

Southwest Clean Air Agency

Board of Directors Minutes

October 3, 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 October 3, 2024.

Those present were: Dr. Alan Melnick, Chair, Clark County  
Ben Shumaker, Vice-Chair, City of Stevenson  
Lee Tischer, Director, Wahkiakum County  
Dennis Webber, Director, Cowlitz County  
Richard Mahar, Director, Skamania County  
Robert Stowe, Director, Town of Cathlamet  
Andy Oien, Director, City of Centralia  
Ruth Kendall, Director, City of Longview  
Sean Swope, Director, Lewis County

Excused: Kim Harless, Director, City of Vancouver  
Vacant, Director, Member at Large

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

Guests: None

Call to Order

Dr. Melnick called the meeting to order. A quorum was confirmed to exist.

Board of Directors Minutes

Dr. Melnick asked for consideration of the September 5, 2024 minutes. Mr. Stowe moved and Mr. Mahar seconded that the minutes for the September 5, 2024 Board meeting be approved. Motion passed.

Consent Agenda

Dr. Melnick asked for approval of the Consent Agenda including voucher numbers 99 through 141 in the amount of \$37,296.75 which have been approved for payment by the Executive Director, August 2024 Financial Statements, August 2024 Salaries and Benefits in the amount of \$167,771.58.

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Mr. Stowe moved and Mr. Webber seconded that the Consent Agenda be approved. Motion passed.

Changes to Agenda

None

Info Items & Public Comment

Dr. Melnick opened discussion on SWCAA's Proposed Changes to SWCAA 400 "General Regulations for Air Pollution Sources and recognized Mr. Papish. Mr. Papish said the General Regulations for Air Pollution Sources (SWCAA 400) establish rules to control and regulate emission of air contaminants from sources within the jurisdiction of the Agency. Pursuant to the U.S. Clean Air Act (42 U.S.C. 7401 et seq.) and the Washington Clean Air Act (RCW 70A.15), the policy of SWCAA is to prevent violations of federal, state, and local air pollution regulations, to provide uniform administration and enforcement of the aforementioned regulations.

SWCAA is proposing changes to SWCAA 400 which would do the following:

**SWCAA 400-025 Adoption of Federal Rules**

Update adoption by reference date for federal regulations cited in other sections of SWCAA 400.

**SWCAA 400-030 Definitions**

Add definition for "hazardous air pollutant". Revise definition for "nonroad engine".

**SWCAA 400-045 Permit Application for Nonroad Engines**

Revise stationary engine exceptions.

**SWCAA 400-046 Application Review Process for Nonroad Engines**

Remove 40 CFR 89 reference in 400-046(2)(c) and recordkeeping requirements for engine location in 400-046(7).

**SWCAA 400-070 General Requirements for Certain Source Categories**

Update federal regulation citation in 400-070(6)(c).

**SWCAA 400-072 Emission Standards for Selected Small Source Categories.**

Revise complaint reporting sections for consistency (business vs calendar days). Clarify definition of heater in 400-072(5)(b). Maximum combined horsepower limit added to 400-072(5)(c). Modification of emergency use recordkeeping requirement in 400-072(5)(c). Remove setback requirement from 400-072(5)(d). Administrative edits.

**SWCAA 400-075 Emission Standards for Stationary Sources Emitting Hazardous Air Pollutants**

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Add reference to Administrator of EPA in 400-075(5)(b).

**SWCAA 400-099 Per Capita Fees**

Update RCW citation from 70.94 to 70A.15.

**SWCAA 400-100 Registration Requirements**

Clarify applicability of registration.

**SWCAA 400-105 Records, Monitoring and Reporting**

Add "hazardous air pollutants" to list of pollutants in 400-105(1). Remove FCAA Section 112 citation.

**SWCAA 400-115 Standards of Performance for New Sources**

Update list of exceptions.

**SWCAA 400-171 Public Involvement**

Clarification of synthetic minor applicability and website publication of public notice.

**SWCAA 400-200 Vertical Dispersion Requirement, Creditable Stack Height and Dispersion Techniques.**

Revision of 400-200(1) applicability to include domestic hot water units.

**SWCAA 400 Appendix C - FEDERAL STANDARDS ADOPTED BY REFERENCE**

Update list of adopted federal regulations.

Mr. Swope asked if the agency is required to adopt the federal rules. He said the federal government is eventually going to outlaw gas-powered law mowers and that is very concerning to him and his constituents. Mr. Papish said the agency has to adopt the federal rules to stay current and be at least as stringent as the federal rules. Mr. Swope does not agree with the agency adopting rules like this and perhaps Lewis County should leave SWCAA's jurisdiction. Mr. Swope said whatever fine SWCAA might levy would be far less than the current \$33,000 Per Capita fee Lewis County pays. Mr. Papish clarified if Lewis County leaves SWCAA's jurisdiction the Washington Department of Ecology would take over the air program for Lewis County and implement the same rules. The Department of Ecology would also look to charge Lewis County on a cost recovery basis.

Mr. Stowe asked for clarification on what a non-road engine is defined as, would it include a four-wheeler? Mr. Papish said non-road does not cover mobile, it would be mostly engines that run rock crushers and/or conveyer belts. Mr. Swope asked if engines used to help water farms would be considered non-road. Mr. Papish said those engines could potentially be non-road engines. Mr. Swope said technology has not caught up to the rules being passed. He is very against any additional rules that force anyone to convert to non-fossil fuel power.

Dr. Melnick asked if a county did leave SWCAA's jurisdiction, the state would then take over and subject them to the same rules anyway. Mr. Papish confirmed this. Mr. Swope then

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suggested the state should take over SWCAA and use the agency to force compliance. He said he would not vote in favor of any adoption of federal rules. Mr. Swope also stated he would like the state to try and force compliance. Mr. Stowe said while he agrees with Mr. Swope's concept it is difficult to not adopt the rules because the state could choose to withhold funds from the county. Mr. Swope expressed strong opinions about the state and federal rules.

Dr. Melnick asked when the board will be voting on adoption of these rule changes. Mr. Papish said the vote will be in January after the public comment period. Mr. Papish reiterated there are no significant additional requirements in this proposal. Mr. Swope countered while these rules may not be changing things, this is clearly the first steps to banning fossil fuels.

Mr. Webber expressed concern over non-road engines ever realistically not using fossil fuels. He said logging industries could be seriously impacted. Mr. Papish said this proposed rule adoption makes zero changes to the non-road engines covered under the rules. There are no additional requirements related to non-road engines. The rule clarifies that airplanes are not non-road engines.

Mr. Swope asked for clarification on the definition of hazardous air pollutants. Mr. Papish provided the definition. Discussion ensued around the definition and how changes to the definition are handled by SWCAA. Mr. Swope argued the definition was too vague and he is in complete disagreement with not having sufficient clarification.

Mr. Schumaker expressed support for Mr. Swope sharing his opinions with the board.

Mr. Swope again stated he is not going to support any rule adoptions because he feels very strongly the state and federal government are going to ban any equipment that uses fossil fuels which will be devastating to the community he represents.

Mr. Papish said the proposed rule adoption will go out on public notice. Any comments will be brought to the board prior to adoption at the January meeting. There will also be a public hearing held by the end of the year. Mr. Papish said the full rule proposal including red line revisions is available on SWCAA's website.

Mr. Webber announced that he and Commissioner Mortensen have decided not to run for re-election. There will be new council members which will result in a new Cowlitz County board member for SWCAA in 2025.

Mr. Mahar expressed support for Mr. Swope's position opposing the elimination of fossil fuel equipment. He feels the federal government is very focused on moving everything to electric power, which he does not believe is realistic or cost effective. He announced he also did not run for re-election so there will be a new Skamania County board member for SWCAA beginning in 2025.

### Public Hearing

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None

Unfinished Business/New Business

None

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.

**Report: In 2023, Canadian Wildfires Released as Much Carbon as India (August 27, 2024)**

- A new study in the peer-reviewed journal Nature has found that Canada's record 2023 wildfire season emitted more CO<sub>2</sub> than all but 3 countries. Between May and October 2023, boreal forest fires burned 37 million acres, about 4 percent of the nation's forests, and emitted 647 million metric tons of CO<sub>2</sub>. These wildfire-related emissions were more than four times larger than Canada's annual fossil fuel emissions, and greater than those of Germany, Japan and Russia – equaling India's and second only to those of the US and China. The 2023 fire season was the hottest and driest in the 44-year record examined in the study. "We find that widespread hot-dry weather was a principal driver of fire spread, with 2023 being the warmest and driest year since at least 1980. Although temperatures were extreme relative to the historical record, climate projections indicate that these temperatures are likely to be typical during the 2050s, even under a moderate climate mitigation scenario," the study concluded. For further information:

<https://www.nature.com/articles/s41586-024-07878-z>

**New Jersey, New Mexico and North Carolina Petition EPA to Add Four PFAS Chemicals to Clean Air Act HAP List (August 29, 2024)**

- A group of three states has petitioned EPA to add four specific per- and polyfluoroalkyl substances (PFAS) to the list of hazardous air pollutants (HAPs) under the Clean Air Act (CAA). New Jersey's, New Mexico's and North Carolina's environmental agencies have submitted a joint petition to EPA requesting that the following be added to the CAA Section 112 HAP list: PFOA (perfluorooctanoic acid), PFOS (perfluorooctane sulfonic acid), PFNA (perfluorononanoic acid) and GenX (HFPO dimer acid). In the petition, the states outlined the need for PFAS emission standards to prevent the spread of PFAS contamination, noting that EPA has not established an air pollution control program for PFAS, and "PFAS emissions in ambient air remain largely unmeasured and unregulated." They note that EPA has begun regulatory action related to PFAS under several other federal environmental laws and urged EPA to initiate action under the CAA as well. For further information:

[https://www.deq.nc.gov/air-quality/pfas-hap-petition/open?utm\\_medium=email&utm\\_source=govdelivery](https://www.deq.nc.gov/air-quality/pfas-hap-petition/open?utm_medium=email&utm_source=govdelivery)

**DOT Releases \$521 Million For EV Charging Infrastructure (August 26, 2024)** - In the latest round of funding releases from the \$7.5 billion for the construction of EV chargers

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authorized by the November 15, 2021, Infrastructure Investment and Jobs Act (IIJA), the U.S. Department of Transportation has issued \$521 million in funding for 51 new projects. These will result in 9,200 EV chargers nationally, with \$321 million for 41 community projects and \$200 million for 10 projects on high-traffic routes along designated Alternative Fuel Corridors. The biggest grant, \$102 million, will go to build heavy-duty chargers and hydrogen fueling stations along 2,500 miles of highway in California, Oregon and Washington state. For further information:

<https://www.transportation.gov/briefing-room/investing-america-number-publicly-available-electric-vehicle-chargers-has-doubled>

Mr. Papish reported to the Board there was a mysterious odor which started in Longview and traveled into Portland. He said SWCAA is working with Washington Department of Ecology to investigate the source of the odor.

Mr. Papish provided an update to the Board on the recruitment of the Member-At-Large position. Unfortunately, no one has applied at this time. He said the agency will issue another press release and requested the Board members continue advertising the opening. Dr. Melnick asked Mr. Papish to send the information again so it is fresh in everyone's in-box.

#### Board Policy Discussion Issues

None.

#### Issues for Next Meeting

##### A. Public Hearing.

1. As Necessary.

##### B. New Business/Unfinished Business.

1. SWCAA Fee Increase Proposal
2. SWCAA 460 Air Toxics Rulemaking Proposal
3. Member at Large Appointment.

##### C. Meeting Date and Location.

1. November 7, 2024 at 3:00 p.m. Southwest Clean Air Agency, 5105 NE 82<sup>nd</sup> Ave., Suite 102, Vancouver, Washington.

The next Board of Directors meeting will be held on November 7, 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 2024	S 2024	O 2024	N 2023	D 2023
Clark County	+	+	+	+	+	0	C	+	+	+	+	C
Cowlitz County	+	+	A	+	+	+	C	+	+	A	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	0	+	+	+	C
Stevenson	A	+	+	+	+	+	C	+	+	+	+	C
Vancouver	+	+	+	+	+	+	C	0	+	0	+	C
Member-At-Large	+	+	+	+	+	+	C	0	0	0	+	C

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

Dr. Melnick adjourned the meeting without objection at 4:05 p.m.

DocuSigned by:  
  
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 Chair

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 Executive Director