

OLYMPIC REGION CLEAN AIR AGENCY  
2940 Limited Lane NW  
Olympia, Washington 98502

**BOARD OF DIRECTORS MEETING – Hybrid via Zoom**  
January 10, 2024

A video recording of this meeting is available at:

<https://www.youtube.com/ORCAA>

Files discussed at this meeting are available at:

<http://board.orcaa.org/>

Members present: Jim Cooper, City of Olympia (Chair) (via Zoom)  
Greg Brotherton, Jefferson County (Vice Chair) (via Zoom)  
Randy Neatherlin, Mason County (via Zoom)  
Joan Cathey, City of Tumwater (via Zoom)  
Mike French, Clallam County (via Zoom)  
Jill Warne, Grays Harbor County (via Zoom)  
Carolina Mejia, for Emily Clouse Thurston County (via Zoom)  
Robin Vazquez, City of Lacey (via Zoom)

Members absent: Dave Tobin, Pacific County (via Zoom)

Legal Counsel: Jeff Myers of Law, Lyman, Daniel, Kamerrer and Bogdanovich (via Zoom)

Staff Present: Jeff Johnston, Ph.D., Executive Director; Robert Moody, Compliance Manager; Jennifer DeMay, acting Engineering Manager; Odelle Hadley, Ph.D., Senior Monitoring Specialist; Dan Nelson, Communications Manager, Lynn Harding, Financial Services Manager; Aidan Palm, Air Quality Specialist; and Mike Shults, Compliance Supervisor (all via Zoom)

Cooper called the meeting to order at 10 a.m. and asked for roll call.

**APPROVAL OF AGENDA (5:00)**

Cooper asked for approval of the agenda. Brotherton moved approval, the motion was seconded and carried unanimously.

**CHAIR REPORT (5:23)**

Cooper reminded the Board next month the Chair will appoint a new finance committee. Cooper did note he would consider anyone interested and asked they let him know.

Cooper thanked Commissioner Mejia for her participation on the ORCAA Board.

Finance Committee Update (8:22)

Brotherton gave a brief update, noting we are doing well with our budget with revenues slightly ahead and expenditures behind. We will be addressing a proposed budget amendment later on the agenda.

**PUBLIC COMMENT (10:00)**

There were no public comments.

## **CONSENT AGENDA (10:24)**

Cooper asked approval of the Consent Agenda. Brotherton moved approval of the Consent Agenda. The motion was seconded and carried unanimously.

## **NEW BUSINESS**

### FY24 Budget Amendment (10:54)

Johnston explained the reason behind the budget amendment.

Harding gave a brief explanation of the budget amendment, noting we had some changes to our staffing including a newly combined position created and adding 2 additional positions.

Harding highlighted the increase in our revenues. It was noted the net result will reduce the Contingency draw from \$216,522 to \$150,982.

Harding went over the amendment fund balance and Johnston noted the updated ORCAA organizational chart with the two new positions outlined in red.

Vazquez moved we set a public hearing to review the fiscal year 2024 budget amendment and have an open public comment period between now and the February meeting. The motion was second and carried unanimously.

### Proposed rule change re: Gasoline Dispensing Facilities (25:20)

R. Moody presented the proposed changes to Rule 4.1 of ORCAA's Regulations. The recommendation is to establish a *de minimis* level for registering gasoline facilities. The proposal would be to allow facilities that pump less than 50,000 gallons of fuel a year to request removal from our registration program.

The staff requests the Board to direct us to move forward with the proposal.

There was some discussion regarding the changes.

Brotherton moved to direct staff to move forward and launch the rule making process. The motion was seconded and carried unanimously.

## **DIRECTORS REPORT**

### Compliance Manager Update (38:07)

R. Moody gave a brief update noting our new inspector will be training over the next couple of weeks.

Cooper had a question related to abatement of historic structures and asked if there were any programs to assist. R. Moody noted additional information would be needed to determine why abatement was needed. Cooper agreed and didn't want to take up time in the meeting.

### Engineering Manager Update (40:15)

DeMay highlighted a permit issued to Alta Forest Products (Mason County). It was noted a public hearing is scheduled for the Pacific Northwest Renewable Energy project in Hoquiam, on January 16.

DeMay noted staff is currently working on the emissions inventory. Johnston noted we are short an engineer at the time and wanted to thank our current staff for their hard work.

#### Senior Air Monitoring Specialist Update (42:37)

Hadley went over the December air monitoring data noting December showed good air quality. Hadley pointed out an air issue in Shelton, due to a DNR land clearing burn. Hadley briefly went over the year end summary and the percentage of data collection for all sites, as well as the air quality goals.

#### Communications Manager Update (53:41)

Nelson noted, even with a late start on the woodstove program, we currently have 54 projects approved (since mid-October). Nelson walked the Board through a new focus sheet entitled "Comparison of Heating Fuels".

It was noted we have more than 1,900 outdoor burn permits issued in Thurston County and FD12 in Grays Harbor County, adding we may be picking up all of Grays Harbor County in the future.

#### Finance Services Manager Update (1:03:08)

Harding updated the Board on the open financial specialist position, aiming for interviews in the next few weeks and a start date of February 2024.

#### Executive Director Update (1:04:50)

Johnston noted he is looking forward having another finance staff person soon. We have also been working on hiring a Compliance Manager and should be able to extend an offer soon. We will be looking at hiring another engineer and records clerk as well.

Johnston checked in with Warne about attending the upcoming public hearing on January 16.

Legislative session has started, Johnston stated, and mentioned we would update the Board as needed.

Johnston noted there is a link to the Board planning document at the end of the agenda and reminded the Board we have planned an in-person meeting in April, followed by a field trip/tour of Silver Springs Organics in Rainier.

There was some discussion regarding the HEAL Act, but no action required of the Board.

Johnston asked Myers to give a report on the legal challenge to the Executive Director's authority to issue air quality permits. Myers stated the court of appeals issued a 102-page opinion which resulted in finding the Clean Air Act has plain language that specifically allows delegation of permitting authority from the Board to the Control Officer who may then subdelegate to staff. This rejects the argument the Board must issue the permits. There was additional discussion, but no action required of the Board.

#### **GOOD OF THE ORDER (1:28:18)**

Cooper thank Johnston and the Board for assistance and support for his application to the EPA local government advisory committee, but he was not selected.

#### **EXECUTIVE SESSION (per RCW 42.30.110)**

There was no Executive Session.



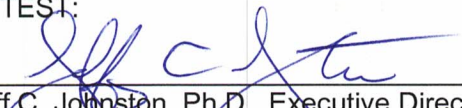
**ADJOURNMENT (1:28:50)**

Cooper adjourned the meeting at 11:29 a.m., adding our next meeting is in January.

**CERTIFICATION**

I hereby certify this is a true and correct copy of the minutes of the meeting of the ORCAA Board of Directors held on January 10, 2024, in Olympia, Washington.

ATTEST:

  
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Jeff C. Johnston, Ph.D., Executive Director  
Olympic Region Clean Air Agency

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Jim Cooper, Chair  
ORCAA Board of Directors

DATED: February 14, 2024