. Mr. Elliott circulated copies of the May Financial Report.

Vouchers

Mrs. Horowitz asked for consideration of the vouchers. Mr. Palmer moved, and Mr. Evans seconded that voucher numbers 474 through 520 in the amount of \$8,888.53 by the Executive Director and voucher numbers 521 through 534 in the amount of \$50,433.01 and the May payroll in the amount of \$34,516.56 be approved. Motion passed.

New Business

None.

Committee Reports

None.

Control Officer's Report

Mr. Elliott reported the following:

(1) SWAPCA's Education Display Booth will be set up for two meetings in June. One on June 5, at an Open House for Fire District No. 6 and on June 19 for the Woodland Fire Department and Woodland Fire District No. 1 at Planter's Day.

(2) Correspondence from the U.S. EPA has indicated that Vancouver will need to complete calendar year 1993 with less than two carbon monoxide exceedances before a redesignation request can be submitted for carbon monoxide.

(3) David Jahn (SWAPCA Attorney) has reviewed the question of whether a quorum can be based on a concept of less than eleven members. He indicated that this is not an option.

(4) The 1991 Washington Clean Air Act states Board of Director's compensation shall be "consistent with the authority's rates for time spent in the performance" of their duty. Following discussion, the Board decided to continue compensation for eligible members at a rate of \$25.00 per meeting.

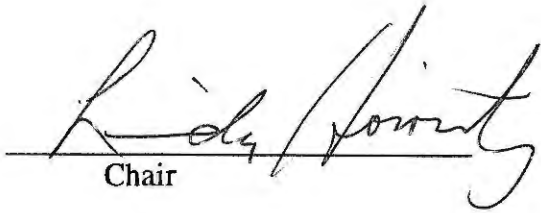
Issues for Next Meeting

1. Overtime Policy
2. Personnel Manual

The next Board Meeting will be held July 20, 1993 at 3:00 p.m. in the Lewis County Court House Annex, Meeting Room No. 1, 345 W. Main, Chehalis.

Adjournment

Meeting adjourned 5:35 p.m.


Chair


Executive Director