



Minutes of the December Meeting for the Governing Board of Directors

Location, Date and Time:

Yakima City Hall
 City Council Chambers

December 10, 2009

Time: 2:00 p.m

1. **Tom Gasseling, Chair**, called the Meeting to order at 2:00 p.m.
2. **Clerk of Board – Roll Call** There was a quorum. Two members were absent.

PRESENT WERE:	
BOARD MEMBERS: Tom Gasseling, Member-at-Large, Chair Bob Jones, Small Cities Rep., Vice-Chair Bill Lover, Large City Representative	STAFF: Gary W. Pruitt, YRCAA Director Clerk of the Board Staff, Engineering/Planning Division Staff, Compliance/Monitoring Division Staff, Public Education Outreach Staff, Fiscal Program Manager and Trainee
LEGAL COUNSEL: Gary Cuillier, Board Counsel	VISITORS: Larry Fendell, Citizen Jim Dyjack, Citizen
ABSENT: Kevin Bouchey, County Commissioner Dick Camp, County Representative Rand Elliott, Alternate, Co Commissioner Allen Schmid, Alternate, Small Cities Rep Dave Edler, Alternate, Large City Rep	MEDIA: Bonnie Lozano, YPAC

3. **Additions and Deletions to Agenda** –Tom Gasseling, Board Chair asked if there were any additions and deletions to the Agenda. There were none.
4. **Public Comment** –
 There were none.

CONSENT AGENDA

- 5.1 By consent, approve Merit Pay for YRCAA staff members;
- 5.2 By consent, approve Minutes of November 12, 2009 Board;
- 5.3 By consent, accept and file YRCAA November, 2009 Activities;
- 5.4 By consent, approve CY 2010 Board Meeting Schedule; and
- 5.5 By consent, approve CY 2010 Holiday Schedule for staff.

Bob Jones moved to approve Consent Agenda items 5.1 thru 5.5. Bill Lover seconded. Consent Agenda items were approved.

REGULAR AGENDA

6. **Director’s Report – Refer to written report for detail**
 Gary Pruitt, Director, reported on the following:
2009 Significant Staff Accomplishments – Director commended staff on their quality of service they have provided in 2009. Although 2009 has been a year of scarce resources, the Director continued he has high expectations of staff and believe they delivered better quality service on a tighter budget. The Agency received some unanticipated revenue and the quality of service continues to improve. Staff referred Board to the attached list of accomplishments for each staff member. Gary continued that he felt staff exceeded his expectations delivering better quality service on a tighter budget.

Smoke Impact from Forest Service Burning - Staff reported that the Agency issued a Notice of Violation

(NOV) to the Naches Ranger District. Their response was inadequate and did not address the Corrective Action Order contained in the NOV. They contend that we do not have jurisdiction over forest service burning. The Clean Air Act gives the Air Pollution Control Agencies the responsibility to implement that Act. There is a section in the Act that does give the Forest Service the authority to do the burning. It is prefaced by that they have jurisdiction over the burning with a permit they issue. The Department of Natural Resources (DNR) did not issue a permit and thereby we do have jurisdiction over burning that does not have a permit issued by DNR. They did respond to a second letter from this office. That letter and a letter from the Compliance Division are attached giving them additional time to respond. They did respond to my letter stating that we do not have jurisdiction. They did not respond to the letter from the Compliance Division regarding failure to comply with the Corrective Action Order telling us what they will do in the future differently that would serve to prevent future violations.

Staff asked Board to consider two proposed actions; 1) Issue a second violation with their failure to comply with that order, or 2) send a Notice of Penalty (NOP) now that the 30-day notice has been satisfied. Staff's recommendation is to proceed with a NOP. Without contrary guidance staff will proceed in that order. Staff would like to have them come to the table and talk with us. The penalty will be substantial.

Bill Lover suggested staff carbon copy the documentation to Doc Hastings. Bob Jones feels it best to get Hastings involved. It was suggested to go through his representative. Staff concurred with the suggestion.

Enterprise Operation – Staff reported that the Enterprise project began on October 23rd and ended November 6th with the Washington Demilitarization Company (WDC). Staff submitted an invoice for over \$63,000. Staff netted \$42,000. With the proceeds from this project we will be able to pay back reserves and do some much needed computer and software upgrades.

Staff has made changes to the spring smoke school, Northwest Opacity Certification schedule (NOC). NOC will not be travelling to Southern Oregon. Staff has set a schedule for spring to go for four weeks instead of eight. This will result in savings to the Agency and yet provide a service to our participants.

ACTION ITEMS

7. **Election of Board Officers for 2010**

Tom Gasseling opened nomination of Chairman for 2010. Bob Jones nominated Tom Gasseling, Bill Lover nominated Kevin Bouchey. Bob Jones moved to close nomination for Chair. Bill Lover seconded. Discussion followed whether Tom wanted to continue as Chair. Bill asked Tom if he wanted to be the Chairman. Tom said he wondered if it wasn't time to have a change in leadership. Bob felt that Tom has done a good job and did not think a change necessary. Tom enjoys being on the Board. Discussion closed. Tom Gasseling called for the vote. Tom asked for those in favor of Kevin Bouchey. There was none. Then he asked for those in favor of Tom Gasseling. Bob Jones and Bill Lover both voted for Tom Gasseling to continue as Chair.

Tom Gasseling opened nomination for Vice-Chair. Bill Lover nominated Kevin Bouchey as Vice-Chair. There were no other nominations. Bob Jones moved to close nominations. Bill Lover seconded. Tom stated that since there was no other nomination Kevin Bouchey is Vice-Chair.

Tom expressed his appreciation for the confidence Board and staff has in him. He read the Staff Accomplishments and feels the operation of the Clean Air Agency is going in the right direction. Tom commended everyone's performance. Tom stated that he feels that in the past two years the Clean Air Agency is going in the right direction. Gary Pruitt added he felt Tom has done the very best job for the Agency. Gary thanked Bob Jones for stepping up as Vice-Chair when Tom was not able to be in attendance and added that staff is pleased Tom would continue as Board Chair. People look to Tom for his leadership.

8. **Fiscal Program Report – Approve Accounts Payable, Payroll**

Ms. Monroe, Fiscal Program Manager asked Board to approve November Accounts Payable in the amount of \$82,446.87; of which \$65,577.22 is for Woodstove Change-Out, and \$1,892.70 is for the

Enterprise Project (WDC). Bob Jones moved to approve. Bill Lover seconded. Staff also asked Board to approve payroll in the amount for \$64,612.47. Staff asked if there were any questions. There were none. Ms. Monroe asked Board for their approval. Bob Jones moved to approve. Bill Lover seconded. Accounts Payable and Payroll were approved.

Staff referred Board to the Supplemental Income and Budget Verification Analysis (BVA) and asked if there were any questions. There were no questions from the Board. That concluded the Fiscal Program Report. Tom stated that he likes the way the report is presented.

DIVISION/PROGRAM REPORTS

Refer to written reports for clarity.

9. Accept Engineering and Planning Division Report

Gary Pruitt presented Hasan Tahat, Division Supervisor's report for the Engineering and Planning Division. Staff reported on the Meteorological Temperature Profiler 5 (MTP5). Puget Sound Clean Air Agency working with EPA installed the MTP5 at our monitoring site. The purpose is to try to understand the air shed in our area. It collects actual vertical temperature data. Staff explained its operation. The data will be analyzed with meteorological prediction models in addition to radiosonde (weather balloon) data. Staff set off 6 helium filled weather balloons during the Stage 2 curtailment on Wednesday, Thursday and Friday. Staff gave information on how data is gathered and referred Board to the graphs attached. Staff explained the graph on the bottom of the attached report. It shows how the inversion is indicated on the graph showing how high the balloon raises and temperature, which shows the level where the inversion traps particulates. The data gathered will be presented at the January Board meeting. Board was happy to see this happening as our area is contrary to other areas of the state.

During the burn ban staff identified people who have only wood heat, and those who have to use wood heat to keep their residence warm, especially during extreme cold weather. If their main source of heat is not efficient enough to keep the home warm we referred them to the Wood Stove Change-Out Program. Staff appreciated and thanked the community for complying with the burn ban.

Staff completed two Orders of Approval for New Source Review (NSR), working on one Title 5 Air Operating Permit renewal and reviewed/responded to 30 SEPA Notices and Checklists in the month of November. Staff was happy to report there were no exceedences of PM_{2.5} during the month of November. Board expressed their appreciation for this information as this lets them know that we are not the same as other areas of the state.

That concluded the Division Report.

10. Accept Compliance and Air Monitoring Division Report

Keith Hurley, Division Supervisor, reported on activities that the Air Monitoring and Compliance Division conducted during the October. The Air Monitoring Section processed 10 PM_{2.5} and 5 PM₁₀ samples for analysis.

The Compliance Division report included a list of complaints and Notices of Violation by type. Staff completed and investigated 68 complaints, issued 20 Notices of Violation, 44 Assurances of Discontinuance and processed 11 Notices of Demolition or Renovation. Staff reported the Minor Source Inspector completed 16 inspections. Staff advised Board that next month the number of complaints responded to for Solid Fuel Burning Device (SFBD) will be higher due to the curtailment called on November 30th and first week of December. Staff stated that we cannot control the weather, but we can control burning practices of Solid Fuel Burning Device.

Tom Gasseling asked about the agricultural burn complaints. Staff responded they were burning without a valid permit, and probably burning prohibited materials.

Staff gave the FY2010 PM_{2.5} Emissions Reduction Project Report. Between staff and CWI there were 55 documented violations during the patrol period. There are spin offs from the patrols as we have discovered people that should be part of the Wood Stove Change-Out program. We will have a list developed for June Wood Stove Change-Outs.

That concluded the Division report. Bob stated that even though the numbers are higher it is a gentler way of doing compliance. Staff added that this will result in getting more people in the program. Staff continued that we look at each person's circumstances and do not want to cause people to go cold in this weather.

11. Accept Public Information Program Report

Dave Caprile, Public Information Officer gave updates on the YRCAA Public Education and Outreach Program. Staff signed the Department of Ecology amended WSCO Grant to include those residing on the Yakama Reservation and has signed a Memorandum of Understanding with the Tribe to implement the Wood Stove Change-Out / Rebate Programs on the Reservation. Staff has partnered with the Yakama Nation Environmental Management Program to implement the program on the Reservation.

Staff continued that the Wood Stove Change-out/Rebate program has changed-out 43 stoves representing \$123,645 in funds spent and \$11,000 in leveraged funds. There are 41 WSCO (low income) clients qualified and awaiting installations, 16 Wood Stove rebate Vouchers issued and awaiting installation. Projected spending for the Rebate Program is \$10,560, WSCO program is \$155,800. Together projected funds spent to date is \$290,000. Staff has collected a list of over 40 households for next year's program.

Staff reported on the Northwest Air Quality Communicators (NWAQC) activities. This is a group that shares information and ideas to promote air quality agency activities and updates on current joint-agency projects. Staff listed the various programs. NWAQC has contacted the Frause Group through a state grant to compile a Wood Smoke Education and Outreach campaign which will apply state wide. There are two "comic book" style children's activity booklets. One is geared for K-3rd grade, and one for 4th – 6th grade. There are other activities planned and considered for school to get children involved and active in environmental issues.

Staff shared information about two websites that give air quality and up to date burn ban information. The Washington Burn Ban website is active and available to the public, fire departments and anyone who is concerned with burn bans going on in the state.

Bill Lover was pleased that the Reservation is participating in the WSCO grant and could be a good ally in the future. He asked staff if we were able to get more money. Staff responded that we have already checked and are not able to get any more at this time. Dave gave a short synopsis of the program over the years and stated that over 1,000 stoves have been replaced and probably need to do twice that amount. Jim Dyjack, citizen, inquired that inserts for fireplaces be included. Can they be considered in the program? Staff responded that they are part of it now. Gary Pruitt thanked Jim for his comment, and stated that the Memorandum of Understanding with the Tribe is a history making event. It will pave the way to expanding dialog with the Tribe.

That concluded the Program report.

12. Other Business & Adjournment

Tom Gasseling asked if there was any other business. Bill Lover thanked Dave for his presentation to the City Council regarding the Supplemental Income. Bob Jones wished everyone a Merry Christmas and stated he would not be at the January Board Meeting. Bill moved to close the Board Meeting. Bob seconded. Board adjourned at 2:58 p.m.

Tom Gasseling, Board Chair

Audio CD of this meeting is available at the YRCAA.
Minutes submitted to Board for approval January 14, 2009.

Patty Walker, Clerk of the Board