

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

BOARD OF DIRECTORS MEETING

April 10, 2013

Members present: Phil Johnson, Jefferson County (Chair)
Jim Cooper, City of Olympia
Cynthia Pratt, City of Lacey
Karen Valenzuela, Thurston County (Vice Chair)
Mike Doherty, Clallam County
Dan Di Guilio, City of Port Angeles
Steve Rogers, Pacific County
Wes Cormier, Grays Harbor County

Members absent: Tim Sheldon, Mason County

Ecology: no representation

Legal Counsel: Jeff Myers and Julie Carignan of Law, Lyman, Daniel, Kamerrer and Bogdanovich

Staff Present: Fran McNair, Executive Director; Robert Moody, Compliance Supervisor; Mark Goodin, Professional Engineer; Odelle Hadley, Senior Air Monitoring Specialist; Mark Moore, Network Administrator/Monitoring Technician; Dan Nelson, Public Information Officer; Lynn Harding, Administrative Services Manager; and Debbie Moody, Administrative Assistant/Recorder

The meeting was called to order at 10:02 a.m.

Johnson asked if there were any additions or omissions to the Agenda. Di Guilio moved approval of the Agenda. Cooper seconded the motion and it carried unanimously.

CHAIR REPORT

Johnson stated it is time again to do a performance evaluation on the Executive Director. Johnson stated the Board had requested a 360 review for the last evaluation and noted he would like to have just the Board and Staff Managers participate this year.

Valenzuela felt the value of doing 360 evaluations in subsequent years is to see if there has been any improvement or deterioration. Valenzuela asked why we would not do a 360 again. He felt a 360 could be done every other year, rather than yearly. Johnson also noted there are several new members that may not have much input at this time. Johnson asked the Boards' pleasure regarding an evaluation committee versus the entire Board. Valenzuela noted she would prefer the full Board. Johnson noted the Board would go into Executive Session at the next meeting to go over the evaluation forms.

The Board requested the forms be sent electronically. Johnson stated the Board and Managers should send their forms to him via email. Cooper added he felt it was important for McNair to also do a self evaluation. Johnson agreed.

APPROVAL OF MINUTES

Johnson asked for approval of the Minutes. Pratt moved approval of the Minutes. Valenzuela seconded the motion and it carried unanimously.

APPROVAL OF EXPENDITURES AND DISBURSEMENTS

Johnson noted the Expenditures and Disbursements consisted of Warrants and wire transfers 63005022 through 63005061 in the amount of \$27,956.96; and Payroll 364249 through 364265 in the amount of \$112,378.93 for March 7, 2013 through April 4, 2013. Cooper moved approval of the Expenditures and Disbursements. Doherty seconded the motion and it carried unanimously.

PUBLIC COMMENT / PUBLIC HEARING / PRESENTATION

There were no public in attendance. There were no formal presentations.

DIRECTOR'S REPORT

Compliance Update

R. Moody stated this is a busier time of year for his team with regards to inspections. R. Moody explained the usefulness of our reports; the Olympia SWAT team calls him every other month to request a list of our upcoming demolitions. The SWAT team then uses the list to determine if a building, proposed for demolition, would be useful for training.

Previously we discussed the Thurston County Maintenance Plan. There is a tentative date set for a public hearing. The hearing may be on May 29th at 6:00pm at Ecology in Lacey.

Valenzuela asked if there is any way for the Board to know the outcome of the inspections as listed on the report. R. Moody stated there is no way to know from the reports we print. Indirectly, if there is an issue, you may see the same name show up on the Notice of Violation (NOV) report. Generally things either go well or we send them a letter outlining items to be fixed. We then do a follow-up inspection to make sure they fixed any issues found previously. If not, you will see them show up on the NOV report. Unless there is a big issue, Valenzuela noted, we don't necessarily need to be made aware. R. Moody agreed and stated if we know of an upcoming issue, we will alert the Board.

Valenzuela asked why we inspect places such as Raven's Brew, what is the air quality concern. R. Moody explained there are people that do not care for the odor of roasting coffee. The actual mechanism they use, are large heaters to roast the beans and those heaters are regulated by our Notice of Construction process. We inspected their process, making sure their equipment is working correctly. They have after-burners that basically incinerate the smoke and it is important that they work to minimize smoke complaints.

Johnson had to step out and requested Valenzuela continue with the meeting.

Doherty asked about Mr. Rogers who appears multiple times on the NOV report. R. Moody stated Mr. Rogers is rather recalcitrant to change his behaviors.

Pratt asked if each of the fines associated with Mr. Rogers were individual fines or is it a total for the four of them. R. Moody stated each violation has resulted in the fine noted. Di Guilio asked what mechanism we have to collect the fines. R. Moody stated we may not collect it in the end; our goal is to get him to change his behavior. McNair stated we can, and will, send them to a collections agency if need be. We can also hand them over to our attorney to file a lawsuit. Myers stated we can file a lien, for instance. Di Guilio stated we go to court then? Correct, McNair stated.

Valenzuela asked what the phrase "burning prohibited materials" means; does it mean they are burning when they shouldn't burn or they are burning something they should not burn. R. Moody stated they are burning items they should not burn, such as household trash, tires, mobile homes, there have been a variety of things burned.

Permit Actions

Goodin went over the most recent final permits. The Nippon cooling tower project has been issued and we are in the appeal window until April 18th. We are still having interactions with the public, answering final questions and

concerns. Di Guilio asked if Nippon is able to move forward or if they must wait for the appeal time to run its course. Goodin explained Nippon may move forward.

Di Guilio noted there have been several articles regarding the silt coming down the river and wondered if it will impact the level of silt going into the cooling tower. Goodin explained that was dealt with up front and we determined emissions based on the National Park Services' monitoring of total dissolved solids, metals and other things. The suspended solids are filtered out. It is the dissolved mineral content, that when the water evaporates they form a solid and contribute to the particulate emissions. Goodin added he is confident that any increase in content due to rain will not be a problem. When we issued the permit, we issued it with monitoring, record keeping and reporting requirements. They must monitor dissolved solids going into the cooling tower, as well as the chlorine; we have safeguards to know if they are crossing the thresholds that go beyond the emissions we reviewed.

Goodin stated we have also issued the Granite Construction permit. Goodin noted he and McNair personally met with the sole citizen who was voicing opposition to this project. The meeting was positive and he was appreciative that we did a thorough job in our review and on the order we issued. We did impose a high level of controls on this plant due to their proximity to neighborhoods.

Education and Outreach

Nelson stated he has been spending a lot of time at the local Lowes and Home Depot type stores. Unfortunately, some of that time may be wasted due to legislation that is passing. The legislation has to do with asbestos product labeling. Nelson explained he had been seeking out products on store shelves that may contain asbestos. Nelson showed a product which has ingredients called perlite and a proprietary blend of minerals; which could be code for asbestos bearing materials. Legislation passed both houses, sponsored by Spokane Clean Air Agency, requires products that contain asbestos to be labeled as such. Regardless of labeling, we want to make sure people are aware there are still products in use and on store shelves that contain asbestos.

Nelson noted he had participated in a open house for Northwest Olympia Association. There were approximately 100-125 people and the most common questions were in regards to renovations and asbestos. There is still the idea floating around that if homes were built after 1975 there is no concerns.

Working with the compliance team, we will be focusing on educating contractors and home renovators in our jurisdiction; reminding them they need to have asbestos surveys conducted and to contact us prior to demolition.

Valenzuela asked if the labeling of products is to give a customer a better sense of whether or not they want to purchase the product because it contains asbestos; or if they do want to buy it they need to exercise caution when using the product. Nelson explained if a product contains asbestos it is safe 'as is' however, once a product containing asbestos is disturbed (i.e. sanded) and becomes airborne, it is then a hazard. Since we know the dangers of asbestos, Valenzuela noted, why is it even allowed to be used in products. Nelson explained the product is useful; it is very strong, heat and fire resistant and there are good reasons for the manufacturers to use it in their product.

McNair stated we will work with Spokane Clean Air Agency with regards to getting to the big chains, as well as the local hardware stores, to educate them. Cooper asked if there is a date to comply and who is the regulating agency. McNair noted they must comply by January 1, 2014 and Ecology and local air will enforce and regulate. Di Guilio stated it appears the product is safe until you alter it during a remodel or something similar is there any provisions to tag or flag asbestos in a building to notify owners there is asbestos present. Nelson did not think it was included in the legislation, however that is what we try to do by educating the public and getting the word out that any time they do any large remodel or demolition, they must do an asbestos survey and obtain permits from us. Di Guilio explained he feels the majority of homeowners are unaware and will likely just do their projects without checking first. McNair stated we do plan on educating the store employees so they can pass on the information to their customers, alerting them they need to contact us prior to their remodel or demolition project. Cooper thought during Ecology's rule making process we can send suggestions to them regarding disclosure. Nelson added the communicators group will be discussing how to get the word out and these concepts are great and will be shared with the group to see if there is anything we can do in our position as educators.

Air Quality Summary

Hadley stated as we move out of winter the air quality generally improves. We did have some problems with equipment at a couple of sites, so we are missing some data; however, there were several moderate days throughout our jurisdiction. Hadley stated we have all four sites up and running in Clallam County. There is one in Sequim and three in Port Angeles. Hadley explained the charts showing air quality from the four instruments. The spikes, Hadley continued, are pretty well correlated throughout all four sites. The spikes are likely very local events (i.e. woodstoves, outdoor burns) occurring. Hadley pointed out the close correlation on the 24-hour plots as well, noting the Stevens site does seem to show the highest concentrations. Stevens is where our current, permanent, air monitor is located Hadley reminded the Board.

Doherty, noting Stevens is on the west side, and we have prevailing westerly wind, most of the time it won't catch contributions from Nippon. Is that more evidence the three high spikes are likely woodstoves, Doherty asked. It was Hadley's opinion the spikes were due to woodstove use; based on the time of the spikes—in the evening after people are coming home from work—and they occur during cooler weather.

Hadley noted the background levels for Clallam County area rose during the month and she has been looking into why that might be. She noted if the background levels bump up, even slightly, it can push our normally 'good' air into moderate.

Cooper asked if the background levels are continuing in the same trend currently. Hadley noted it appears to be coming down, but we need a little more data and time to analyze it.

With these new monitoring stations, Di Guilio asked, are we going to be able to address any of the concerns of the groups in Sequim area that want us to be following the Nippon emissions. Hadley noted that is called plume chasing and it is very problematic and difficult to do. The winds change, and we can watch for that and see if there is any change in the monitored numbers, but again, it is difficult. Nippon went on strike for several days (they were shut down) and that happens to be the time when our background levels were elevated. Di Guilio noted his concern is we are spending a lot of time and energy on the additional monitoring stations as a result of concerns from folks in Sequim—are we really getting to what they want to know or are we just spending a lot of resources.

Hadley explained the reason behind the saturation study is the citizens' concern was ORCAA was not adequately monitoring Nippon. We explained we are here to monitor the ambient air and they replied our monitors were not in the right location to monitor the ambient air. The real, primary goal of these sites is to find out if our permanent site, Stevens Middle School, is representing the ambient air. If we can say our measurements at Stevens are representative of the area, we have done our job.

Goodin added we do have a 24 hour standard, 35 micrograms per cubic meter, and looking at the chart the worst case site is Steven's Middle School and it is still showing compliance with a very comfortable margin. Valenzuela was under the impression the reason for doing this study was to have the baseline data prior to the co-gen project comes on line. That way, if there is some aberration after, we would have good baseline data. Hadley agreed. Valenzuela stated, as Goodin has emphasized, if there is no change in the measurements after the facility is operating, the people will feel a level of comfort the facility isn't compromising their air quality. Hadley appreciated Valenzuela's very optimistic point of view.

There were questions regarding ultra-fines and Hadley reminded the Board there is no standard for ultra-fines. Johnson asked if Nippon's stack monitors are calibrated for PM2.5. Goodin stated they pick up everything that is less than 2.5 in diameter. This includes the mass of the ultra-fines.

Doherty noted it would help if there is something to show the size of the particles. Hadley stated she has photos and can share them with Doherty. The other impact mentioned before, Doherty continued, would be the export ships bunkering within hundreds of yards from Nippon. As fumes escape, will that compound accusations that Nippon is causing the problem? Hadley stated it is likely possible to track that with the monitors.

Finance/Administrative Update

Harding explained the financial report is included in the Board packets. We are looking at 9 months of our fiscal year, ending March 2013. Harding noted we have received 83% (we are 75% through our year) of our projected revenue for the year. Harding went over several line items. We are at 71% of our projected expenditures, as compared to 75% into our fiscal year. Harding again went over several line items.

Valenzuela asked Harding to brief the Board on the schedule for adopting the next budget.

Harding noted the schedule has been posted on the website. Staff met with the Finance Committee in March, to go over our draft FY14 budget. Staff will meet with the Finance Committee on May 8th prior to the Board meeting. A public hearing is scheduled for our May 8th meeting, continuing at our June 12th meeting. The Finance Committee will present the final budget to the Board for approval at the June 12th meeting.

Valenzuela asked if we will allow public to speak on the budget. Harding noted they can comment now, at the May meeting and again during the June meeting if need be.

Harding stated we did show our vacant space recently and will be following up with them. If the potential tenant doesn't come through, we are considering talking to a realtor to relist the property.

Executive Director's Report

McNair stated there is a press conference on that Nelson is listening to; the President is delivering his budget. The budget being presented is lower and EPA is taking a cut, but the air dollars are going up. Climate change and green house gases are a priority at the state level as well as a national level. While the budget is being decreased by about 3% for the rest of this fiscal year; the air portion is proposed to increase by 22 million in the next fiscal year, beginning October 1.

McNair noted she had looked into electrification for Doherty; however she has not heard back from several entities. There were some charging stations that were to come through DOT Commerce funds, they have been ordered but not all picked up. McNair noted they will contact us if there are any that do not get picked up so we can pass the information on.

Through regional transportation organizations there are STP funds, McNair continued, that can be utilized for charging stations.

McNair stated staff is continuing to look at vendors for our credit card transactions. We have a contract from Point and Pay that we will be going over with Myers and Carignan after the meeting. We have found they are being used by several entities in our jurisdiction, including Thurston County. This company charges fees to the customer, rather than us. We feel it is a better contract than any we have seen thus far.

EXECUTIVE SESSION

There were no items for Executive Session.

FOR THE GOOD OF THE ORDER

Cooper noted he forwarded McNair an email he had received. It is regarding a business that is trying to rile people up about federal regulations regarding stationary emergency generators. Cooper asked if there was anything to this and if so, could that be put on an upcoming agenda. McNair explained there had been an issue in Quincy, and it is possible it is the same group.

Doherty stated he had heard Inslee may use some administrative laws to nudge local governments into reducing greenhouse gases. If you haven't had a recent application in front of the public works board, etc. There is an RCW that requires boards to look at your progress toward reducing greenhouse gases in their consideration of your grant. Olympia has a great greenhouse gas program on their website.

Valenzuela explained we have discussed some time ago, anti-idling. Thurston County does have an anti-idling policy; however the trouble is not very many of the employees know about it. Valenzuela wanted to thank ORCAA because they had made up some very nice anti-idling signs. Valenzuela stated she had recently received three signs and have had them posted around the courthouse so more people are aware.

Doherty stated a city of Olympia representative had invited our Board to attend a public works meeting where they gave a presentation on some of the things Olympia was doing at the time. This included the tire gauges and other items. Doherty stated he would be interested in another presentation if there are additional things to share. It would be interesting, Doherty suggested, if we could hear what they are doing about reducing greenhouse gases and other practical things you can use to manage your assets better, while reducing air pollution, etc. Some additional discussion regarding charging stations followed.

Cooper suggested a panel of staff from the county, the port, and maybe city of Olympia or other jurisdiction coming in and talking about what they are doing. The Board agreed. Di Giulio thought it might be a good idea to pick another venue; there may be others interested as well. Cooper offered the city of Olympia.

McNair clarified it would take place during a regular scheduled Board meeting, held at the city of Olympia. The Board agreed.

ADJOURNMENT



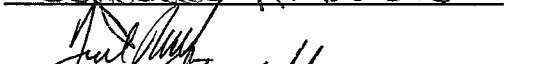

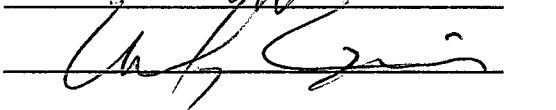
There was nothing further from the Board.


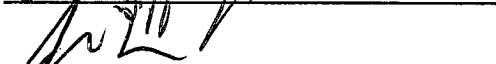
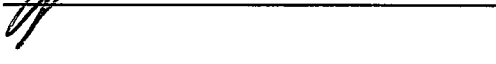

The meeting adjourned at 11:24 a.m.

PRESENTED BY:


Francea L. McNair, Executive Director

APPROVED BY:

APPROVED and SIGNED this 8 day of May 2013