

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

BOARD OF DIRECTORS MEETING

January 10, 2018

Members present: Cynthia Pratt, City of Lacey (Vice Chair)
Terri Drexler, Mason County (left at 1045am)
Lisa Ayers, Pacific County
Wes Cormier, Grays Harbor County
Mary Ellen Winborn, Clallam County
Kate Dean, Jefferson County (via phone)
Joan Cathey, City of Tumwater
Gary Edwards for John Hutchings, Thurston County

Members absent: Jim Cooper, City of Olympia (Chair)

Legal Counsel: 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 Monitoring Technician; Dan Nelson, Public Information Officer; and Debbie Moody, Office Manager/Recorder

Pratt called the meeting to order at 10:02 a.m.

Pratt asked for approval of the Agenda. Cormier moved approval of the Agenda. The motion was seconded and carried unanimously.

CHAIR REPORT

Pratt stated Cooper didn't ask her to share any information from him; however, Pratt mentioned the retreat date will not work for her as she will be in Washington D.C.

PUBLIC COMMENT

There were no members of the public in attendance.

CONSENT AGENDA

Pratt asked for approval of the Consent Agenda. Ayers moved approval of the Consent Agenda. The motion was seconded and carried unanimously.

NEW BUSINESS

Marijuana - Registration

Drexler stated she had requested this item be placed on the Agenda after conversations she had with Platinum Enterprises (marijuana producer in Mason County). This gentleman had built his facility in a way to control odors and he felt he shouldn't have to register. Drexler thought we might want to consider

potential exemptions in our registration program, to honor best practices. Drexler recommended we ask staff to come back with recommendations as to how we can honor best practices or perhaps a change in the way we communicate to our marijuana facilities, or an exemption option. Perhaps we are happy with the way we are doing things and we just need to reword how we are requiring registration. Drexler asked that staff come back with a report on what other agencies are doing as well. Drexler did note that the gentleman from Platinum had intended on attending the meeting but thought it was in Shelton. He plans on attending next month.

A second thing to consider, Drexler continued, is uneven compliance. The gentleman expressed his concern that there were other producers/processors that were not registered. Drexler noted she did speak to staff and learned Liquor and Cannabis Board (LCB) doesn't always have accurate information for these businesses. Representative Dan Griffey is dropping a bill that would require closer collaboration with local governments and the LCB. Drexler noted Kittitas County managed to get a court order that orders LCB to be more collaborative with the county governments. Drexler felt it was important to write to the LCB with our concerns, issues and suggestions that we have regulating and tracking the businesses the LCB is licensing.

Drexler stated she could send McNair the draft bill and the court order language.

Pratt asked the Board if they felt ORCAA should write a letter of support for the bill. Drexler noted ORCAA is a regional agency and the bill is for local government. McNair noted we could still draft a letter in support, but we may want to wait and see if the bill goes anywhere.

Pratt, bringing the conversation back to registration of facilities, noted there are some facilities that are totally enclosed and have done work to prevent odors. Even so, Pratt continued, having them registered is still important, being able to track them, etc. but perhaps the fee could be less. Winborn noted best practices change and it could be difficult to deal with changes. Winborn felt it was a code enforcement issue. McNair briefly went over what Spokane Clean Air and Puget Sound Clean Air are doing with their program. Spokane has recently added a tiered system and Puget Sound not only registers them but also make them go through New Source Review. McNair noted we could discuss a tiered system, but staff will be doing inspections of the source – indoor and outdoor facilities. Several members felt registration and tracking of these sources is important, for several reasons, including tracking of the businesses.

Goodin explained our registration program has no "approval" component it just allows us to go out gather information and inspect the business and respond to complaints. An example, Goodin continued, we register all autobody spray booths, regardless of how they operate. We have shops that do a great job and shops that need to improve. Registration regulations allow us to require the most up-to-date controls for businesses. Regulations for control technologies are intended to cover new technologies as they become available. Drexler stated that if the gentleman was here, he would say that odors don't make people sick. This is the train of thought for this one grower. Pratt argued that she would be concerned with odors and have children in the area, they are still breathing whatever is in the air. Winborn noted there are a lot of nuisances that don't make you physically ill.

After some discussion, Pratt asked what the Board would like to do, suggesting it might be best to bring this back for further discussion at the February meeting. Cathey was concerned the Board had enough questions about the process that the gentleman, or public in the audience, would be concerned and feel they don't have to abide by the rules. Goodin explained a mass mailing had gone out to all potential marijuana facilities to find out what type of facility and what type of process they would have.

Drexler moved that the Board send a letter, drafted by staff, to the LCB with distinct recommendations with how we can be collaborating on our regulatory responsibilities with their help. The motion was seconded. Pratt asked for discussion. Cormier stated he would like to see the letter prior to sending it. He didn't want

to vote on a letter he hasn't read. McNair stated she could draft a letter and bring it back to the Board. Pratt suggested a friendly change to the motion that a letter be drafted for the Board's review. The motion carried unanimously.

Pratt asked if staff needs to prepare for further discussion about Marijuana Registration for our February meeting. After some discussion, it was decided that it would be added to the February agenda and it would be helpful for staff to send the Board some information to prepare them for the discussion. Drexler asked that the staff send the codes and laws that we are adhering to by registering these facilities and the process used by staff to register the businesses. Dean asked how the conditional use permit process overlap with ORCAA's rules would be good information as well.

By-Laws – Proposed Updates

McNair stated the copy provided is a redline draft and she briefly went over each of the changes. Some of the changes included; terminology; we wanted to add in that the Finance Committee meets quarterly; we added an Ad-hoc Committee; we covered some changes in the RCWs; the Consent Agenda was added to the layout of the Agenda; include an annual review for the Executive Director. One other thing is our current By-Law states that on occasion members can participate by phone and we are suggesting that only be 2 meetings per year. McNair noted the concept was to participate, in person, for meetings unless there is an issue. Winborn noted that is the reason we have alternates, correct? McNair stated that is correct. There is some language regarding the preparation of Resolutions prior to meetings, McNair added.

McNair asked if there were any changes or additions we can include prior to finalizing for approval. Cormier stated, under number 14, it states *exceptions may be made requiring a resolution to be drawn up after the action is taken*. Cormier noted the language is not a new change, however he is uncomfortable with it. McNair stated we can strike it out. The Board agreed.

Dean stated she has an issue with the phone options. She has a hard time justifying 4 hours of driving for a 2-hour meeting. She noted the emissions and the cost to the county. Dean felt caller meetings should be an option and staff should consider technology to improve the usefulness of that. Dean noted she does attend in person when she has something else going on in the area. She felt it was limiting to require in person attendance and we need to move away from that as we look toward the future and climate change, we'll need online meetings to be an option.

Pratt asked for a discussion. Cormier stated they have a tv set up with Skype so they can communicate with lawyers in Seattle. Winborn stated she prefers to be at the meetings and felt it was more effective meeting when they are in person. Edwards stated staff should continue thinking about using technology to save taxpayers money. He noted they are considering Skype type activity for cellphones for inspections. Pratt also felt it was important to be at the meetings, however she has used BlueJeans for meetings in Seattle. McNair stated there are carpool options as well. Pratt was concerned members would decide to always use the phone option and never attend a meeting in person. Cathey agreed. After some further discussions the Board asked that staff come up with several options and bring them back to the Board. (i.e. technology, keep the 2 meetings, remove it completely, 50% or 25% of the meetings can be phone in, etc.) Ayers felt the phone option should be the exception not the rule.

Personnel Policy Manual – Proposed Updates

McNair noted state law changed, in terms of sick leave, and we want to update our Personnel Policy Manual to reflect the change. The basic law is, for every 40 hours worked, you are allowed 1 hour of sick leave. We were ok with all of our staff, except our janitorial person. We wanted to make sure we captured the employee category of Regular Part-time person that works less than 20 hours per week and interns.

McNair went over the draft changes. Cathey stated she appreciated the new language, especially regarding the domestic violence portion.

DIRECTOR'S REPORT

Compliance Program Update

R.Moody noted there are not many Ocean Protein complaints in the current log. They have hired, what we believe to be, a qualified consultant to look at their issues and evaluate their processes. We are hopeful they will be making some changes this spring, prior to operating. R.Moody noted Carignan represented us on an asbestos case recently and he wanted to commend her on doing a great job and he is confident we will prevail.

Engineering Program Update

Goodin wanted to go over one specific project he is working on, Aquatics. Aquatics is a major source located in Yelm. This company builds bathtubs and shower stalls using fiberglass reinforced plastic. They emit styrene, which is odorous and has health implications. Their application proposal was to basically double the size of their plant, which would double their emissions. We did the review and confirmed they have the right control technology. Goodin stated we have gone through the public notice process and received only 2 comments; one from Thurston County Environmental and one from a concerned citizen who disagreed with our recommendation to approve.

Based on the comments, we concluded there is not substantial public interest and will not be holding a public hearing. Currently, we are waiting for the final payment on the application and then we will be approving the permit. Cathey asked how the public would know about this application. Goodin explained, by law, we must publish the notice. We published it in the Olympian (Sunday edition, legal notice), we sent notice to Thurston County, Yelm and other agencies who may have jurisdiction because we also did the SEPA on this project. Nelson also issued a press release and publishes it on our website. Pratt noted fewer people subscribe to the newspapers, so we may want to think about that option. McNair noted there has been a change in the law. You used to have to publish in the paper, however now you must publish it electronically, the paper is a secondary option. Cathey's concern was not everyone who lives near a proposed project has a computer or access to this information. Cathey noted they are considering using the distance around a project be the basis for notification, and we will use multiple ways to notice these projects.

Pratt asked about the "after-the-fact" emergency generator permit for Lacy City Hall. Pratt asked if it was a non-compliance issue or if it needed to go due to an emergency. Goodin stated it was a non-compliance issue. They installed the generator without a permit, however they were prompt in applying once they were notified they needed a permit.

Air Quality Program Updates

Hadley stated we are covering November and December this month. We did have a few episodes of air quality moderate days in November. In December, we had some days hitting in the unhealthy for sensitive groups. We also called a burn ban for Clallam County, which hasn't happened in quite some time.

Hadley has had multiple visits to Cheeka Peak the past couple of months. Hadley also wanted to remind the Board of the Community Air Toxics Grant we were awarded in November. We will be working with Evergreen on that grant. It entails further monitoring for actual gas toxics, mostly VOCs, that are considered air toxics, looking at how it relates to winter time air pollution in our region. Hadley noted staff will present a budget amendment, as well as a Sole Source Resolution, for your approval at the next meeting.

Hadley explained there is a company selling low cost ambient air quality monitor sensors to the public. We do have a couple in our region and we need to evaluate these monitors, understand how they work and get ahead of them. The public does come back to us when their monitors show different numbers than our monitors.

The Thurston County Saturation Study report and the Ultrafine Study report for Port Angeles are still in the works. Hadley stated she was close to finish with the Thurston County Saturation Study report and plans on presenting it as part of the Board report. Hadley stated if anyone felt there was additional interest in the report, out in the community, and you wanted staff to present at a community meeting we can do that as well.

Hadley showed a map of the Purple Air monitors that are installed in peoples' homes. The monitors then transmit the information back to Purple Air and it shows up on the map. At about \$260, they are affordable, Hadley noted. We expect to see more of these show up in our area. Hadley stated she has been watching them and comparing them to our monitors. Hadley stated we have ordered one for our agency and will be installing it at Lacey to do our own evaluation. Some other agencies have done similar evaluations and conclude the Purple Air monitors overpredict by a factor of 2 at the higher levels. Air Visual is another personal monitoring company that was brought to our attention by a citizen in Port Townsend. The person called and was concerned the air quality was worse than we were saying for her area. Hadley looked into the situation and found bad coding and contacted Air Visual and had it corrected.

Dean requested Hadley keep her in the loop with regards to issues Hadley hears about in her area.

Hadley went over the rest of the slides and ended with the summer and winter trends over the past years. Hadley stated there is a slight upward trend in the summer numbers that could be attributed to wildfires or population. We just don't know.

Education and Outreach

Nelson stated March 2018 marks our 50th year as an agency. We will be launching our new website in the next couple of weeks to kick-off our celebration. Nelson showed the Board our new website. He explained we came up with a tabbed format to make it easier to get to what you want. Nelson went through several items on the website, specifically noted all registered sources are now listed on our website. We are hoping it is easier to use and navigate, as well as being more informative, Nelson stated.

Nelson stated we are starting to get into the Home and Garden show season. We will be participating in the Sequim show in February, Port Angeles in March and have Olympia/Lacey Master Builders show in April. McNair will be attending the Sequim Rotary meeting this week. Nelson reminded the Board if they have anyone community meetings they need us to attend, to let him or McNair know. Cathey asked what our main message is at the Home Shows we attend. Nelson explained asbestos and demolition is the focus typically. The people are coming to the shows to look at remodeling ideas, etc. and asbestos and demolition can be a part of their projects.

McNair did want to recognize point out that the other agencies have hired consultants to do their websites and Nelson put ours together, with input from staff.

Finance/Administrative Update

McNair noted we met with the finance committee and reported we are at 53% of our revenue and 49% of our expenditures. McNair went over a few line items. McNair did note we are fully leased and are working on adding heat to the garage. There were no questions from the Board.

Executive Director's Report

McNair apologized that we can't accommodate everyone for the retreat. McNair explained she is working with staff to streamline the Strategic Plan process and have something for the Board to work with at the March retreat. We have our main goal with 6 topic areas in how we hope to achieve our goal. We hope to use the Strategic Plan to produce the end of the year report by looking at what we have accomplished over the year.

McNair asked the Board to let her or staff know if they have any community groups they would like us to present to.

EXECUTIVE SESSION

There were no items for Executive Session.

FOR THE GOOD OF THE ORDER

There was nothing for the Good of the Order.

ADJOURNMENT

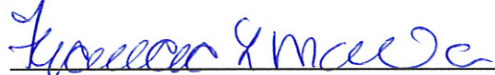
There was nothing further from the Board.

The meeting adjourned at 11:52 a.m.

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, 2018, in Olympia, Washington.

ATTEST:



Francea L. McNair, Executive Director
Olympic Region Clean Air Agency



Jim Cooper, Chair
ORCAA Board of Directors

DATED: 2/14/2018