

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

**BOARD OF DIRECTORS MEETING**

February 11, 2015

Members present: Steve Rogers, Pacific County (Chair)  
Sandra Romero, Thurston County  
Mary Ellen Winborn, Clallam County (via phone)  
Dan Di Guilio, City of Port Angeles  
Cynthia Pratt, City of Lacey  
Wes Cormier, Grays Harbor County  
Phil Johnson, Jefferson County

Members absent: Jim Cooper, City of Olympia (Vice Chair)  
Tim Sheldon, Mason County

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

Staff Present: Fran McNair, Executive Director; Robert Moody, Compliance Supervisor; Mark Goodin, Professional Engineer; Odelle Hadley, Senior Monitoring Technician; Mark Moore, Network Administrator/Monitoring Technician; Lynn Harding, Administrative Services Manager; and Debbie Moody, Office Manager/Recorder

The meeting was called to order at 10:03 a.m.

Rogers asked that introductions take place for the new members. Winborn also noted her alternate, Jennifer Chenoweth, was on the line.

Rogers asked for approval of the agenda. Di Guilio moved approval of the Agenda. Pratt seconded the motion and it carried unanimously.

**CHAIR REPORT**

Rogers stated in February of each year, the Chair is to appoint three members to serve as the Finance Committee. Rogers stated Cooper and Pratt have expressed their interest in remaining on the committee. Rogers stated he would be the third member of the committee.

**APPROVAL OF MINUTES**

Rogers asked for approval of the Minutes. Cormier moved approval of the Minutes. Di Guilio seconded the motion and it carried with a majority of the Board – Romero abstained as she had not been at the previous meeting.

**APPROVAL OF EXPENDITURES AND DISBURSEMENTS**

Rogers noted the Expenditures and Disbursements consisted of Warrants and wire transfers 63005925 through 63005966 in the amount of \$40,505.57; and Payroll 3057704 through 3057706 and 412936 through 412950 in the amount of \$130,196.74 for January 9, 2015 through February 5, 2015. Cormier moved approval of the Expenditures and Disbursements. Di Guilio seconded the motion. Di Guilio asked why there is a break in the series of vouchers. Harding explained the majority of staff have auto deposit on payroll. We have three staff members who received actual checks—the vouchers and checks come from different accounts at Thurston County Treasurers office. Rogers called for the question, the motion carried unanimously.

## **PUBLIC COMMENT / PUBLIC HEARING / PRESENTATION**

There were no public comments; no public hearing, no presentation.

## **NEW BUSINESS**

### Odor Policy

R.Moody explained it has been brought to our attention there was an issue in our current odor policy. Myers has advised us to update our policy to eliminate possible problems in the future. R.Moody explained the current policy states we must have 5 individual formal complaints in a year, prior to initiating enforcement action. In many cases, R.Moody stated, this is unrealistic in our jurisdiction. Some odor sources may only have 2 neighbors. R.Moody noted the new policy will eliminate the need for a certain number of complaints.

Pratt asked if there was any reference to the duration. R.Moody stated the policy does address duration. Odors are difficult to begin with and duration is certainly an element. Romero asked if there are odors exempt from ORCAA's rules. R.Moody noted per the RCW we do not enforce on agricultural odors where they are following good agricultural practices. Romero asked about drawing down Capital Lake, would you enforce the odors there. R.Moody stated we would not as it isn't a business.

Johnson moved superseding the existing odor policy and establishing a new odor policy as presented. Pratt seconded the motion and it carried unanimously.

## **UNFINISHED BUSINESS**

### Regulation Change – Removal of Fees Update

McNair reminded the Board we discussed this change at the January meeting and have since filed the CR102 with the Code Reviser's office. The next step is to hold a public hearing, which will take place in March. At that same time, McNair continued, we will be bringing forth a resolution in order to adopt the current fees in a fee schedule. R.Moody did want to add that while the fee schedule remains intact, there is one minor change to the wording in the Regulations. Currently we only charge fees for technical staff, engineers and inspectors, who have worked on the permit. We have removed the word technical in order to recover costs for our administration staff, mostly during public hearings.

### NSR Fee Proposal

McNair stated we gave the Finance Committee a brief presentation this morning regarding the New Source Review (NSR) fees. The NSR fee has not been evaluated since 2007. We will bring the fees to the full Board at a future meeting. McNair did go into some detail regarding additional billings and frustration from our sources. The businesses would prefer to have a good idea of the cost of the project at the time of the application and it is our hope to adjust the fees to eliminate some of the additional billings at the end of the project. Currently we bill additional fees about 75% of the time. We anticipate additional billing at less than 50%. The committee did request a side-by-side comparison of fees, as best we can, for the next meeting. We do plan to change the way fees are applied, so it is more difficult to compare. McNair added, currently we are only covering about 22% of our cost for this program and we would like to cover approximately 85%. The jurisdictions and general fund are currently picking up the cost of the program.

Our plan at this time, McNair stated, is to begin education and outreach with our sources, as well as economic development boards, chamber of commerce, etc. to make sure we get to the business community. We would like the Board's approval to move forward with the proposal and education and outreach. The committee did request a side-by-side comparison of fees, as best we can, for the next meeting. We do plan to change the way fees are applied, so it is more difficult to compare. We would be

looking at holding a public hearing in May.

Johnson moved to allow staff to proceed with the outreach process concerning increased NSR fees. Pratt second the motion.

Romero asked why we wouldn't recover 100%. McNair explained there are activities, such as program development and training, that while they are a part of the NSR program, cannot be directly associated with a specific source or permit. Cormier wanted to verify this motion is currently for the outreach. McNair stated that was correct. Johnson did note he would prefer ORCAA did not charge the highest fees.

Rogers called for the question. The motion carried unanimously.

#### Resolution 262 – Eligible Permit Fee Waivers

McNair reminded the Board this issue was discussed at January's meeting. It was requested we look at permit fee waivers, which was prompted by the flooding in Grays Harbor and Pacific counties. We used this incident to review the economic impact. McNair explained how we determined the impact. Cormier had requested that if there is a state or federally declared emergency we have the ability to waive permit fees. This resolution, McNair stated, would allow for that.

Cormier moved approval of Resolution 262 to allow for fee waiver of disaster areas. Romero seconded the motion. Johnson asked if there is a major earthquake and our building is demolished, are we still waiving fees. McNair noted we did look into reimbursement, as this does cost us money, however we wouldn't be eligible. Di Giulio asked if there should be a reserve budget set for this resolution. McNair stated she didn't feel it was necessary. There was some discussion regarding emergency funding. It was decided it wasn't necessary at this time.

Rogers called for the question. The motion carried unanimously.

### **DIRECTOR'S REPORT**

#### Compliance Program Update

R.Moody briefly explained what the report covered for the new members. R.Moody noted there were no significant issues this month.

#### Engineering Program Update

Goodin briefly explained some of the permits types the engineers handle. One noteworthy case, Goodin noted, is in Mason County and is an existing composting facility (North Mason Fiber) that will be receiving a permit to become a waste transfer facility.

Goodin showed a PowerPoint regarding Nippon Paper and their upcoming stack test. Goodin asked if there were any questions.

If the test fails, Di Guilio asked, will Nippon be able to operate while they try to come into compliance. Goodin explained if the failure is in regards to a pollutant that would have consequences to public health, no. However, Goodin noted, in most cases Nippon would be able to continue operations. If they do have to develop a compliance plan, Di Guilio asked, does ORCAA staff work with them or do they do it on their own. Goodin stated we do work with them directly.

Johnson asked if ORCAA is on site during the test. Goodin stated staff is on site and will be observing the entire test. Pratt asked if ORCAA approves the test companies prior to the business hiring them. Goodin explained are made aware of who a business is considering for the tests. We do not make any

recommendations, however we would speak up if we knew there were issues with the company.

Romero asked if ORCAA was involved in the recent gas leak at the Port of Olympia. McNair stated it was an Ecology issue. Romero asked if the same thing happened at Nippon, would it be an Ecology issue as well. Goodin noted the ammonia at Nippon is aqueous and is far less potent than what was released in Olympia. However, if there is an emergency type release, Nippon has an emergency response program and risk management prevention plans and emergency agencies would deal with these types of issues. They do have to let us know about the situations.

Johnson asked if the new boiler strictly burns biomass. Goodin stated biomass and sludge is used. The sludge comes from their waste water treatment of recycled water.

#### Air Quality Program Update

Hadley stated the air quality in January had improved a bit with the warmer weather. The Jefferson County saturation study continues, Hadley stated, and for the first time we have a complete month of data from all four sites. Hadley noted the sites are following each other quite closely with a couple of peaks at the Blue Heron and Chimacum.

Hadley gave a brief explanation of the saturation studies to the new members.

Based on the Port Angeles Saturation study, Hadley explained we are moving our permanent monitor to the Port Angeles Fire Station. We are still waiting on Ecology's final approval.

Hadley noted the Ultra-fine study continues in Port Angeles and we are working on continuing the funding for the study.

A few months ago we applied to EPA for a Village Green community monitor to install near the Olympia Farmers' Market, Hadley stated. We did not get funding, however, we are exploring funding options to build our own Village Green monitoring bench. We have received the blueprints from EPA and believe we can build it ourselves. Hadley also noted she had recently completed a project for the Makah sites. The Makah IMPROV site is co-located at Cheeka Peak. Hadley explained the different emission sources found at Cheeka Peak, which included salt, wood combustion, dust and shipping emissions.

#### Education and Outreach

Nelson stated we did a lot of outreach on asbestos and demolition requirements due to the recent storm events. We are seeing more awareness in our jurisdiction regarding the dangers of asbestos.

We have spent all of the allocated funds for our woodstove change out program. We will be submitting a request, once the legislative session is over, for \$200,000 or \$250,000.

Nelson explained our next outreach step with regards to our Thurston County outdoor burn permits will be to discuss funds. We will be conducting a survey regarding fees as we are interested in what the impacted users have to say. The survey will go out to all of our current permit holders to begin with. We will be sharing this information with the community during different events.

#### Finance/Administrative Update

Harding stated we will begin the Fiscal Year 2016 budget process. We will meet with the Finance Committee in April to go over the first draft of the budget. The Finance Committee will bring the draft budget to the full Board in May and we hope to approve the budget no later than June. We continue to market our rental space. We have 2 vacant areas at the moment. Harding noted the final audit results have been posted on line at the Washington State Auditor's website. Harding also added the Enduris yearend report is

included in today's packet.

#### Executive Director's Report

McNair stated we are working with the legislature regarding the woodstove money. Regardless of what the legislature sets the budget at, we will be asking for at least the \$200,000. Several of the other air agencies had difficulty spending their money – our program has been very successful. There is a Senate bill for the JLARC study. Ecology will be the lead and it will be looking at the impact on ozone regulation changes. It will look at the costs to the stations as well.

#### **EXECUTIVE SESSION**

There were no items for Executive Session.

#### **FOR THE GOOD OF THE ORDER**

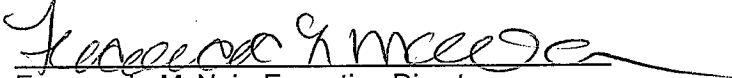
Johnson wanted to state he feels ORCAA did the right thing by purchasing this building. He noted he attended a meeting this morning at one of the state offices that Ecology uses and they are having to move due to a leaky roof and mold issues. Due to a state law, the next place they rent must be at a higher rent.

#### **ADJOURNMENT**

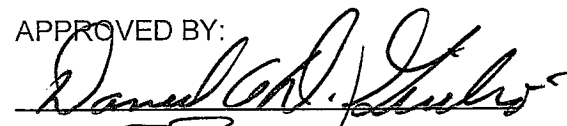
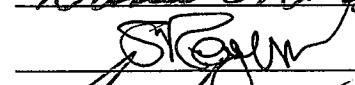

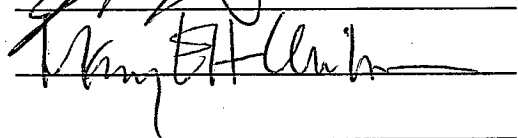
There was nothing further from the Board.

The meeting adjourned at 11:43 a.m.

PRESENTED BY:

  
Francea L. McNair, Executive Director

APPROVED BY:

APPROVED and SIGNED this 11 day of March 2015