

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

**BOARD OF DIRECTORS MEETING**

September 12, 2018

Members present: Jim Cooper, City of Olympia (Chair)  
Carolyn Cox for Cynthia Pratt, City of Lacey (Vice Chair)  
Kate Dean, Jefferson County (via phone)  
Joan Cathey, City of Tumwater  
Lisa Ayers, Pacific County  
Terri Drexler, Mason County  
John Hutchings, Thurston County

Members absent: Randy Johnson, Clallam County  
Wes Cormier, Grays Harbor County

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

Staff Present: Fran McNair, Executive Director; Robert Moody, Compliance Supervisor;  
Mark Goodin, Engineer; Dan Nelson, Public Information Officer; Lynn  
Harding, Administrative Services; and Debbie Moody, Office  
Manager/Recorder

Cooper called the meeting to order at 10:01 a.m. Cooper noted approval of the Agenda by consensus.

**CHAIR REPORT**

Cooper noted the Personnel Minutes of June 13, 2018 need approval. Ayers moved approval. The motion was seconded and carried unanimously.

**PUBLIC COMMENT**

There were no comments from members of the public in attendance.

**CONSENT AGENDA**

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

**NEW BUSINESS**

Review Penalty Worksheets – Outdoor Burning; Solid Fuel Burning Device

R. Moody reminded the Board a citizen requested the Board direct staff to review all the penalty worksheets. R. Moody noted we have a total of six worksheets under review and we are bringing two before the Board today.

All six worksheets have similarities, such as formatting, similar questions, a multiplier for repeat offenders to escalate penalties, and limited the history to five years.

R. Moody did note we issued very few Notices of Violations for Solid Fuel Burning Devices. He went through the questions of the Solid Fuel Burning Device worksheet, explaining the reason behind each question. In addition to a multiplier for previous violations and previous knowledge of ORCAA's rules, questions include sale of uncertified devices, opacity exceedances, burning during burn ban, causing a nuisance, and burning prohibited materials.

Cooper asked what the staff discretion is for suspending part of the fine, payment plans, based on personal situations. R. Moody explained the worksheet is designed for consistency. Staff who witnessed the violation fills out the worksheet. It is then reviewed (commented on if appropriate) and signed by either R. Moody or another senior staff member. The Director reviews the worksheet, any comments from senior staff and make a final decision as to the penalty amount. The RCW does allow for negotiation of penalties and they can contact D. Moody to work out a payment plan if needed. McNair noted the person or entity does have an opportunity to contact us with more information regarding the alleged violation prior to receiving the penalty amount. Once they receive the penalty they can contact us to discuss mitigation, McNair stated.

R. Moody went over the questions for the Outdoor Burning worksheet. In addition to a multiplier for previous violations and previous knowledge of ORCAA's rules, questions include burning during a burn ban, having a permit, following permit conditions, fires in no-burn areas, pile size and content, and causing a nuisance.

Cooper requested clarification on action for this topic. Cooper noted no action was requested on the agenda, however per the conversation staff expects the Board to approve these documents. Cooper felt this policy would be taken care of at staff level. McNair and Carignan explained, because these worksheets are used to defend our penalties at the PCHB, it is best if the Board approves the worksheets. Having the worksheets approved by the Board carries more weight at the PCHB.

Cooper asked if the Board wanted to move on this today or wait. Ayers moved approval of the updated penalty worksheets for Outdoor Burning and Solid Fuel Burning Devices. The motion was seconded and carried unanimously.

### Air Curtain Incinerators

Goodin explained this issue came up because a company has been asking around to the other air agencies wanting to use an Air Curtain Incinerator. We want to explain our position on these devices.

The two main questions regarding the use of Air Curtain Incinerators (ACI), Goodin stated, is can they be approved, and can biomass be managed better in our region.

Goodin noted, a registered source, Peninsula Topsoil, in Mason County uses biomass for various products such as beauty bark. The issue they have currently is the leftover waste. The waste they generate used to be used for burning in biomass incinerators (such as McKinley Paper), however there is no longer a market for the material. They now have a need to get rid of the waste and have requested to place a stationary ACI on their property to burn the waste.

Peninsula Topsoil and their contractor met with ORCAA staff to discuss the use of an ACI. Goodin explained we told them we would look over their proposal and numbers and get back to them with a



preliminary assessment as to whether we can approve a stationary ACI. Goodin did note these devices are typically mobile. They bring them in to burn large amounts of woody debris, then move on to the next site. Because they want to make it a stationary source, they are subject to New Source Review and in need of a Notice of Construction.

Goodin explained how the ACI units work. Noting they do emit less than a regular open burn, however much more than the combustion sources we have been approving. We are seeing potential issues with these units. Issues we are concerned with include the emissions are not controlled to a level that meets Best Available Control Technology, emissions are at ground level which exacerbates impacts, there is no energy recovery, and approval of an ACI as a stationary unit would undermine ORCAA's long-standing history of efforts to reduce open burning.

Goodin showed a graph comparing an ACI to two of Sierra Pacific's boilers, as well as McKinley's. The results show more than 10 times the particulate being emitted by the ACI compared to the largest (McKinley) amount from industry.

In conclusion, Goodin explained staff can not recommend approval of stationary ACIs due to emissions not meeting approval requirements. We may be able to allow portable ACI units to be approved for open burns, provided they operate under an approved AOP. Goodin also noted it is important that biomass management needs improvement in our region.

Goodin noted, staff's plan is to let the company know they should not submit a Notice of Construction as we cannot recommend approval. Goodin also stated we don't feel biomass is being managed appropriately on the peninsula.

Drexler said this is an issue. We don't want people burning and the places that take the waste have no way to dispose of it, Drexler noted. The ACI may not be the answer, but managing biomass needs to be dealt with. Cathey asked how residential waste fit in this situation. Goodin explained residential yard waste in Thurston County typically ends up at Silver Springs, however, the amount of biomass we are talking about would overwhelm a composting facility. Regional composting could be part of the solution, Goodin continued, another biomass energy product would be a very good solution.

Cooper suggested meeting with the commissioners, some Board members and staff, pre-legislature session, given how much DNR lands are in our jurisdiction. Cooper asked if staff could get information together if he set up the meeting. Staff agreed.

Dean asked if the biomass in question is the same as the hogged fuel shipped to Port Townsend Paper? Goodin noted he was told the company could not find a market for the biomass they have on hand and can't sell it as hogged fuel. However, Goodin continued, they said they had initially sold it as hogged fuel. Goodin felt it is suitable to burn in a biomass boiler, noting each boiler is unique, understanding though, this material was suitable as fuel. McNair suggested Port Townsend Paper contact Peninsula Topsoil to discuss whether they could get the fuel.

## **UNFINISHED BUSINESS**

### Update on Registration Rule Reorganization Proposal

R. Moody explained the activity is still in process. Originally, we had some minor changes, but as time has gone by, we are looking at it more holistically and want to make sure the product is something the Board will be proud of. It will be coming before the Board something this fall.

## Strategic Plan – Core Concepts

McNair reminded the Board that they asked staff to come back with specifics on the Strategic Plan, noting measurable outcomes for 2019. Cooper asked if there were any questions. Cathey asked if this is what came out of the retreat. McNair explained the 5 concepts were the take-aways from the retreat. Staff came up with deliverables, that will be carried out before June 30, 2019, for each concept. McNair noted some items are ongoing.

Hutchings voiced his concerns with regards to carrying out the tasks, given current staffing. McNair said we will do our best. We do plan on filling the two vacant positions, McNair explained.

Cooper asked what the best way would be to keep this plan in front of the Board. McNair stated we will be bringing quarterly reports to the Board, as well as a year end report. The plan will then be in alignment with the budget and our annual report.

Cooper also noted he had been talking with Pratt about the need to increase our communication strategy. Not to say we want a bigger staff or buy more resources, but how can we monopolize on the region and regional members with regards to communications. We want to expand social media presence within the partners abilities to help. How can we use the Board for ambassadors for clean air in our communities, Cooper asked? Cooper asked if staff was looking for approval of the plan. McNair said, as it is a policy, it would be nice to have Board approval.

Cathey moved approval of the strategic plan. The motion was seconded and carried unanimously. (Ayers left at 11:16am)

## **DIRECTORS REPORT**

### Compliance Program Update

R. Moody told the Board we will be visited by the EPA Office of the Inspector General. They are visiting or calling the air agencies and Ecology in Washington. McNair explained the reason they are talking to us all came about over a citizen complaint in NWCAA's area. Cooper asked if we knew the scope of questions. R. Moody noted it has to do with stack testing observation results for 2016 and 2017. They do have questions on a specific source, and then some general questions about testing.

R. Moody said we do have 2 vacancies in the compliance section, currently. We have received about 17 applications and it closes at the end of the week. R. Moody reminded those members who are scheduled for the field trip to Grays Harbor Energy that the group needs to leave by noon.

### Engineering Program Update

Goodin pointed out PYR Services permit. This company takes in large marine vessels and abrasively blasts them in order to repaint them. This is taking place at the Port of Port Townsend and this particular case is final thanks to our engineer Lauren Whybrew. Goodin added, this company had some grievances over their permit, they felt ORCAA does not treat everyone equitably at the ports throughout our region. We are taking a hard look at how we regulate activities at ports, Goodin continued. We are meeting with the Port of Port Townsend soon. We will be discussing how we can work collaboratively to better regulate air pollution sources at their port.

McNair added we will be looking at all our ports. We want to make sure we are consistent in how we manage them.



## Air Quality Program Update

In Hadley's absence, Nelson presented the update. Nelson noted he had worked closely with Hadley and Grant due to the issues we had in August that affected both of our programs. July numbers looked good, Nelson stated, however August wildfires changed things. August started out clear, but as you can see, we had quite a bit of smoke in the air, especially in late August. Nelson pointed out Cheeka Peak hit hazardous conditions and on several days all, but Aberdeen, were in the Very Unhealthy. Each of our counties had days in the Unhealthy and Unhealthy for Sensitive Groups, Nelson noted. We had challenges in predicting smoke impacts. Nelson explained, when everyone thought things were going to clear out, we were hit with more smoke. Nelson went over the photos showing smoke and where it was coming from; British Columbia, Eastern Washington, and Northern California.

Nelson briefly went over the ozone slides, explaining the heat and sun create the chemical reaction that aids in generating ozone. There were some elevated numbers, Nelson noted, but because the smoke covered some of the sunshine, the numbers didn't climb as much as they could have during August. Yelm did have one exceedance of the NAACS in mid-August.

## Education and Outreach

Nelson explained August 15 was the first peak of wildfire smoke and he was out of communications reach so other staff were getting the word out, responding to media, and updating the web. Nelson showed the website analytics. With the new webform, Nelson said, we can track who is coming to our site and where they are coming from. Nelson pointed out the web traffic following the smoke impacts. Nelson showed that most traffic was people coming directly to our website, search engines were the second driver, followed by links from other sites such as EPA and Ecology.

The waburnbans.net site, which we host, was also busy during the same time frame. Nelson went over some of the analytics of the website.

Nelson said the wood smoke reduction program is well under way; ramping up now that heating season is underway. Nelson did presentations for the 4-H club in Yelm, a scouting group in Mason County and a home owners' group on Hood Canal. Nelson also noted he conducted several media interviews in August. Nelson has been gearing up for the upcoming burn season.

Nelson did add he is working on integrating our email notification system into our website. Once something new is posted on the web, it will automatically push out the information to the proper email group. Nelson also handed out a paper that explained death by wildfire smoke is on the increase.

## Finance/Administrative Update

Harding noted the Finance Committee did not meet this morning, however a copy of the year end report is included in the packet this month. Harding did want to let the Board know we ended the year in a positive, adding \$52,000 to our fund balance. Harding stated she will go over the report in detail, with the committee, in October.

Harding explained we contract with Thurston County Central Services which allows us to use their small works roster. We received a letter from Thurston County explaining they will begin using MRSC's small work roster, Harding continued, and we would like to move in that direction as well. We will discuss this option with the finance committee and if they agree, a resolution will be drawn

up and brought to the Board at a future meeting. Harding added there is a fee associated with the change. MRSC charges \$135 a year, Harding stated, but it is well worth the cost.

AWC has sent us their unofficial rate increase for our benefits, Harding noted, and it is within our current budget. We expect a 2% decrease from our participation in the eWell City as well, Harding stated. Harding added, we will also be paying about \$1700, for the first 6 months of the new paid family leave benefit, this coming year.

#### Executive Director's Report

McNair, noting she has just returned from vacation, stated staff does a phenomenal job while she is away. There were several issues at EPA, some of which are being litigated, McNair explained that could have horrible affects for air. We will be discussing them at the next air managers meeting. The NACAA meeting is going to be held in October and it will be brought up then as well.

Cathey asked R. Moody what staff does with regards to complaints against smoke coming from restaurants. R. Moody explained, historically very little has been done with restaurants, however we recently have had complaints and contacted the Burger Kings in our jurisdiction to let them know they have to meet state standards for opacity.

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

Prior to adjournment, Cooper apologized for not introducing Carolyn Cox, who is sitting in for Pratt.

#### **ADJOURNMENT**


There was nothing further from the Board.

The meeting adjourned at 12:01 p.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 September 12, 2018, in Olympia, Washington.

ATTEST:

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

  
Jim Cooper, Chair  
ORCAA Board of Directors

DATED: 10/10/18