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Meeting Vita

Location: Yakima County Courthouse
 Commissioners Hearing Room, B33

Time: 2:00 p.m

1. **Bob Jones, Vice-Chair**, called the Meeting to order at 2:05 p.m.
2. **Clerk of Board – Roll Call** *There was a quorum.*

PRESENT WERE:	
BOARD MEMBERS: Bob Jones, Small Cities Rep., Vice-Chair Bill Lover, Large City Representative Kevin Bouchey, County Commissioner Dick Camp, County Representative LEGAL COUNSEL: Gary Cuillier, Board Counsel ABSENT: Tom Gasseling, Member-at-Large, Chair Allen Schmid, Alternate, Small Cities Rep Neil McClure, Alternate, Large City Rep Rand Elliott, Alternate, Co Commissioner	STAFF: Gary W. Pruitt, YRCAA Director Patty Walker, Clerk of the Board Staff, Engineering/Planning Division Staff, Public Education Outreach Staff, Fiscal Manager VISITORS: Larry Fendell, Citizen Jim Dyjak, Citizen John Marshall, G M McClure Construction MEDIA: Bonnie Lozano, YPAC

3. **Additions and Deletions to Agenda** – Bob Jones, Vice-Chair asked if there were any additions and deletions to the Agenda, there were none.
4. **Public Comment** – Bob Jones, Vice-Chair asked if anyone wanted to make a comment to the Board. If they do, please state their name and address. John Marshall of G. M. McClure, Construction, residing at 5508 Roza Hill Drive, Yakima, WA made a presentation to the Board. Mr. Marshall brought concerns to the Board concerning the inconsistency of asbestos identification and abatement amongst the insurance companies. Mr. Marshall works in disaster and restoration of properties, primarily after fires.

Mr. Marshall outlined the procedures he attempts to go through to ensure the health and safety of his clients and getting the job done correctly. He appreciates the way that YRCAA has provided guidance and help to him in certain situations. Mr. Marshall made an appeal to the Board to help get the word to the various insurance companies and contractors that they must follow the guidelines when dealing with situations where asbestos may be involved. When asked how Mr. Marshall would handle a situation with an insurance company he replied that he would follow proper procedures and if the company would not follow the procedures he would decline the job.

There was discussion by Board and Staff regarding when a Notification of Demolition and Renovation is required and the steps the contractor and property owner are responsible to complete prior to actual demolition or renovation. Staff advised that they have been in conversation with Mr. Marshall regarding the situation concerning our constraints and have received some good suggestions from him. Staff continued that the working relationship with both the City and County have been good in providing information to those coming in for permits and the need to contact YRCAA. Staff continued that there have been efforts to work with insurance companies, and trade associations regarding asbestos abatement with little progress, and the amounts of fines and penalties for those violations. Staff reaffirmed their promise to Mr. Marshall with their commitment to reassess our asbestos program and educate contractors, insurance companies, etc. Mr. Caprile has made several presentations and made several brochures on it. Staff will check with Trade Associations. Bill Lover asked who we received fire notifications from and staff responded they believed it was Joe Caruso.

Board thanked Mr. Marshall for coming and presenting this information to them.

CONSENT AGENDA

- 5.1 By consent, approve Minutes of February 12, 2009 Board.
5.2 By consent accept and file YRCAA February, 2009 Activities.

Kevin Bouchey moved to approve Consent Agenda items 5.1 thru 5.2. Bill Lover, seconded. Consent Agenda items were approved.

REGULAR AGENDA

6. Director's Report – Refer to written report for detail

Gary Pruitt began by informing Board that efforts to introduce legislation to change or eliminate the fee cap on Agricultural Burn Permits were unsuccessful. Staff has asked Karen Woods, Chair of the State Agricultural Burning Practices and Research Task Force, to initiate acreage equivalent for orchard debris burning. One-acre of orchard debris would be the equivalent of 1/25 of an acre of field burning. Our local Agricultural Burning Task Force supports our efforts to remove the cap. Staff will keep Board informed on this issue.

Staff informed Board that we have received good news. The 40% reduction in Grant funds will not happen. We continue to work to maintain our programs and this will help to accomplish those goals.

Staff continued with Legislative Bills being considered and directed Board to SHB 1864 which would exempt cities and towns with populations of 1,000 or less lying within an Indian Reservation from the requirement to pay supplemental income assessments. We strongly oppose as it will set a dangerous precedent. We strongly support SHB 1420 Seller's Disclosure Statement and SB5375 revision of SHB 1420, which would require that the seller to disclose if they have an uncertified wood stove.

Staff reported on the American Recovery and Reinvestment Act (ARRA) signed by President Obama, \$300 million for Diesel Emission Reduction Act (DERA). Staff will try to access some of the money. We have done all the eligible school buses in Yakima County. Staff will keep Board informed as we get more information on how the program will work. Staff continued with funding for FY 2009 103 and 105 Grants of which the increase will be in energy. For FY 2010 \$10.5 Billion for EPA, a 34% increase in funding over the previously amount offered by the Bush Administration. Details have not been provided. The general consensus for the 103 and 105 Grant is that most likely we are looking at a 10% cut, but the picture does look better than we thought it was going to be.

The State Auditor has scheduled our exit meeting for March 26th, you will receive an invitation to it. Staff is working on Budget preparation. There will be a Draft Budget presented at the May Board Meeting. We will bring Budget issues to the April Study Session.

ACTION ITEMS

7. Additional Work / Funding

Gary Pruitt summarized the proposal for funding additional work to reduce PM_{2.5} emissions to levels to protect public health and meet Ambient Air Quality Standards. This was fully discussed during the Study Session. Staff asked Board to approve by Minute Action the additional work to be accomplished, and to fund by Supplemental Income, by a combination of 50% per capita, and 50% total property value augmented with an unknown amount budget reserves which is estimated about \$20,000.

Dick Camp moved to approve the additional work and funding. Kevin Bouchey seconded. Board approved the proposal.

8. Out of State Travel – Western Dairy Air Quality Symposium 2009

Gary advised Board that he had been invited to attend the Western Dairy Air Quality Symposium. He asked Board to approve his out-of-state travel. It is a great opportunity to meet with those that have been doing research of the Western states dairies and modifications in management plans, and nearing the end of National Air Monitoring Study by EPA. Staff will be out of the office from April 14th and back in the office April 20th. This will be helpful with our concerns here in Yakima County and ending the year with our monitoring data.

There was discussion on the symposium, Jim Dyjak, Hwy 24, Moxee, WA commented that he had no objection to staff attending the symposium, but felt that their concerns and request to have staff come out and see a test by the hound had been forbidden by the Board, and he would like to have that restriction

removed. Mr. Dyjak continued that he felt staff would only hear the dairy's side and interpretation of technical data. Mr. Dyjak felt staff should listen to the public and environmental groups as well. Larry Fendell, Zillah, added that the Symposium is being sponsored by Purdue University and financed by the dairy industry, and they are only seeing one-sided for the dairies.

Gary Pruitt agreed to observe the use of the "hound" to gather data, but cannot use the instrument as creditable data for a violation. He would not be opposed to observe and looking at the data that comes from it. Staff continued that the Symposium is sponsored by dairies but EPA will be there and they have gone against the dairies and has been monitoring data from all of the varying types of Management Practices. Staff invited Mr. Dyjak and Fendell to attend with him. Mr. Fendell continued with some of the practices that are going on right now in our area, and it is not a healthy situation.

There was more discussion by Board and attendees on the dairies in Yakima County, using the hound, observing readings on the hound, and people participating in the Hound. There was clarification of how the Board reacted to their proposal, and the difference of the make-up of the Board.

Bob Jones called for the question. Kevin Bouchey moved to approve. Dick Camp seconded. Board approved Out-of-State travel.

DIVISION/PROGRAM REPORTS

Refer to written reports for clarity.

9. Accept Engineering and Planning Division Report

Hasan Tahat, Engineering and Planning Division Supervisor, reported that about two-thirds of the sources have registered and received their annual certificates, we are working with the remaining third. The Local Agricultural Burning Task Force met February 19th. A copy of the Agricultural Burning Policy has been updated and sent out for comments. Elco Northwest, Inc. gave a demonstration on the use of pellet burning orchard heaters which could possibly be part of the diesel smudge pot change-out project. Staff reported that an employee of EPA is purchasing one to try a test on her own.

Staff continued that they had participated in a conference call February 27, 2009 on the DERA funds. Staff offered that without a grant or increase in funding PM_{2.5} levels in the valley will increase, which will increase the probability of non-attainment. Staff reiterated that if we are determined to be non-attainment it will create heavier and more restrictions on industries in Yakima County.

YRCAA called 11 days of burn bans in February. However, there might have been one exceedence of the PM_{2.5} standard for the month.

10. Accept Compliance and Air Monitoring Division Report

Keith Hurley, Compliance and Air Monitoring Division Supervisor, reported that 18 Speciation Samples, nine PM_{2.5} Federal Reference Monitor (FRM) samples and 4 PM₁₀ FRM samples were collected and submitted for quality assurance.

The Enforcement Section investigated 24 complaints, issued 6 Notices of Violation and 16 Assurances of Discontinuance, and processed 15 Notifications of Demolition or Renovation. Two Notices of Penalty were issued for previously issued Notices of Violations. The inspection program completed 4 inspections of minor sources. The sole inspector is required preparatory time for Northwest Opacity Certification for the Spring Season which began March 3rd.

Jim Dyjak added that he felt there is a turn around in complaint response and those who come out and talk with people about complaints. Mr. Dyjak feels staff needs additional funding for complaint response and reported burns he has observed over weekends when they know staff is not working, even when there is a burn ban in effect. Mr. Dyjak expressed his appreciation to staff. Staff expressed their appreciation for Mr. Dyjak's comments. Mr. Tahat advised that to allow agricultural burning they designate the number of piles that can be burned over the weekend. Mr. Pruitt stated that he thinks the answer is to hire

weekend patrols for time when staff is not available.

11. Accept Fiscal Reports and Approve Vouchers

Lyne Monroe, Fiscal Program Manager, asked Board to approval accounts payable in the amount of \$33,543.78, and asked if there were any questions. Approve payroll vouchers in the amount of \$60,610.24. Kevin Bouchey moved to approve fiscal vouchers. Dick Camp seconded. Vouchers for accounts payable and payroll were approved.

Ms. Monroe continued that the Supplemental Income table and Budget Verification Accounting were included for their review and asked if there were any questions. There were none.

12. Accept Public Information Program Report

Dave Caprile, Public Information Officer for Public Education and Outreach reported that the Woodstove Change-Out Program has completed 26 wood stove installations, with 21 more scheduled, or in progress of being changed out. Staff discussed the problems that had been incurred early on in the program, they were resolved, but they did put the program behind.

This resulted in some funds being relinquished. However, we reserve the right to ask for the funds if we find we need them. Staff was asked how much to change-out a stove. Dave responded between \$3,500 and \$4K per stove.

Staff reported there were 11 days of burn bans in the month of February. Staff made presentations at several schools, West Valley and Washington Middle Schools and Gilbert Elementary on air quality and wood smoke. Staff was pleased with the students close attention. Their level of understanding and interest and questions were poised and sophisticated. They were listening and responding.

13. Other Business & Adjournment

Bill Lover asked if there was any other business. Board adjourned at approximately 3:10 p.m.

Bob Jones, Board Vice-Chair

Audio CD of this meeting is available at the YRCAA.
Minutes submitted to Board for approval April 9, 2009..

Patty Walker, Clerk of the Board