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## **BOARD MEETING MINUTES**

The Board of Directors of the Northwest Clean Air Agency met at 1:30 p.m. Thursday, March 9, 2023, at 1600 South Second Street, Mount Vernon, WA.

### **MEMBERS PRESENT:**

Skagit County	Ron Wesen
Island County	Melanie Bacon Tara Hizon
Whatcom County	Todd Donovan
Member-At-Large	Terry Nyman via ZOOM

### **MEMBERS ABSENT:**

Brian Heinrich  
Mary Hudson

### **ALSO PRESENT:**

NWCAA staff members	Mark Buford, Alicia Huschka, Toby Mahar, Agata McIntyre, Seth Preston, and Laurie Caskey-Schreiber
Legal counsel	Svend Brandt-Erichsen

### **CALL TO ORDER**

Board of Directors Chairman Ron Wesen called the meeting to order at 1:30 p.m.

### **APPROVAL OF PRIOR BOARD MEETING MINUTES**

On motion by Todd Donovan, seconded by Melanie Bacon, the minutes for the Feb. 9, 2023, meeting were approved 4-0. (*Tara Hizon arrived shortly after the vote and Terry Nyman approved Todd Donovan to sign the minutes on his behalf.*)

## **ACTION ITEMS**

### **Resolution 605 – Amending the Fiscal Year 2023 Operating, Cumulative Reserve, & Legal Reserve Fund Budgets – Alicia Huschka**

NWCAA Chief Financial Officer Alicia Huschka reviewed Resolution 605, which supports the Agency transferring the Petrogas enforcement resolution settlement funds out of the Operating Fund and into the Legal Reserve Fund in the amount of \$250,000 and into the Cumulative Reserve Fund in the amount of \$3,750,000.

Donovan made a motion to approve Resolution 605, Bacon seconded the motion, and Board members voted 4-0 to approve the resolution.

Board members asked for an update from the Opportunity Council & Sustainable Connections staff regarding the supplemental environmental projects that NWCAA has recently funded.

### **Bills and claims**

Board members discussed the bills and claims reports for February 2023 (\$500,645.35). Bacon made a motion to approve the February 2023 bills and claims. Tara Hizon seconded the motion, and the Board approved the bills and claims 5-0.

## **STAFF REPORTS**

### **Director's report – Mark Buford**

Buford reported to the Board on the following matters:

- Buford stated that the Advisory Council currently has seven members, and he would like to increase it to around 12. The group must have members from Industry and the Environment, currently we have members from these areas. Board members suggested adding people from the following areas:
  - Environmental Land Use Planning
  - Fire Marshals / Fire Chiefs
  - Engaged citizens possibly in small or medium industry
  - Those involved with environmental justice work

Buford will be meeting with the Advisory Council on March 23, and they will also discuss this issue.

- On February 23, 2023, NWCAA staff (Agata McIntyre, Toby Mahar, Evan Bing, and Mark Buford) met with staff from San Juan County government in Friday Harbor to discuss their re-joining the jurisdiction of NWCAA.

Buford & staff tried to assess their expectations and motivation for wanting to re-join NWCAA representation, and to estimate the costs and work involved with this potential change of service for the Agency.

San Juan County left the NWCAA jurisdiction in 1982, and Ecology took over representing their needs. Ecology staff are not located near them, so it has proven

difficult to service this area. San Juan County staff recognize that there are benefits in having the NWCAA regulations apply to their sources in their county. Buford believes that the Agency and Board should work on a decision in 2023, and the earliest that this change could take effect would be July 1, 2024.

- The Solar panel project for the NWCAA building is progressing. HKP Architects has been assessing the structural integrity of the building to determine future placement of the panels. The Agency is also looking to include six charging stations for electric vehicles in our parking lot.
- Agency staff continue to work on the Fiscal Year (FY) 2024 Budget. A draft budget will be presented to the Advisory Council on March 23, 2023. The Finance Committee (*Hizon, Wesen, & Heinrich*) will be meeting at 12 p.m. on April 13 prior to the Board meeting to discuss the proposed NWCAA FY 2024 budget. Lunch will be provided at the committee meeting. The full Board will review the budget during the May Board meeting.

#### **New source review and air operating permit update – Agata McIntyre**

NWCAA Engineering Manager Agata McIntyre reported on the February 2023 construction permit (new source review) activity.

- During February, the Agency received two applications for construction permits and five new permits were issued.
- One of the permit approvals issued in February was for a new crematorium, called Simple Cremation, located in Bellingham. This is a new human crematory; it will have electronic monitoring and an afterburner to control smoke.
- Two other permit approvals were for the Post Point Wastewater Treatment Plant, both involve changes to their permits. However, no physical changes were proposed to the incinerators. The permit changes were to increase their “on-paper” maximum hourly feed rates to provide operating flexibility. The on-paper feed rates are lower than the incinerator’s physical capacity. They provide a legal limit for regulatory purposes.

#### **Enforcement update – Toby Mahar**

NWCAA Compliance Manager Toby Mahar reported on February 2023 enforcement and provided the following highlights of compliance activities.

- NWCAA issued the following two Notice of Violations (NOVs) in February:
  - **Case 4637** – Sierra Pacific emitted about 30 tons of excess carbon monoxide during the period of 6/19/22 through 7/11/22 from the wood-fired boiler.
  - **Case 4638** – Healthy Pet is late in conducting required source testing on a wood-fired heater.

The Phillips 66 Refinery had a hydrogen fluoride leak on February 6, 2023. Their in-house system detected the leak, and they used water to control the vapors. The agency is investigating the incident.

Complaint load for February was normal. A dust complaint received revealed a Port of Bellingham tenant operating a recycled metal sorting and loading are next to new construction of condominium housing. NWCAA also received marijuana odor complaints indicating facilities located in the Padilla Heights area of Anacortes as the source. The agency is investigating in coordination with the county (Skagit County ordinance requires no odor past property boundary) and the State Liquor Control Board.

**ADJOURNMENT**

There being no further business to consider, the meeting adjourned at 2:23 p.m.

**CERTIFICATION**

I hereby certify this is a true and correct copy of the minutes of the meeting of the NWCAA Board of Directors held on March 9, 2023, in Mount Vernon, Washington.

ATTEST:



Terry Nyman, Secretary  
NWCAA Board of Directors



Ron Wesen, Chair  
NWCAA Board of Directors

DATED: April 13, 2023

