

Southwest Clean Air Agency

Board of Directors Minutes

June 6, 2024

The regular meeting of the Southwest Clean Air Agency Board of Directors was held in the Southwest Clean Air Agency office, Vancouver, Washington on June 6, 2024.

Those present were: Ben Shumaker, Vice-Chair, City of Stevenson  
Ryan Smith, Director, Member at Large  
Lee Tischer, Director, Wahkiakum County  
Ruth Kendall, Director, City of Longview  
Arne Mortensen, Director, Cowlitz County  
Richard Mahar, Director, Skamania County  
Kim Harless, Director, City of Vancouver  
Robert Stowe, Director, Town of Cathlamet  
Andy Oien, Director, City of Centralia  
Sean Swope, Director, Lewis County

Excused: Dr. Alan Melnick, Chair, Clark County

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

Guests: None

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 May 2, 2024 minutes. Mr. Swope moved and Mr. Smith seconded that the minutes for the May 2, 2024 Board meeting be approved. Motion passed.

Consent Agenda

Mr. Shumaker asked for approval of the Consent Agenda including voucher numbers 424 through 464 in the amount of \$59,517.83 which have been approved for payment by the Executive Director, April 2024 Financial Statement and April 2024 Salaries and Benefits in the amount of \$171,182.19.

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Mr. Mortensen moved and Mr. Swope seconded that the Consent Agenda be approved. Motion passed.

Changes to Agenda

None

Info Items & Public Comment

None

Public Hearing

None

Unfinished Business/New Business

Mr. Shumaker opened discussion on the addition of Juneteenth as a SWCAA Holiday and recognized Mr. Papish. Mr. Papish said in 2022, the Washington legislature made Juneteenth (June 19) a state legal holiday commemorating the abolishment of slavery and the day that the knowledge of freedom reached the last remaining enslaved people in 1865. Juneteenth also became a federal legal holiday in 2021.

[RCW 1.16.050](#) establishes the Washington State legal holidays when state offices are closed. Most local governments follow the state holiday schedule although they are not required to do so. Under [RCW 1.16.050](#)(6), the legislative body of each local government has the discretion to adopt more or fewer paid holidays.

Mr. Shumaker asked for a motion. Mr. Stowe made a motion to add Juneteenth as a holiday for SWCAA to better align with the Washington State holiday schedule. Mr. Smith seconded the motion. Mr. Mahar opposed the motion. Motion passed.

Mr. Shumaker opened discussion on the cancelation of July Board of Directors Meeting and recognized Mr. Papish. Mr. Papish said the July Board has historically been canceled due to its proximity to the fourth of July holiday. This year's meeting would be on the fourth of July. The Washington Clean Air Act requires that the Board of Directors meet at least 10 times per year. Six meetings have been held through the June Board meeting.

Mr. Shumaker asked for a motion. Mr. Smith made a motion to cancel the July Board of Directors meeting. Mr. Mortensen seconded the motion. Motion passed.

Mr. Shumaker opened discussion on the Washington State Audit and recognized Mr. Papish. Mr. Papish said SWCAA underwent the following audits: (1) Accountability audit for July 1, 2021 through June 30, 2023, (2) Financial statement audit for July 1, 2021 through June 30, 2023, and (3) Air Operating Permit Program - Agreed Upon Procedures

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for July 1, 2021 through June 30, 2023. SWCAA’s audit resulted in no findings nor management recommendations. The audit reports are published and available on the Washington State Auditor’s website: <https://sao.wa.gov/reports-data/audit-reports>.

### 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 Releases Power Sector Programs Progress Report For 2022 (May 20, 2024)** - EPA released its latest “Power Sector Progress Report,” summarizing the environmental results of the agency’s Acid Rain Program, series of Cross-State Air Pollution Rules and the Mercury and Air Toxics Standards through 2022. The report is presented in an interactive format highlighting reductions in emissions of sulfur dioxide, nitrogen oxide and hazardous air pollutants and information illustrating improvements in air quality, acid deposition and ecosystem response. Among the results presented by EPA are that 1) ambient particulate sulfate concentrations in the eastern U.S. have decreased by 51 to 84 percent in observed regions from 1989–1991 to 2020–2022; 2) seven of the 22 areas in the eastern U.S. designated as nonattainment for ozone now show concentrations below the level of the 2015 standard, and an additional eight areas have made progress toward meeting the standard and 3) 35 areas in the eastern U.S. originally designated nonattainment for PM<sub>2.5</sub> now show concentrations below the level of the 1997 PM<sub>2.5</sub> standard (15.0 µg/m<sup>3</sup>). For further information: <https://www.epa.gov/power-sector/progress-report>

**States Challenge EPA’s Final Rule Setting Phase 3 Heavy-Duty GHG Emission Standards (May 13, 2024)** - Two petitions challenging EPA’s “Final Rule: Greenhouse Gas Emissions Standards or Heavy-Duty Vehicles – Phase 3,” were filed in the U.S. Court of Appeals for the District of Columbia Circuit. In the first, 24 state petitioners write that they “will show that the final rule exceeds the agency’s statutory authority and otherwise is arbitrary, capricious, an abuse of discretion, and not in accordance with law.” Petitioners are the Attorneys General of Nebraska, Alabama, Alaska, Arkansas, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, West Virginia and Wyoming. The second petition was filed by members of the Arizona State Senate; House of Representatives; and the Arizona Trucking Association. The petitioners contend that the final Phase 3 Rule “exceeds EPA’s statutory authority and is arbitrary, capricious, an abuse of discretion, and otherwise not in accordance with law.” All petitioners ask that the court declare it unlawful and vacate EPA’s final action. For further information: [https://www.4cleanair.org/wp-content/uploads/Litigation-EPA\\_Final\\_Phase3\\_Rule-States\\_Petition\\_for\\_Review-051324.pdf](https://www.4cleanair.org/wp-content/uploads/Litigation-EPA_Final_Phase3_Rule-States_Petition_for_Review-051324.pdf)

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**Latest ALA “State of the Air” Report Finds One in Four Americans Still Breathes Unhealthy Air (April 24, 2024)** - The American Lung Association (ALA) has released its annual State of the Air Report analyzing 2023 data. The State of the Air report tracks particle pollution and ozone. The latest report concludes that 130 million Americans still breathe unhealthy air, and that climate change is undoing the gains in air pollution made under the Clean Air Act. The setbacks in the Western United States were particularly stark due to wildfires: the 25 cities with the worst short-term particle pollution in the report were all in the Western U.S. People of color are 2.3 times as likely as white people to live in a place that gets failing grades for short and long-term particle pollution and ozone, according to the report. While wildfires made the picture more challenging for short term and annual particle pollution, ozone pollution has generally improved across the nation. The State of the Air report has documented “a dramatic improvement in ozone pollution over the last 25 years.” In the most recent edition, 2.4 million fewer people lived in areas with unhealthy ozone pollution compared to last year’s report, but more than 100 million people (nearly 30 percent) still live in areas with failing grades for ozone, according to ALA. Clark County was graded as an A for ozone pollution, and an F grade for particulate matter pollution. The report lists the County as having 13 unhealthy air days between 2020-2023 due to particulate matter. Nearly all the days identified had elevated levels due to wildfire smoke. For further information: <https://www.lung.org/research/sota>

Mr. Papish said there are a couple facilities that will be receiving large civil penalties from SWCAA in the upcoming weeks. Drax will be receiving a civil penalty related to them starting construction before the permit was issued. Drax is also working on a redesign and has communicated they will resubmit their permit application in August 2024. LANXESS will be receiving a civil penalty related to excess toluene emissions between March 2018 and December 2022. SWCAA continues to work with LANXESS to resolve the excess emissions.

Board Policy Discussion Issues

None.

Issues for Next Meeting

- A. Public Hearing.
  - 1. As Necessary.
- B. New Business/Unfinished Business.
  - 1. As Necessary.
- C. Meeting Date and Location.
  - 1. August 1, 2024 at 3:00 p.m. Southwest Clean Air Agency, 5105 NE 82<sup>nd</sup> Ave., Suite 101, Vancouver, Washington.

The next Board of Directors meeting will be held on August 1, 2024 at 3:00 p.m., Southwest Clean Air Agency, Vancouver, Washington.

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Board Meeting Attendance:

JURISDICTION	J 2024	F 2024	M 2024	A 2024	M 2024	J 2024	J 2024	A 2023	S 2023	O 2023	N 2023	D 2023
Clark County	+	+	+	+	+	0	C	0	+	+	+	C
Cowlitz County	+	+	A	+	+	+	C	+	+	+	A	C
Lewis County	0	+	+	0	0	+	C	+	0	+	+	C
Skamania County	+	+	+	+	+	+	C	+	+	+	+	C
Wahkiakum County	A	+	+	+	+	+	C	+	+	+	+	C
Cathlamet	+	0	A	+	+	+	C	+	+	+	+	C
Centralia	+	0	0	+	A	+	C	+	+	+	+	C
Longview	+	+	+	+	+	+	C	+	+	+	+	C
Stevenson	A	+	+	+	+	+	C	+	+	0	+	C
Vancouver	+	+	+	+	+	+	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 3:28 p.m.

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 Chair

DocuSigned by:  
  
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 Executive Director