

SOUTHWEST CLEAN AIR AGENCY

Board of Directors Meeting
February 6th, 2025, at 3:00 PM
Southwest Clean Air Agency
5101 NE 82nd Ave. Ste 102
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 - January Meeting

IV. Changes to the Agenda

SWCAA Chair Alan Melnick

V. Consent Agenda

A. Approval of Vouchers

B. Financial Report

C. Monthly Activity Report

VI. Info Items & Public Comment

None

VII. Public Hearing

None

VIII. Unfinished Business/New Business

Proposed Adoption of SWCAA 400 "General Regulations for Air Pollution Sources"

Summary - SWCAA is proposing changes to SWCAA 400 "General Regulations for Air Pollution Sources" to update the incorporation of federal regulations by reference, add definitions, revise nonroad engine exceptions, update federal regulation citations, revise complaint reporting requirements, update state law citations, clarify registration applicability, add an exception to the

vertical dispersion requirement, revise NSPS and MACT adoptions, and make minor administrative edits.

Attachment A provides a summary of the proposed changes and Attachment B contains the full text of the proposed rule revisions. SWCAA held a public comment period for the proposed changes to SWCAA 400 from November 15, 2024, to December 30, 2024. In addition to publishing the notice with the state code reviser, SWCAA posted the proposed rulemaking on its website and sent emails or postcards to all registered sources and subscribers to rulemaking notifications. No comments were received during the comment period, and no members of the public attended the SWCAA public hearing on the evening of December 30, 2024. Attachment C includes the Hearings Officer Report.

Recommendation - Adopt the proposed revisions to SWCAA 400 "General Regulations for Air Pollution Sources" as outlined in Attachment B.

IX. Executive Director's Report

A. EPA Grants CARB Waivers/Authorizations for ACC II and HDO Regulations (December 18, 2024)

The EPA has granted the California Air Resources Board (CARB) requests for waivers of federal preemption under Clean Air Act Section 209 for California's Advanced Clean Cars II (ACC II) Regulation, as well as waivers and authorizations for the state's Heavy-Duty Omnibus (HDO) Low NOx Regulation. This approval allows California to enforce both regulations.

For further information:

<https://www.epa.gov/state-and-local-transportation/vehicle-emissions-california-waivers-and-authorizations#ACCP>

<https://www.epa.gov/state-and-local-transportation/vehicle-emissions-california-waivers-and-authorizations#HD-Omnibus-Low-NOx>

B. EPA Approves California Mobile Source Rule Preemption Waivers (January 6, 2025)

On January 6, 2025, the EPA published three Notices of Waivers of Preemption in the Federal Register, approving California's mobile source programs under Section 209 of the Clean Air Act (CAA) to reduce emissions. These waivers also apply to states that adopt California's standards under CAA Section 177. The approved programs include:

- Advanced Clean Cars II program
- Omnibus Low-NOx Diesel Engines program
- Emissions standards for small off-road engines

These waivers, approved by the EPA in December 2024, set a March 7, 2025 deadline for Petitions for Review. Additionally, EPA finalized two more waiver approvals for:

- California's Commercial Harbor Craft (CHC) regulation amendments (2022).
- In-Use Diesel-Fueled Transport Refrigeration Units (TRU) and TRU Generator Sets regulations (2022).

Two other California mobile source waivers are still pending EPA approval:

- In-Use Locomotive authorization.
- Advanced Clean Fleet waiver request.

The EPA provides a website to track the status and documents of all California waivers.

For further information:

<https://www.federalregister.gov/documents/2025/01/06/2024-31128/california-state-motor-vehicle-and-engine-pollution-control-standards-advanced-clean-cars-ii-waiver>

<https://www.federalregister.gov/documents/2025/01/06/2024-31125/california-state-motor-vehicle-and-engine-and-nonroad-engine-pollution-control-standards-the-omnibus>

C. President Trump's Day One Executive Orders on Environment (January 21, 2025)

On his first day in office, President Trump issued new Executive Orders (EOs) outlining his environmental policy, signaling a shift from the Biden administration's priorities. These EOs will require regulatory changes, congressional approval, or renegotiation of contracts and may face legal challenges.

Key actions include:

- EO "Unleashing American Energy": Reverses Biden's environmental goals, prioritizes energy exploration on federal lands, and seeks to eliminate the electric vehicle mandate.
- EO "Declaring a National Energy Emergency": Instructs federal agencies to use emergency powers to promote domestic energy resources, including on federal lands.
- EO "Regulatory Freeze Pending Review": Pauses all pending Biden administration regulations, including those in the Federal Register.
- EO "Putting America First in International Environmental Agreements": Initiates a year-long process to exit the Paris Climate Agreement.
- Rescinded EOs: Several Biden-era EOs were rescinded, including those focused on electric vehicle targets and environmental protection, as well as the EO establishing the White House Office of Domestic Climate Policy and the National Climate Task Force.

For further information:

<https://www.whitehouse.gov/presidential-actions/2025/01/unleashing-american-energy/>

<https://www.whitehouse.gov/presidential-actions/2025/01/declaring-a-national-energy-emergency/>

<https://www.whitehouse.gov/presidential-actions/2025/01/regulatory-freeze-pending-review/>

<https://www.whitehouse.gov/presidential-actions/2025/01/putting-america-first-in-international-environmental-agreements/>

<https://www.whitehouse.gov/climate>

D. Trump's Day One Executive Orders on Federal Workforce and Environmental Justice (January 21, 2025)

On his first day, President Trump issued Executive Orders (EOs) affecting the federal workforce and environmental justice. Key actions include:

- Federal Workforce Reductions: A hiring freeze is enacted for federal employees.

- Schedule F Reinstatement: The EO "Restoring Accountability to Policy-Influencing Positions" reinstates the "Schedule F" classification.
- Ending DEI and Environmental Justice Programs: The EO "Ending Radical And Wasteful Government DEI Programs" directs agencies to eliminate environmental justice offices.

For further information:

<https://www.whitehouse.gov/presidential-actions/2025/01/restoring-accountability-to-policy-influencing-positions-within-the-federal-workforce/>

<https://www.whitehouse.gov/presidential-actions/2025/01/ending-radical-and-wasteful-government-dei-programs-and-preferencing/>

<https://www.whitehouse.gov/presidential-actions/2025/01/return-to-in-person-work/>

<https://www.4cleanair.org/wp-content/uploads/OPM-Memo-Initial-Guidance-Regarding-DEIA-Executive-Orders.pdf>

X. Board Policy Discussion Issues

As Necessary

XI. Issues for Upcoming Meetings

- Staff COLA Decision (April)
- ED Evaluation (April)
- SWCAA Budget (May)

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.