

**DECEMBER**

**2021**

**Board Meeting**

**Yakima Regional  
Clean Air Agency**



**December 9, 2021**

**Regular Board Meeting 2:00 p.m.**

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**AGENDA**

**Regular Meeting**

**1. Call to Order**

**2. Roll Call**

**3. Additions or Deletions to the Agenda**

**4. Public Comments**

If you wish to address any matter relevant to the business of the Board, you may do so now. Please, state your name and the item you wish to address. Please limit your comments to three (3) minutes.

**5. Consent Agenda**

5.1 By consent, approve November 18, 2021 Board Meeting Summary

5.2 By consent, accept November 18, 2021 YRCAA Monthly Activity Report

5.3 By consent, approve Board Meetings Schedule for Calendar Year (CY) 2022

5.4 By consent, approve CY 2022 Holiday Schedule

**Action Requested:** Approve Consent Agenda Items 5.1 through 5.4

**6. Regular Agenda**

6.1 Interim Executive Director's Report

**7. Action Items**

7.1 Approve Fiscal Vouchers and Payroll Authorization Transfers for November 2021

**Action Requested:** Approve Fiscal Vouchers and Payroll Authorization Transfers,

**8. Other business**

8.1 Updates on the Search Process for Air Pollution Control Officer (APCO)/Executive Director

**9. Adjournment**

If you wish to attend the YRCAA Board meeting and require an accommodation due to a disability or Language Interpretative Services, call 509-834-2050, ext. 100 or send us an email at [admin@yrcaa.org](mailto:admin@yrcaa.org).



**9 de diciembre de 2021**

**Reunión ordinaria de la junta 2:00 pm**

**ORDEN DEL DÍA**

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**Asamblea Ordinaria**

- 1. Llamada al orden**
- 2. Registro de asistencia**
- 3. Incorporaciones o eliminaciones al orden del día**
- 4. Comentarios públicos**

Si desea abordar cualquier asunto relevante para los negocios de la Junta, puede hacerlo ahora. Por favor, indique su nombre y el artículo que desea abordar. Limite sus comentarios a tres (3) minutos.

**5. Aprobación de la agenda de consentimiento**

- 5.1 Por consentimiento, apruebe el Resumen de la Reunión de la Junta del 18 de noviembre de 2021
- 5.2 Por consentimiento, acepte el Informe Mensual de Actividad de YRCAA del 18 Noviembre de 2021
- 5.3 Por consentimiento, aprobar el Calendario de Reuniones de la Junta para el Año Calendario (CY) 2022
- 5.4 Por consentimiento, aprobar el calendario de vacaciones de CY 2022

**Acción solicitadas:** Aprobar el consentimiento Puntos 5.1 a 5.4 del orden del día

**6. Agenda de asambleas ordinarias**

- 6.1 Informe del director ejecutivo interino

**7. Elementos de acción**

- 7.1 Aprobar comprobantes fiscales y transferencias de autorización de nómina para noviembre de 2021

**Acción solicitada:** Aprobar comprobantes fiscales y transferencias de autorización de nómina.

**8. Otros asuntos**

- 8.1 Actualizaciones sobre el Proceso de Búsqueda de Oficial de Control de la Contaminación del Aire (APCO)/Director Ejecutivo

**9. Cierre**

Si desea asistir a la reunión de la Junta de la YRCAA y necesita una adaptación debido a una discapacidad o servicios de interpretación de idiomas, llame al 509-834-2050, ext. 100 o envíenos un correo electrónico a [admin@yrcaa.org](mailto:admin@yrcaa.org)

# **CONSENT AGENDA ITEMS**



**SUMMARY OF THE GOVERNING  
BOARD OF DIRECTORS  
REGULAR BOARD MEETING**

**November 18, 2021**

**Location and Time:**

**YRCAA Office**

**Started at 2:00 PM**

***REGULAR MEETING***

- 1. Chair DeVaney called the meeting to order at 2:00 p.m.**
- 2. Christa Owen, Clerk of the Board, conducted roll call. There was a quorum. (:13)**

<b>PRESENT WERE:</b> Jon DeVaney, Member-at-Large Jose Trevino, Small City Representative Steven Jones, Ph.D., County Representative	
<b>ABSENT:</b> Brad Hill, Large City Representative Amanda McKinney, County Commissioner	
<b>BOARD MEMBERS:</b> Steven Jones, Ph.D., County Representative Jon DeVaney, Member-at-Large Amanda McKinney, County Commissioner Jose Trevino, Small City Representative Brad Hill, Large City Representative	<b>LEGAL COUNSEL:</b> Gary Cuillier <b>STAFF:</b> Hasan Tahat, Ph.D., Interim Executive Director Christa Owen, Clerk of the Board Pamela Herman, Public Records Officer

**3. Additions or Deletions to the Agenda (:26)**

Chair DeVaney asked if there were any additions or deletions to the Agenda.

Dr. Tahat stated there were none.

**4. Public Comment (:58)**

Chair DeVaney asked if there were any public comments.



Ms. Jean Mendoza, Friends of Toppenish Creek, from White Swan requested an allowance of a citizen from the lower valley to participate as a representative in the process with the selection of the agency's new APCO.

## **5. Approval of Consent Agenda (7:24)**

- 5.1 Board Meeting Summary for October 2021
- 5.2 YRCAA October 2021 Monthly Activity Reports

Dr. Jones moved and Mr. Trevino seconded to approve.  
Motion approved with no dissension.

## **6. Regular Agenda (8:08)**

- 6.1 Interim Executive Director's Report

Dr. Tahat presented the report. Refer to Board packet.

Dr. Jones asked if YRCAA has been a part of the discussions about the rules and regulations in regards to the Department of Commerce clean building standards. The Department of Commerce has a section where it requires the development of an indoor and outdoor building standard. Dr. Jones was wondering if some of the rules and regulations would cause an overlap.

Dr. Tahat stated that YRCAA does not have any jurisdiction over an indoor air quality. It is EPA jurisdiction except asbestos during renovation etc. and that has nothing to do with Energy. That is what I know about the rules, unless, there are new rules. We will look into that and report back if any changes.

## **7. Action Items (12:59)**

- 7.1 FY 2022 Budget Revision

Dr. Tahat went through the changes within the approved budget in June 2021 and why those numbers within the budget has to be revised.

Mr. Trevino moved to approve the revision and Dr. Jones seconded to approve.  
Motion approved with no dissension.

- 7.2 Proposed Calendar Year (CY) 2022 Fee Schedule

Dr. Tahat discussed the proposed permitting fee increases. He added that last increase our agency had was in 2014. It has been eight years. The increases are small amount but are warranted and basic.



Chair DeVaney inquired about an item on the fee schedule regarding the Notice of Renovation emergency fee.

Dr. Tahat explained what is the purposes behind the fee.

Mr. Trevino moved to approve the increases and Dr. Jones seconded the approval. Motion approved with no dissension.

### 7.3 Fiscal Vouchers and Payroll Authorization Transfers for October 2021

Ms. Owen requested an approval for October payroll transfers and vouchers.

Dr. Jones moved to approve the request and Mr. Trevino seconded the approval with no dissension.

## 8. Other business (22:23)

### 8.1 Search Process for Air Pollution Control Officer (APCO)/Executive Director

Chairman DeVaney started the discussion by stating that he contacted the Yakima County HR to help us in the hiring process, and how much the HR will be charging our office. Then, the board had a discussion on how the process would be conducted during the process of hiring a new APCO/Executive Director.

Dr. Jones made motion to authorize Dr. Tahat to enter in to a services agreement with the County's HR to retain them at the quoted rate during the meeting and execute that agreement. Mr. Trevino seconded. The motion was passed with no dissension.

## 9. Adjournment (35:09)

Dr. Jones moved and Mr. Trevino seconded that we adjourn. The motion was passed with no dissension

Chair DeVaney adjourned the meeting at 2:35 p.m.

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Jon DeVaney, Board of Directors

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Christa Owen, Clerk of the Board

**Date of Release:** December 2, 2021  
**Date of Consideration:** December 9, 2021  
**To:** Honorable YRCAA Board of Directors and Alternates  
**From:** Office of the Interim Executive Director  
**Subject:** Monthly Activity Report

Activity	<i>Current Quarter</i>				FY22 Total to Date
	FY21 Total	Sept FY22	Oct FY22	Nov FY22	
Minor Source Inspections	129	2	9	0	23
Complaints Received	295	7	13	7	64
NOVs Issued	94	3	0	3	10
AODs Issued	10	0	0	0	0
Warning Notices Issued	11	0	0	0	0
NOPs Issued	52	3	1	1	17
SEPA Reviews	433	53	43	32	232
AOP Applications Received	0	0	0	0	0
AOPs Issued or Renewed	0	0	0	0	0
Deviations/Upsets Reported	31	2	2	2	10
AOP Inspections	4	0	0	0	0
Public Workshops	0	0	0	0	1
Media Events	2	0	0	0	0
Media Contacts	7	0	0	1	3
Education Outreach Events	1	0	0	0	0
Sources Registered	353	0	0	0	5
NSR Applications Received	26	0	1	1	4
NSR Approvals Issued-Temporary	2	0	0	0	0
NSR Approvals Issued-Permanent	31	2	5	1	12
NODRs Received	195	13	12	9	55
Agricultural Burn Permits Issued	97	0	4	3	10
Conditional Use Permits Issued	8	0	2	0	2
Residential Burn Permits Issued	724	0	159	53	212
Burn Ban Days	58	30	0	0	63
Public Records Requests Fulfilled	41	0	2	2	14

**Acronyms:**

**AOP** - Air Operating Permit; **NODR** - Notification of Demolition and Renovation; **NOP** - Notice of Penalty; **NOV** - Notice of Violation; **NSR** - New Source Review; **SEPA** - State Environmental Policy Act

*AGENDA ITEM 5.2*





## Executive Memorandum

**DATE OF RELEASE:** December 2, 2021

**DATE OF CONSIDERATION:** December 9, 2021

**TO:** Honorable YRCAA Board of Directors and Alternates

**FROM:** Office of the Interim Executive Director/Air pollution Control Officer

**SUBJECT:** Calendar Year (CY) 2022 Board of Directors Meeting Dates

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**ISSUE:**  
YRCAA Board of Directors Meetings dates for CY 2022

**RECOMMENDATION(S):**  
By consent, approve and adopt the agency's CY 2022 Board of Directors meetings schedule dates.

**DISCUSSION:**  
Every year staff presents the Governing Board of Directors with the schedule for the Board meetings including dates, times and locations. If and when study session is warranted, it will be at 1:30 PM. The regular meeting will be conducted at 2:00 PM. The meeting location has been always at the Yakima City Hall, City Council Chambers, 129 N Second Street, Yakima, WA. However, due to COVID 19 pandemic, the Board conducted business in CY 2021 via teleconference and at YRCAA conference room when possible and conditions allowed it. For this coming CY 2022, staff recommends YRCAA conference room and via teleconference until the time, we can go back to Yakima City Hall. When and if any changes with the venue, staff will notify your Board. The following are the dates for the second Thursdays of every month for the 2022 calendar year:

January 13, 2022  
February 10, 2022  
March 10, 2022  
April 14, 2022  
May 12, 2022  
June 9, 2022  
July 14, 2022  
August 11, 2022  
September 8, 2022  
October 13, 2022  
November 10, 2022  
December 8, 2022



Yakima Regional Clean Air Agency  
 186 Iron Horse Court, Suite 101  
 Yakima, WA 98901  
 (509) 834-2050, Fax (509) 834-2060  
[yakimacleanair.org](http://yakimacleanair.org)

## Executive Memorandum

**DATE OF RELEASE:** December 2, 2021

**DATE OF CONSIDERATION:** December 9, 2021

**TO:** Honorable YRCAA Board of Directors and Alternates

**FROM:** Office of the Interim Executive Director/Air pollution Control Officer

**SUBJECT:** Calender Year (CY) 2022 Holiday Schedule

**ISSUE:**  
 Holiday's schedule for the CY 2022 for the YRCAA

**RECOMMENDATION(S):**  
 By consent, approve and adopt the agency's 2022 Holiday schedule dates.

**DISCUSSION:**  
 Every year staff presents the Governing Board of Directors with a holiday schedule. The rules governing the use of holidays observed by the Yakima Regional Clean Air Agency staff are located in Administrative Code Part B, Section 9, Subsection 9.7.1 Holidays:

- Whenever a legal holiday falls on a Saturday, the preceding Friday shall be the legal holiday.
- Whenever a legal holiday, falls on a Sunday, the following Monday shall be the legal holiday.

The YRCAA offices will be closed in 2022 on the following holidays:

New Years' Day	Friday	December 31, 2021-(for January 1, 2022)
Martin Luther King Day	Monday	January 17, 2022
President's Day	Monday	February 21, 2022
Memorial Day	Monday	May 30, 2022
Juneteenth Day	Monday	June 20, 2022
Independence Day	Monday	July 4, 2022
Labor Day	Monday	September 5, 2022
Veteran's Day	Thursday	November 11, 2022
Thanksgiving Holidays	Thursday & Friday	November 24 and 25, 2022
Christmas Day	Friday	December 26, 2021

**REGULAR**

**AGENDA**



## Executive Memorandum

**Date of Release:** December 2, 2021  
**Date of Consideration:** December 9, 2021  
**To:** Honorable YRCAA Board of Directors and Alternates  
**From:** Office of the Interim Executive Director / Air pollution Control Officer  
**Subject:** Interim Executive Director's Report for the Month of November 2021

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### 1. State Implementation Plan (SIP)

Your Board approved YRCAA Regulation 1 on October 8, 2020 by resolution number 2020-10 and became effective on November 9, 2020. Our agency sent the adopted rules with a cover letter to Department of Ecology's (Ecology) Director for inclusion into the SIP. Ecology published two public notices and eventually had a public hearing on August 3, 2021 for the purpose of YRCAA rules SIP inclusion. Ecology received six submittals totaling 252 pages of public comments; if one includes the public hearing, it totals 539 pages. Attached is the first page of the Table of contents for Appendix G (attachment 1). All appendices including copies of YRCAA Regulation 1 are found at this link- [Appendix G: Public Comments \(wa.gov\)](http://www.wa.gov). Ecology aggregated and summarized the SIP process, and included ten comments received during the public notices period in the attached documents (attachment 4). Ecology's staff briefed Ecology's Director Ms. Watson the Governor's Designee for SIP matters on October 4, 2021 about the rules, the outcome of the public notices and the public hearing, regarding our Regulation 1 and the SIP inclusion. On October 14, 2021, Ecology submitted the proposed SIP revision for YRCAA Regulation 1 or part of with the supporting documents to US Environmental Protection Agency (US EPA) for SIP approval Inclusion. The publication's summary may be found on the following link: <https://apps.ecology.wa.gov/publications/SummaryPages/2102025.html> entitled "Washington State Implementation Plan Revision: Including Revised Yakima Regional Clean Air Agency Regulation 1, New Source Review and General Regulations". Attached is the cover letter of Ecology's Director to US EPA recommending the YRCAA Regulation 1 for approval and inclusion into the SIP (attachment 2), the adoption order from Ecology to EPA (attachment 3) and are the first 24 pages of submittal to EPA without the appendices (attachment 4). On November 18, 2021, the US EPA published their proposal for accepting the update to the YRCAA Wood Heater and Burn Ban Regulation and will be accepting comments through December 20, 2021 as indicated in attached Federal Register public notice (attachment 5).

## 2. Climate Change Update

Staff has been asked to give a summary of the climate change rules and updates in Washington State. Department of Ecology's (Ecology) website has an extensive publication about climate change starting 1991. There are about 132 publications since 1991 to current year and can be found at this website link [Publications & Forms \(wa.gov\)](#). The following Table is a snapshot of how are the publications tabulated for each year:

### Climate Change (132 publications 1991-2021)

[2021](#) · [2020](#) · [2019](#) · [2018](#) · [2017](#) · [2016](#) · [2015](#) · [2014](#) · [2013](#) · [2012](#) · [2011](#) · [2010](#) · [2009](#) · [2008](#) · [2007](#) · [2006](#) · [1991](#) ·

Title (link to summary)	Number	Date (released or updated)
<a href="#">Focus on: Siting low-carbon energy projects</a>	21-06-025	October 2021
<a href="#">Lessons Learned from Local Governments Incorporating Sea Level Rise In Shoreline Master Programs</a>	21-06-014	July 2021
<a href="#">Focus on: Implementing 2021 Climate Policies</a>	21-02-019	July 2021
<a href="#">Focus on: Clean Fuel Standard</a>	21-02-018	July 2021
<a href="#">Focus on: The Climate Commitment Act</a>	21-02-017	July 2021
<a href="#">Focus on: Climate Justice in Washington</a>	21-02-015	July 2021
<a href="#">Focus on: Framework for consistent greenhouse gas assessments</a>	21-02-008	March 2021
<a href="#">Reducing Greenhouse Gas Emisissions in Washington State Government</a>	20-02-022	March 2021
<a href="#">Focus on: Ecology's role in the Climate Commitment Act</a>	21-02-006	January 2021
<a href="#">Focus on: Implementing a clean fuel standard</a>	21-02-005	January 2021
<a href="#">Report to the Legislature: The Hydrofluorocarbon Transition</a>	21-02-004	January 2021
<a href="#">Final Regulatory Analyses for Chapter 173-444 WAC, Clean Energy Transformation Rule</a>	21-02-003	January 2021
<a href="#">Concise Explanatory Statement: Chapter 173-444 WAC, Clean Energy Transformation Rule</a>	21-02-002	January 2021

Nonetheless, the most recognized and recent development is the passing of the Climate Commitment Act (CCA) by the house on April 23, 2021. It became effective on July 25, 2021. As a result, of this CCA, Ecology is proposing rulemaking to comply with it. The Table below shows the announced rule; propose rule and the anticipated adoption dates. In other words, it is the timelines for the rule making including an adoption date. The CCA sets a statutory goal of net-zero emissions in Washington State by 2050 and has to set an overall cap and invest (cap and trade) system to reduce carbon and air pollution and overall cap on greenhouse gas emission. Our office is following these rules closely including the Healthy Environment for All (HEAL) Act, which passed by the House on April 10, 2021. The CCA requirements are in agreement with HEAL act.

Rulemaking	Announce rule	Propose rule	Informal comment period	Adopt rule
Cap-and-invest program rules ( <a href="#">Chapter 173-446 WAC</a> )	August 4, 2021	Spring 2022	November 8, 2021 – January 18, 2022	Fall 2022
Criteria for emissions-intensive trade-exposed industries ( <a href="#">Chapter 173-446A WAC</a> )	August 4, 2021	Winter 2021	September 7, 2021 – September 30, 2021	Summer 2022
Reporting emissions of greenhouse gases ( <a href="#">Chapter 173-441 WAC</a> )	July 7, 2021	Fall 2021	July 15, 2021 – August 1, 2021	Early 2022

### 3. FY 2022 Woodstove Change- out

Seven woodstoves removed and 14 change-out for the month of November. Staff is doing an excellent job.

### 4. Compliance & Engineering

The following Table itemizes, by type, the complaints received and the number of NOV's issued, if any, for the month of November 2021:

Type of Complaint	Number of Complains	Number of NOV's*	Number of AOD's**
Residential Burning	5	0	0
Agricultural Burning	1	0	0
Other Burning and SFBD***	0	0	0
Fugitive / Construction Dust	0	0	0
Agricultural Dust	0	0	0
Agricultural Odor	0	0	0
Other Dust	0	1	0
Surface Coating	1	0	0
Odor	0	0	0
Asbestos	0	0	0
Others and NSR****	0	0	0
Registration	0	0	0
Industrial Sources	0	0	0
<b>TOTALS</b>	<b>7</b>	<b>0</b>	<b>0</b>

\*NOV- Notice of Violation

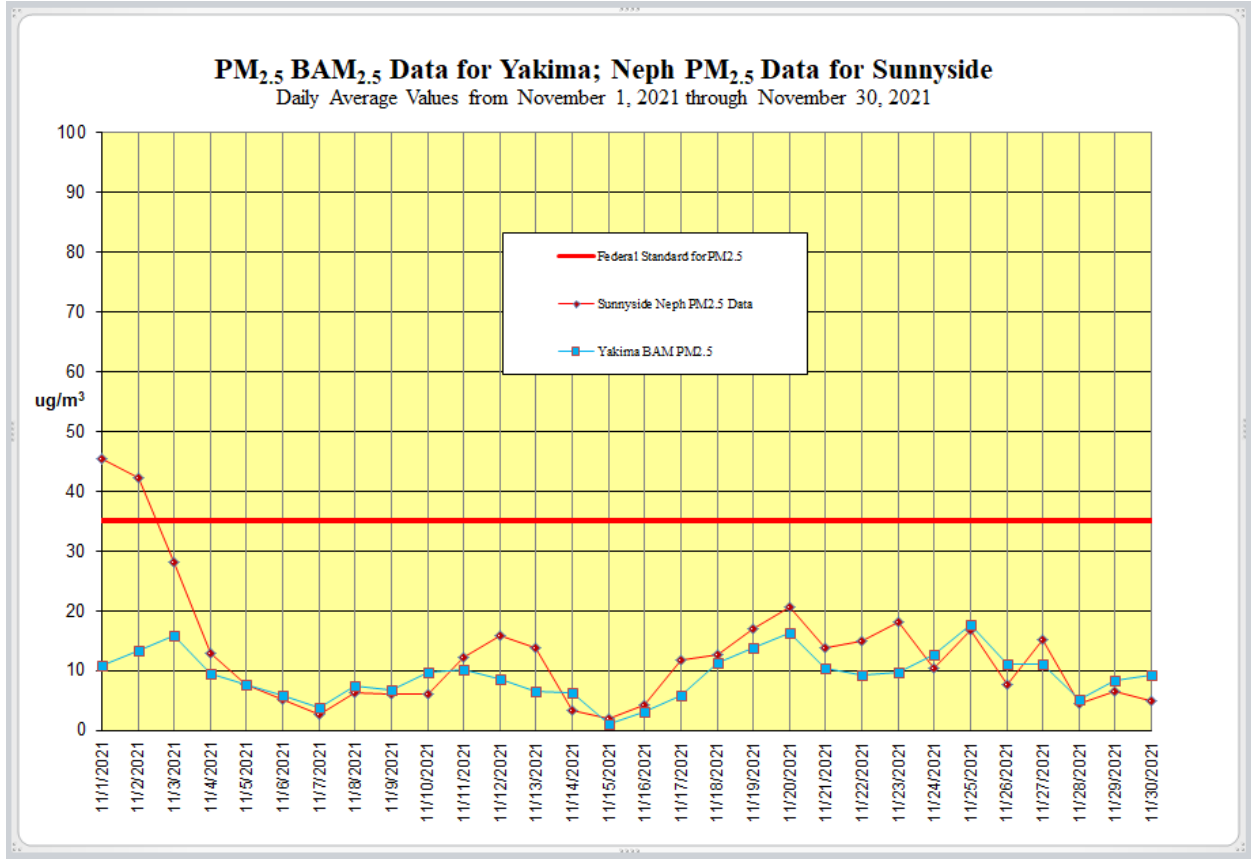
\*\*AOD- Assurance of Discontinues

\*\*\* Solid Fuel Burning Device

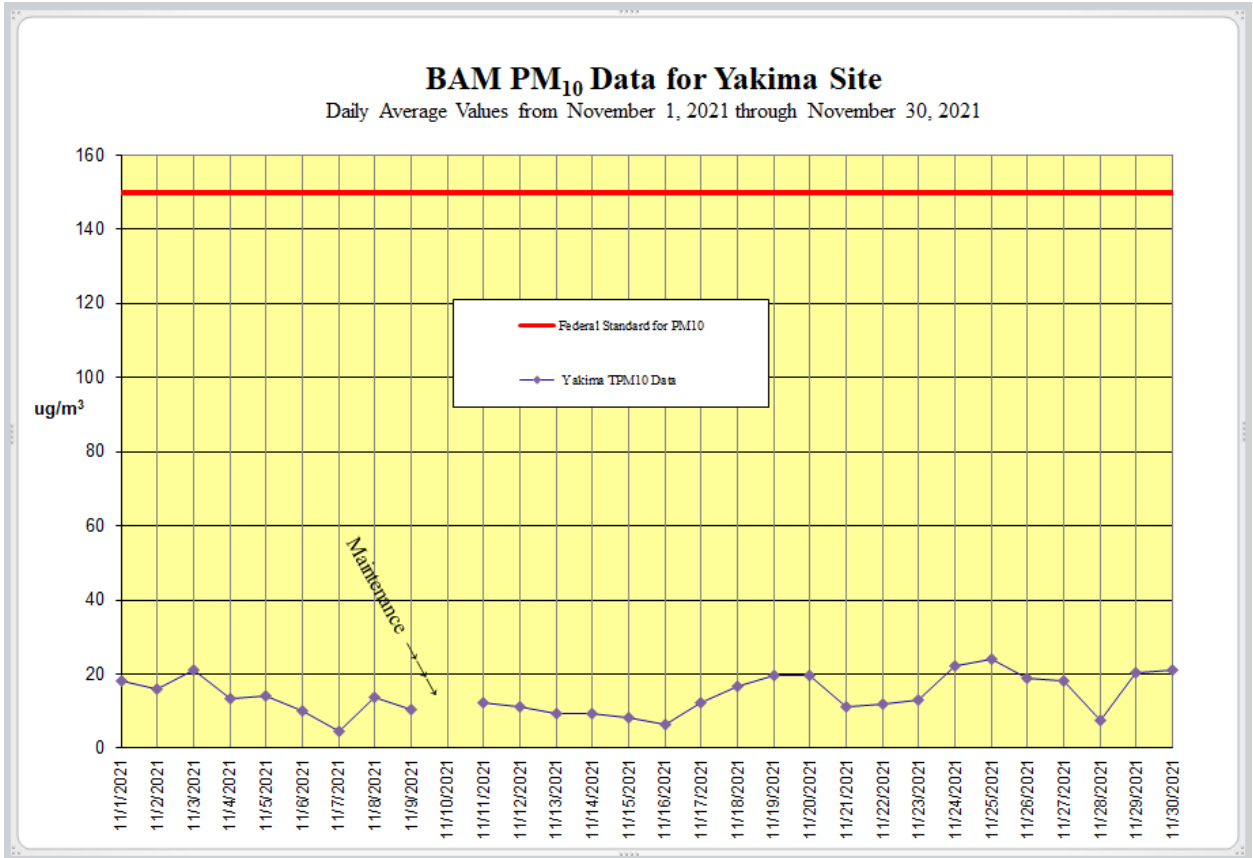
\*\*\*\* New Source Review

### 5. Air Monitoring Data for November 2021

- We expect no PM<sub>2.5</sub> exceedances for the month of November 2021

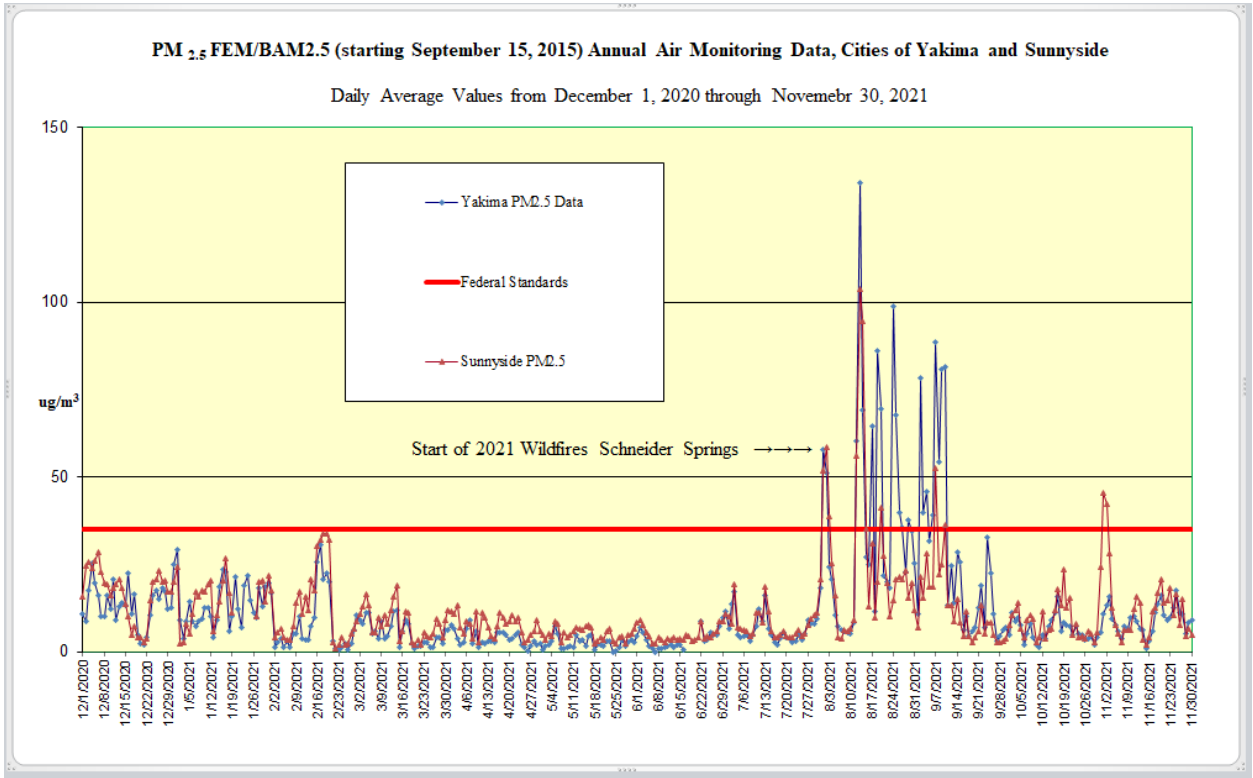


- No PM<sub>10</sub> exceedance during the month of November 2021.





- Exceedances since August 2021 for this year are due to the wildfire (Schneider Springs Fire) as indicated in the graph below.



# Appendix G. Public Comments

## Contents

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STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

*PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000*

*711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341*

October 5, 2021

Chris Hladick  
Regional Administrator  
U.S. Environmental Protection Agency, Region IO  
1200 Sixth Avenue  
Seattle, WA 98101

Re: Yakima Regional Clean Air Agency's request to include Regulation I in the State Implementation Plan

Dear Administrator Hladick:

The Washington State Department of Ecology (Ecology) requests that the United States Environmental Protection Agency (EPA) approve the following SIP revision. Yakima Regional Clean Air Agency (YRCAA) submitted their updated rules to Ecology in March 2021 and requested them to be included in the SIP and submitted to EPA, as required by the federal Clean Air Act. This SIP revision will replace previously federally-approved new source review and general air quality rules that apply in Yakima County.

YRCAA revised their Regulation I at various times since the last approval by EPA in 1989. YRCAA Regulation I is corollary to Chapter 173-400 WAC, General Regulations for Air Pollution Sources. SIP adoption will make the revised YRCAA rules federally enforceable and will clarify when YRCAA's regulatory provisions apply in lieu of the corresponding parts of Chapter 173-400 WAC. Other changes will remove outdated YRCAA and Ecology rules previously adopted in the YRCAA SIP.

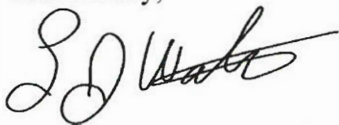
As the Governor's designee for Washington SIP, I submit this package, as a revision to the Washington SIP, for your review and approval. Ecology adopted the revision on October 5, 2021. Ecology fulfilled all state and federal procedural requirements. We published notices for public comment that included an opportunity to request a hearing, as required. We held two public comment periods: April 8 - May 20, 2021, and July 30 - August 6, 2021. Ecology held a public hearing on August 3, 2021 as requested by the public. Ecology received six written comments and five people provided oral testimony. Majority of the comments had to do with enforcement and implementation of the rules, and were outside of the scope of the SIP revision. Ecology responded to the comments and determined that no changes to the submittal could resolve them. As the result, Ecology adopted the SIP revision as proposed. Ecology is submitting

Chris Hladick, Regional Administrator  
October 5, 2021  
Page 2

this SIP revision electronically through EPA's Central Data Exchange. Ecology will also post the SIP revision on our website.

If you have any questions on this submittal, please contact Anya Caudill, Environmental Planner, at [anya.caudill@ecy.wa.gov](mailto:anya.caudill@ecy.wa.gov) or (360) 791-5499.

Yours Truly,

A handwritten signature in black ink, appearing to read 'L. Watson', written over a faint, illegible typed name.

Laura Watson  
Director

Enclosures

cc: Keith Hurley, Yakima Regional Clean Air Agency (with enclosures)  
Jeff Hunt, EPA Region 10 (without enclosures)  
Anya Caudill, Ecology (without enclosures)  
Kathy Taylor, Ecology (without enclosures)  
Records File (with enclosures)

In the matter of adopting a **State Implementation Plan (SIP) Revision to update Yakima Regional Clean Air Agency Regulation I** in the Washington State Implementation Plan.

## SIP ADOPTION ORDER

In this SIP revision, the Yakima Regional Clean Air Agency (YRCAA) requests that the Washington State Department of Ecology (Ecology) submit to the United States Environmental Protection Agency (EPA) changes to YRCAA's air quality regulations to include them in Washington State Implementation Plan (SIP). This SIP submittal will make portions of the Regulation I federally enforceable.

Ecology conducted two comment periods on the draft **State Implementation Plan (SIP) Revision to include the Revised Yakima Regional Clean Air Agency Regulation 1** in the Washington State Implementation Plan. We also held a public hearing on August 3, 2021.

Ecology met all state and federal procedural requirements for public outreach by taking the following actions:

- Widely distributed public notice, in English and Spanish:
  - Published in the major newspaper.
  - Sent to email subscribers to the Air Quality Rule and SIP Updates ListServ.
  - Posted on Ecology and YRCAA web sites.
- Announced the public comment period and public hearing date on our online public involvement calendar.
- Ecology met the requirement for 30 days of advance notice to request a hearing.
- Provided an opportunity for the public to request a hearing and conducted a public hearing on August 3<sup>rd</sup>, 2021, as requested.

IT IS HEREBY ORDERED that the referenced documents, constituting the revision, are approved and adopted by the Department of Ecology as part of the Washington State Implementation Plan. All provisions of the Washington State Implementation Plan inconsistent with the attached documents are superseded.



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Laura Watson, Director  
Department of Ecology

October 5, 2021 -----  
Date



# **Washington State Implementation Plan Revision**

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## **Including Revised Yakima Regional Clean Air Agency Regulation 1, New Source Review and General Regulations**

### **Air Quality Program**

Washington State Department of Ecology  
Olympia, Washington

October 2021, Publication 21-02-025

## Publication Information

This document is available on the Department of Ecology's website at:

<https://apps.ecology.wa.gov/publications/summarypages/2102025.html>

## Contact Information

### Air Quality Program

Headquarters

P.O. Box 47600

Olympia, WA 98504-7600

Phone: 360-407-6000

Website: [www.ecology.wa.gov/contact](http://www.ecology.wa.gov/contact)

## ADA Accessibility

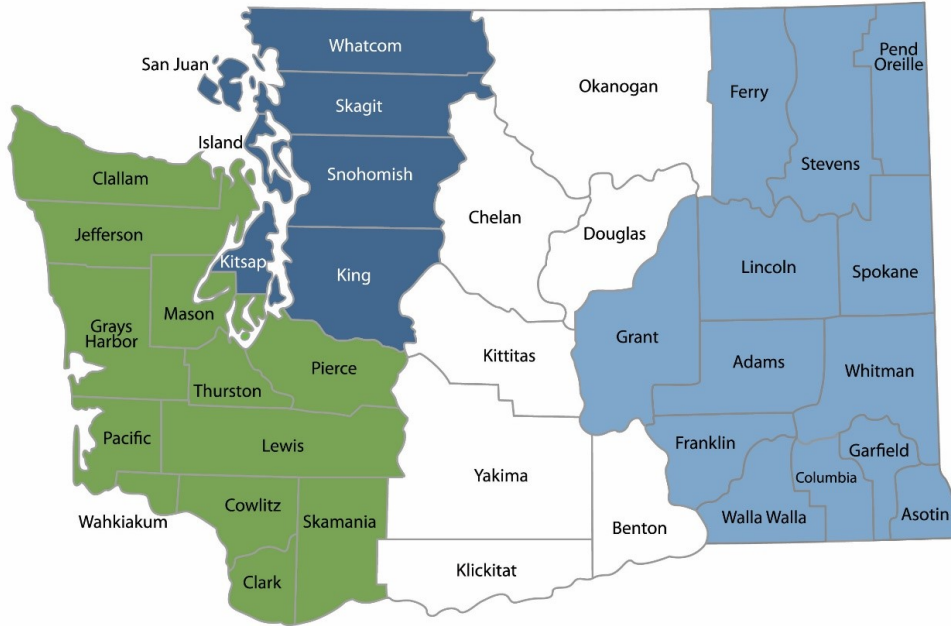
The Department of Ecology is committed to providing people with disabilities access to information and services by meeting or exceeding the requirements of the Americans with Disabilities Act (ADA), Section 504 and 508 of the Rehabilitation Act, and Washington State Policy #188.

To request an ADA accommodation, contact Ecology by phone 360-791-5499 or email at [AQComments@ecy.wa.gov](mailto:AQComments@ecy.wa.gov). For Washington Relay Service or TTY call 711 or 877-833-6341. Visit Ecology's website for more information.

# Department of Ecology's Regional Offices

## Map of Counties Served

### Department of Ecology Regional Offices



<b>Southwest Region</b> 360-407-6300	<b>Northwest Region</b> 206-594-0000	<b>Central Region</b> 509-575-2490	<b>Eastern Region</b> 509-329-3400
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Region	Counties served	Mailing Address	Phone
<b>Southwest</b>	Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Mason, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum	P.O. Box 47775 Olympia, WA 98504	360-407-6300
<b>Northwest</b>	Island, King, Kitsap, San Juan, Skagit, Snohomish, Whatcom	3190 160th Ave SE Bellevue, WA 98008	206-594-0000
<b>Central</b>	Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, Yakima	1250 W Alder St Union Gap, WA 98903	509-575-2490
<b>Eastern</b>	Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman	4601 N Monroe Spokane, WA 99205	509-329-3400
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# Washington State Implementation Plan Revision

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**Including Revised Yakima Regional Clean Air Agency Regulation 1,  
New Source Review and General Regulations**

Air Quality Program  
Washington State Department of Ecology  
Olympia, WA



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

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## Acronyms and Abbreviations

CAA	Federal Clean Air Act
CO	Carbon Monoxide
Ecology	Washington State Department of Ecology
EPA	U.S. Environmental Protection Agency
NAAQS	National Ambient Air Quality Standards
NO <sub>2</sub>	Nitrogen Dioxide
NSR	New Source Review
O <sub>3</sub>	Ozone
Pb	Lead
PM <sub>10</sub>	Coarse Particle Matter or Particulate Matter; with an aerodynamic diameter of 10 microns or less
PM <sub>2.5</sub>	Fine Particles or Particulate Matter; with an aerodynamic diameter of 2.5 microns or less
RCW	Revised Code of Washington
SIP	State Implementation Plan
SO <sub>2</sub>	Sulfur Dioxide
WAC	Washington Administrative Code
YRCAA	Yakima Regional Clean Air Agency

## Acknowledgements

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## Executive Summary

The Yakima Regional Clean Air Agency (YRCAA) adopted revisions to the new source review (NSR) and general air quality rules. These rules control the amount of criteria pollutants in the ambient air. Criteria pollutants are common ambient air pollutants for which the U.S. Environmental Protection Agency (EPA) established the National Ambient Air Quality Standards (NAAQS). A body of rules, permitting programs, and air quality plans that allow the state to attain and maintain the NAAQS is called the Washington State Implementation Plan (SIP).

The federal Clean Air Act (CAA) mandates that EPA review and approve all rules in the SIP. When EPA approves the rules into the SIP, the rules become federally enforceable, meaning that EPA and the citizens can enforce them under the federal Citizen Suit provisions. This is an additional mandatory level of federal oversight and enforceability provided in the CAA.

In March 2021, YRCAA submitted the revised rules to the Washington State Department of Ecology (Ecology) and requested Ecology submit them to EPA for review and approval into the SIP. This SIP revision applies to sources in YRCAA's jurisdiction located within Yakima County, Washington, except for tribal lands where EPA is the air quality regulator. This SIP revision document explains how the rules have changed from the previously SIP-approved version, and how the changes continue to implement the NAAQS.

Ecology held a public review process on whether or not to include the proposed updates. It included two comment periods:

1. April 8, 2021 – May 20, 2021. Not all public notices were published as planned.
2. July 30, 2021 – August 6, 2021. Public Hearing held on August 3, 2021.

We received comments from residents and a citizen group that expressed frustrations with the way YRCAA operates and implements the law, and the residents' ongoing experience of air pollution in the county. Yakima County has elevated levels of fine particulate (PM<sub>2.5</sub>) pollution compared to other areas of the state. Most of the PM<sub>2.5</sub> exceedances in Yakima County have occurred due to wildfires. However, the commenters believe unregulated Cattle Feed Operations contribute to elevated levels of PM<sub>2.5</sub>. EPA has not designated any portion of Yakima County as not meeting (not attaining) the PM<sub>2.5</sub> standard. This SIP revision is one of the steps in providing the regulatory framework to continue addressing PM<sub>2.5</sub> levels. This SIP revision ensures that EPA reviews the current PM<sub>2.5</sub> rules and that the rules are federally enforceable.

Ecology's response to comments is included in the document. A majority of the comments had to do with enforcement and thus were outside of the scope of the SIP revision. Comments did not result in revision to the SIP submittal.

On October 4, 2021, Ecology's Director, Laura Watson, as the Governor's Designee, for all SIP matters, reviewed the results of the public review process and made the determination to adopt the SIP revision and submit it to EPA for review and approval.

# YRCAA SIP Revision Request

## Background

The CAA authorizes EPA to establish NAAQS for common air pollutants, to protect public health and welfare, and to prevent adverse effects. The common air pollutants, called criteria pollutants include:

- Fine and coarse particulate matter (PM<sub>2.5</sub> and PM<sub>10</sub>)
- Ozone (O<sub>3</sub>)
- Sulfur dioxide (SO<sub>2</sub>)
- Carbon monoxide (CO)
- Nitrogen dioxide (NO<sub>2</sub>)
- Lead (Pb)

The CAA requires states to have rules, permitting programs, and plans to monitor, attain, and maintain the NAAQS. These rules, permitting programs, and plans comprise an overarching plan called State Implementation Plan or SIP. The CAA assigns responsibility for the SIP to the Governors. In Washington, the Governor designated the Director of Ecology to handle SIP matters. Thus, Ecology develops or receives SIP-eligible rules and programs developed and implemented by the state and local agencies, and coordinates their submittal to EPA after the Director of Ecology approves adoption of each SIP revision.

The CAA also requires that EPA review SIP revisions to ensure each state have regulatory infrastructure to attain and maintain the NAAQS. The Congress put in place EPA's oversight via the SIP review process to ensure that there is no backsliding in state's implementation of the NAAQS, and to provide an enforcement tool for EPA and citizens under the Citizen Suit provisions, which is not automatically available for all state and local rules.

YRCAA is the primary air quality regulatory authority in Yakima County. Under the authority granted by the Revised Code of Washington (RCW), Chapter 70A.15 (previously Chapter 70.94 RCW), and U.S CAA (42 U.S.C. 7401 et seq.), YRCAA must adopt rules that provide for maintenance and attainment of the NAAQS, and control emissions of the criteria pollutants. These rules apply to all sources of air emissions located in the county, except for the sources on tribal lands, which are under EPA's jurisdiction, and those facilities that are under Ecology's jurisdiction or exempted by some laws and regulations.

According to the state regulations and laws, Ecology's rules apply statewide, except for specific subsections where a local authority has adopted and implemented corresponding local rules. Specifically, WAC 173-400-020 states:

“(1) The provisions of this chapter shall apply statewide, except for specific subsections where a local authority has adopted and implemented corresponding local rules that apply only to sources subject to local jurisdiction as provided under RCW 70.94.141 and 70.94.331.

(2) An authority may enforce this chapter and may also adopt standards or requirements. These standards or requirements may not be less stringent than the current state air quality rules and may be more stringent than the current regulations. ...”

YRCAA primarily adopts, implements, and enforces state rules. In some instances, YRCAA adopted their own rules and standards in lieu of the provisions in Chapter 173-400 WAC *General Regulations for Air Pollution Sources* as allowed under WAC 173-400-020.

## Purpose of the SIP revision

The purpose of this SIP submittal is to ensure that the SIP contains current YRCAA rules that align with the SIP-approved state rules, either through YRCAA adopting the state rules by reference, or adopting their own rules that are no less stringent than the provisions in Chapter 173-400 WAC.

## Scope of the SIP revision

Ecology requests EPA to approve into the SIP YRCAA's NSR and general air quality portions of the revised YRCAA Regulation 1 as listed later in this document.

The SIP currently includes outdated portions of YRCAA Regulation 1 and references outdated provisions in the Washington Administrative Code (WAC). Last time EPA acted on YRCAA's rules was February 2, 1998. YRCAA has since revised its Regulation 1.

This SIP revision request includes currently adopted portions of YRCAA's NSR General Regulation amendments, including certain sections of Chapter 173-400 WAC, General Regulation for Air Pollution Sources that YRCAA has adopted by reference in Regulation 1. These regulations control criterial pollutants and thus require an EPA review for SIP purposes.

This SIP revision applies to the YRCAA jurisdiction of Yakima County, Washington. This SIP revision does not apply where YRCAA does not have jurisdiction, including major energy facilities under the jurisdiction of the Energy Facility Site Evaluation Council and any areas with tribal jurisdiction.

This SIP revision request outlines which provisions are new, revised, or to be removed from the current SIP. This SIP revision also includes some approved, but not incorporated by reference, provisions. All other portions of the SIP not specifically mentioned below remain unchanged.

## SIP revision submittal documents

We included all supporting documents in the Appendices:

- Appendix A contains the YRCAA SIP Revision Table that summarizes all proposed changes to the SIP-approved rules:
  - Table A1: YRCAA Regulation 1 for proposed approval and incorporation by reference into the SIP, as well as enforcement and other general authorities for EPA approval, but not incorporated by reference into the SIP.
  - Table A2: Chapter 173-400 WAC YRCAA adopted by reference for proposed approval and incorporation by reference into the SIP.
- Appendix B contains the preliminary review of the rule revisions to identify portions that are subject to the SIP process. EPA conducted the review in coordination with YRCAA and Ecology. This review shows the proposed rulemaking changes in strikethrough.

- Appendix C contains the preliminary analysis of the SIP revision for sections 3.03 and 3.04 of the YRCAA Regulation 1.
- Appendix D contains the YRCAA SIP revision request to Ecology including the request letter to Ecology and YRCAA Regulation 1 NSR SIP submittal in strikethrough.
- Appendix E contains YRCAA's Concise Explanatory Statement and other rulemaking documentation related to the last round of YRCAA Regulation 1 amendments.
- Appendix F (reserved) will contain copies of all public notices advertising the comment period and opportunity to request a hearing.
- Appendix G (reserved) will contain copies of the public comments received during Ecology's SIP review process.
- Appendix F (reserved) will contain a copy of the Director of Ecology's transmittal letter to EPA and SIP adoption order.

## Ecology's request

Ecology requests EPA take the following actions:

- Approve the submitted portions of YRCAA Regulation 1 into the SIP, as described in Appendix A, Table A1 to be applicable in Yakima County, Washington.
- Approve the submitted portions of YRCAA Regulations that provide YRCAA adequate enforcement and general authority for implementing and enforcing their SIP, but not incorporated into SIP, as described in Appendix A, Table A1.
- Approve Chapter 173-400 WAC adoptions by reference into the SIP, as described in Appendix A, Table A2 to be applicable in Yakima County, Washington.
- Remove outdated SIP-provisions and replace them with current ones when appropriate, as described in Appendix A tables.



## Summary of Changes to the 1<sup>st</sup> Public Review Draft

We made some updates to the Public Review Draft of this SIP submittal between the first and second public comment periods. We expanded several sections in the Public Review Draft and added records in the Appendices to provide additional details about the SIP process and this project. We did not make any changes to the YRCAA's Regulation 1, or portions of the Regulation 1 we proposed to include or remove from the SIP. Specifically, we:

- Expanded Executive Summary to clarify the scope and role of the SIP approval, and explained why this revision is important in Yakima County.
- Added clarifying information to the Background section detailing the pollutants that the SIP is designed to regulate.
- Renamed "Introduction" to "YRCAA SIP Revision Request."
- Separated "Scope and purpose of the SIP submittal" into two sections and added clarifying language into the "Purpose of the SIP submittal" section.
- Added details or modifying description of the Appendices for clarity.
- Added copies of the YRCAA Regulation 1 rulemaking documents, including their Concise Explanatory Statement to the new appendix "2020 YRCAA's Concise Explanatory Statement and Rulemaking Documentation."
- Added a new appendix, "Public Notification," to include copies of public notification upon submittal to EPA.
- Renumbered Appendixes to accommodate the two additions.
- Updated the Acknowledgement section.
- Miscellaneous minor formatting updates to improve readability.

## Response to Comments

Ecology and YRCAA held two public comment periods on the proposed SIP revision:

- 1) April 10 - May 20, 2021. No public hearing was requested. Due to an oversight, we did not issue all public notifications to advertise the comment period as per our regular procedures. Thus, we made the decision to conduct an additional public comment period to ensure the public was properly notified about this opportunity.
- 2) July 30 – August 6, 2021. We received a request for public hearing and conducted one on August 3, 2021, via webinar.

We received six comment submittals via email and using our online e-comment form, and five people provided oral comments during the public hearing. A copy of the comment letters and transcript of the oral testimonies are included in **Appendix G. Public Comments**. Ecology's responses to the comments are below. No substantive changes to the 2<sup>nd</sup> Public Review Draft were made as the result of the comments. We updated the Executive Summary with the results of the public review process, added this Response to Comments section to the submittal, and included copies of the comments and public notices in the Appendices.

The majority of the comments were provided by community members affiliated with the Friends of Toppenish Creek (FOTC). In the comment letter submitted during the first public comment period, FOTC urged Ecology to not submit the SIP revision to EPA. In subsequent comments, the FOTC Executive Director requested to change portions of the current rule to be approved in the SIP including YRCAA regulating odor and dust, defining acceptable agricultural practices, investigating and restructuring their local board, incorporating health-screening process for public complaints, and having a local appeals process for air quality concerns. Other comments centered on concerns regarding the YRCAA organizational structure and personnel, lack of enforcement, and air quality problems related to concentrated animal feeding operations (CAFOs) in the area. In general, the comments provided expressed frustration with elements of the current Regulation 1 and the YRCAA's ability to implement it. However, the majority of comments were not within the scope of the current SIP revision.

Below are the summary of the comments provided, and Ecology's responses. Ecology summarized and aggregated repeated points made by the commenters. In other words, we focused our responses on specific points made, not addressing each submittal or testimony individually.

### Comment 1:

"FOTC asks the WA State Dept. of Ecology (Ecology) to reject the YRCAA request for a rule change ..."

### Ecology's response:

YRCAA requested Ecology and EPA to update which rules are federally-enforceable in their county. If we do not submit their current rules to EPA, then the rules that were in place in 1989 continue to be the rules that EPA and the public can enforce in the federal court, while the local

and state agencies would operate under the locally-adopted regulations. This creates uncertainty for the public, regulated community, and regulatory agencies.

Ecology does not generally review or approve local clean air or state agencies' rules or rule revisions during rulemaking processes. Besides YRCAA, there are seven other local clean air authorities as well as two state agencies authorized by the Legislature to develop air quality rules in Washington. Ecology collaborates with these agencies.

The local clean air agencies must ensure that their rules are as stringent as the state rules. If the local agency proposes a less stringent rule, they must notify the public and hold a public hearing. YRCAA updated their rule in 2020 to align with Ecology's rules, and updated references to the Washington State Codes to ensure that YRCAA operates under the current state rules. By requesting SIP approval, YRCAA attests that the rules in the submittal are as stringent as the state rules. Nothing in the comment demonstrated that YRCAA's rules are less stringent than the state rules, and Ecology's review of the material demonstrates that YRCAA's rules are as stringent as the current state rules.

In order to clarify the role of the SIP process versus rule change, after the first public comment period, and before the second public comment period, we updated the Background section in this document to include more details.

## **Comment 2:**

"FOTC asks the WA State Dept. of Ecology (Ecology) to reject the YRCAA request for a rule change because the YRCAA, in fact, enforces neither the Federal Clean Air Act nor the Washington State Clean Air Act as required by law. Approval of a SIP for Yakima County would inaccurately signify that YRCAA actually follows rules and regulations." ... "Please, do not validate the ineffective YRCAA by approving the proposed WA State Implementation Plan for Yakima County."

### **Ecology's response:**

The question of whether or not YRCAA enforces the rules is outside the scope of this SIP revision. The SIP is concerned with whether the agency has the authority to enforce the rules. To comply with the federal Clean Air Act (CAA), YRCAA must submit to EPA any updated rules that ensure that the area attains and maintains the National Ambient Air Quality Standards (NAAQS). If YRCAA does not submit their updated rules to EPA they would be in violation of the CAA. Thus, opposite to the commenters' assertion, if Ecology were to prohibit YRCAA from submitting the rules to EPA, it would then support YRCAA not following the federal law.

## **Comment 3:**

Ecology received multiple comments concerned with toxic pollutants, especially ammonia, coming from the cattle feeding operations (CAFOs) in Yakima County. Some representative comments are below:

"Yakima County is home to 1/3 of all Washington dairy cows, about 100,000 milkers, that are concentrated in an approximately 271 square mile area in the Lower Yakima Valley (LYV).

According to the WA State Department of Ecology (Ecology), livestock in Yakima County emitted 8,053.58 tons of ammonia into the ambient air in 2011. Ammonia is a toxic air pollutant under Washington law, WAC 173-460-150. Dairy animals also emit significant amounts of methane, hydrogen sulfide and volatile organic compounds (VOCs) which, among other adverse effects, contribute to odor.”

“The YRCAA needs to reconsider their stand to ignore citizen science that is done by individuals or community groups. FOTC did a valid preliminary study of ammonia levels at a residence near CAFOs. This study which included controls in the upper Yakima Valley showed average ammonia levels over a year to be 66 times higher in the lower valley than in the upper valley. Despite the fact that this information contributed to the understanding of the YAWNS study it was ignored by YRCAA. The EPA encourages citizen science but YRCAA does not.”

“The only specific pollution sources the SIP includes are the dry-cleaning Industry and various burning scenarios. The only time CAFOs are mentioned is with regard to "dust from cattle feeding operations." Besides particulate matter and lowering air quality in the areas around them, CAFOs also emit greenhouse and methane gases and contribute to climate change. The EPA attributes manure management as the fourth leading source of nitrous oxide emissions and the fifth leading source of methane emissions. It can only be assumed that these and other greenhouse gas emissions from CAFOs will rise and continue to contribute to climate change and unhealthy air quality. As an example, one way emissions could be curtailed is that before CAFO permits are renewed, they would be required to install anaerobic digesters to capture the CO<sub>2</sub>, methane and gases that are being emitted from their operations. I don't know if your agency has the authority to make those kinds of rules, but if it does it needs to start focusing on them now. Insofar as your agency is empowered to create rules and regulations, or to approve permits, the urgency of these federal, state and local emissions reduction goals should be emphasized. Until emissions from CAFOs are controlled, we are spinning our wheels in reaching our targets.”

“We have lived here since 1955. I would like to talk to you folks about the many dusty fecal days of summer, that surrenders to the fecal liquid matter days of winter. With the winter comes the haul out of manure field animal pens that leave our county roads hard to navigate with track out from these vehicles that transport manure to fields within a five mile radius of the farms. That has fecal dust appearing on these gravel roads from their usage.

The winter months also produce huge amounts of ammonia that fills the air with choking aroma, totally eradicating any fresh, breathable oxygen nearby. Riverview Dairy, ... permitted at 1194 Vance Road mapped in Washington, puts a daily cloud of fecal dust into the air by dragging the corrals to redistribute defecation piles left by cows daily. The dust cloud goes high into the atmosphere, hundreds of feet, sometimes thousands where prevailing winds send this fecal clouds to neighbors adjacent to the dairy. This daily dusting causes breathing disorders and makes everything uncovered a nasty brown.

There are several households nearby with children who sometimes get on or off the school bus for Mabton in a fecal dust cloud. I have called Yakima Regional Clean Air Authority many times complaining, only to be told that because they are a dairy operation that nothing can be done. I do not agree with this determination, and I object to the status quo. We need monitoring, and not self-monitoring as is now the procedure. Elements such as ammonia, ammonia nitrate, ammonia sulfate, ammonia phosphate are all just some of the contaminants in this fecal dust that people are breathing and eating daily without masks.

I hope there can be some system put into place that we all can live by. However, as long as the Yakima Regional Clean Air Authority has a do nothing to grievances reported by citizens locally, I think many have and will continue to suffer and eventually many will pay with their health. The last thing I'd like to speak to you about is a thing that they have started here recently within the last 10 years or so. Dairymen have started this practice of putting lines from cold storage, controlled atmosphere rooms, into pens to help with the foot rot problems. While this practice helps the cattle's feet, this practice also lets blowing winds distribute it into the air and people's lives."

### **Ecology's response:**

The SIP revision applies to common ambient air pollutants called criteria pollutants. These pollutants are:

1. fine and coarse particulate matter (PM<sub>2.5</sub> and PM<sub>10</sub>)
2. ozone (O<sub>3</sub>)
3. sulfur dioxide (SO<sub>2</sub>)
4. carbon monoxide (CO)
5. nitrogen oxides (NO<sub>2</sub>)
6. lead (Pb)

SIP-approved rules may contain provisions to control criteria pollutant precursors when they are found to contribute to formation of the elevated levels of particulate, ozone, sulfur dioxide or other criterial pollutants. Since SIP is specific to criteria pollutants and NAAQS, it does not apply to toxics (eg. ammonia) or greenhouse gases and flammables (eg. methane). Comments related to toxic air pollutants are beyond the scope of the SIP revision.

At this time, all areas in Yakima County are meeting or attaining all NAAQS. There were two nonattainment areas in the past, one for PM<sub>10</sub>, and another for CO. They both attained the respective NAAQS and have been in compliance since their redesignation to attainment. Yakima County's levels of sulfur dioxide, nitrogen dioxide, carbon monoxide, lead, and ozone are well below the NAAQS. We will address the levels of the fine particulate matter levels (PM<sub>2.5</sub>) and the role of the precursors in detail in the responses further below (see Comment #5).

If EPA finds an area to violate any of the NAAQS, EPA designates that area as being in nonattainment. A violation of the NAAQS occurs when there are persistent exceedances of the NAAQS levels during three consecutive years. A nonattainment designation triggers an in depth review of the causes for the elevated levels of criteria pollutants in the air. If the review

identifies that the local air authority must change the rules to reach attainment, EPA requires the agency to revise the rules and the SIP.

## Comment 4:

FOTC provided copies of the requests they made in 2019, to the Washington Department of Ecology, to conduct a formal review of the YRCAA's ability to implement the air quality program in Yakima County. The majority of the documents provided in the comments were to substantiate this formal request for the review. The specific complaints included:

"The YRCAA:

1. Ignores citizen complaints regarding odor, dust, and air pollution that threaten public health.
2. Refuses to do the research that would clarify the impact of dairy operations on the health of citizens in the Lower Yakima Valley.
3. Accepted false testimony from an "expert in manure management" who egregiously misinformed the YRCAA regarding health impacts of manure spreading during air inversions as they rejected a citizen petition to band this practice.
4. Hired an agency director who lacks qualifications and fails to lead the agency.
5. Allowed and continues to allow board members to vote on issues in which they have financial interests.
6. Knowingly fails to regulate emissions from the 100,000 cows that are housed in a 271 square mile area in Yakima County."

## Ecology's response:

Ecology reviews carefully all comments received. Enforcement actions, including formal review of YRCAA's ability to conduct enforcement actions, are beyond the scope of this SIP action. The action of updating YRCAA's rule in the SIP addresses a specific requirement of the Federal Clean Air Act, with which YRCAA is complying. Not sending the SIP revision to EPA would not resolve any of the raised issues.

## Comment 5:

"Ecology conducted a study in 2013 that examined high levels of fine particulate matter in Yakima County. The study found, "Yakima is unusual within Washington in that a significant fraction of the PM<sub>2.5</sub> during winter is comprised of particulate nitrate, usually in the chemical form of ammonium nitrate (NH<sub>4</sub>NO<sub>3</sub>)<sup>1</sup>".

"Fine particulate matter and ammonia negatively impact human health. People in Yakima County suffer from higher-than-average rates of heart disease, lung disease, and adverse perinatal **problems**. Most recently, Yakima recorded the highest rates of infection and rates of

<sup>1</sup> WA State Dept. of Ecology (2015) Yakima Air Winter Nitrate Study. Available at <https://ecology.wa.gov/DOE/files/a6/a67789dd-aed4-461e-b138-e77537dd1952.pdf>

death due to COVID 19 in Washington State. There is a relationship between air quality and COVID 19 morbidity and mortality.”

### **Ecology’s response:**

Ecology, YRCAA, and EPA have recognized the elevated PM<sub>2.5</sub> levels in the county and have been working on identifying the contributing factors. This work includes the study cited by the commenters. The SIP process focuses on achieving specific air quality targets and the PM<sub>2.5</sub> levels in Yakima County have met the current, most stringent, level that EPA set in 2006. As long as Yakima County meets the National Ambient Air Quality Standard for PM<sub>2.5</sub>, as well as other criteria pollutants, the federal SIP process is not designed to mandate changes to reduce PM<sub>2.5</sub> levels further. However, all involved agencies are acutely aware that Yakima County has the highest PM<sub>2.5</sub> levels in the state, they are the closest to violating the standard, and that there is a growing body of scientific evidence encouraging EPA to lower the standard to be more protective of public health. Thus, the work to address PM<sub>2.5</sub> is ongoing.

YRCAA voluntarily participated in the EPA’s PM Advance program from 2012 through 2017 to evaluate potential measures to prevent nonattainment for PM<sub>2.5</sub>. YRCAA also worked with Ecology to collect additional data to better understand the contributing sources to PM<sub>2.5</sub> levels in the county. YRCAA implemented a wood stove exchange program to reduce PM<sub>2.5</sub> emissions associated with residential wood burning. The work is ongoing. This SIP revision contributes to this work by allowing the current PM<sub>2.5</sub> rules that apply in YRCAA be reviewed by EPA and if approved, they would be federally-enforceable giving EPA and the citizens additional tools to participate in the air quality regulatory work, as provided for by the federal Clean Air Act. This SIP revision is therefore a foundational regulatory component of a robust PM<sub>2.5</sub> program in the county.

### **Comment 6:**

We received several comments regarding the YRCAA Board of Directors. A representative comment states:

“I would ask Department of Ecology to ask the legislature to revise the make up of the voting membership of YRCAA. More than 50% of the members should be community members without financial or family links to industries that contribute to air pollution. The other 50% would be industry representatives and county commissioners. Scientists who work for YRCAA should be attending the board meetings as an informational source but not as a voting member. This allows the board to go beyond scientific reports, wood smoke, and wood stoves to address air quality problems that effect citizens' health, well being, and their ability to enjoy their private property. Right now the YRCAA does not address the air quality conditions in all parts of the county and ignores those conditions that are most unhealthy and contribute most to the dissatisfaction of private citizens. As long as the industry dominates the YRCAA board these complaints will go unaddressed. At a minimum there should be at least one community member on the board who is not working in the agriculture industry or is a family member of

someone who works in the agriculture industry. Ideally that citizen member should be someone who lives in a rural neighborhood where most of the air quality complaints come from.”

### **Ecology’s response:**

Federal Clean Air Act at 42 U.S.C. Chapter 85, Subchapter I, Part A, Section 110(a)(2) outlines “infrastructure” requirements for an air quality program that each state must have in order to meet the federal expectations for a robust program protecting the NAAQS. Specifically, Section 110(a)(2)(E)(ii) states: “Adequate personnel, funding and authority to carry out plan; comply with state boards; oversee local and regional governmental agencies” requires each state to put in place “requirements that the State comply with the requirements respecting State boards under section 128 of this title”.

Section 128 provision reads:

“§128. State boards

(a) Not later than the date one year after August 7, 1977, each applicable implementation plan shall contain requirements that—

(1) any board or body which approves permits or enforcement orders under this chapter shall have at least a majority of members who represent the public interest and do not derive any significant portion of their income from persons subject to permits or enforcement orders under this chapter, and

(2) any potential conflicts of interest by members of such board or body or the head of an executive agency with similar powers be adequately disclosed.

A State may adopt any requirements respecting conflicts of interest for such boards or bodies or heads of executive agencies, or any other entities which are more stringent than the requirements of paragraph (1) and (2), and the Administrator shall approve any such more stringent requirements submitted as part of an implementation plan.”

YRCAA Regulation 1, which YRCAA and Ecology are submitting to EPA as part of this action, does not speak to the composition of the Board, only its authorities and actions. Thus, the submittal itself is not the subject of the comment and cannot address the changes asked for in the comment.

EPA reviewed Washington’s compliance with the Section 110(a)(2)(E)(ii) as part of the SIP submittal called “Infrastructure SIP” which Ecology last submitted to EPA, on September 30, 2019<sup>2</sup>. At the time of approval, EPA found that Ecology or YRCAA regulations comply with

<sup>2</sup> Washington State Implementation Plan (SIP) Revision: Infrastructure SIP for 2015 Ozone and 2010 Sulfur Dioxide (Number of pages: 40) (Publication Size: 387KB), at: <https://apps.ecology.wa.gov/publications/SummaryPages/1902019.html>



Section 110(a)(2)(ii). Consequently, issues raised by the commenters regarding the YRCAA Board composition are outside of the scope of the SIP revision action at hand.

### **Comment 7:**

Commenters expressed frustrations and a desire for YRCAA to recognize the health issues with which the commenters feel they and other residents are struggling. They expressed expectations that YRCAA should take steps to evaluate the pollutants, identify and measure them, and then reduce them. Some representative comments state:

“We have been constantly bombarded with air issues out here. We wonder what it is that's in this air that we breathe on a daily, 24/7 basis. Manure particles, urine gases, mold from pen straw, composting manure with dead calves inside, ... pharmaceutical, all kinds of possibilities, but not one person says they can do anything about it.”

“YRCAA needs to work with citizen groups to obtain money to measure air quality in residential areas near agricultural pollution sources so that it can be known whether neighbors are exposed to unhealthy air. As long as the board is dominated by industry this will never happen.

When citizens complain about a health issue regarding pollution that is occurring right at the moment of the complaint, having an onsite visit within 48 hours is not adequate. Their policy should be changed to 12-24hrs for health complaints.”

### **Ecology's response:**

Ecology supports citizens and YRCAA efforts to identify what pollutants may possibly drive the observed health concerns within Yakima County. The requested actions are outside the scope of this SIP revision. We forwarded these concerns and suggestions to Sanjay Barik, Central Regional Office Air Quality Manager<sup>3</sup>, for review and decision on any follow up with YRCAA.

### **Comment 8:**

Several commenters wanted to see more commitments to lowering greenhouse gas (GHG) emissions to mitigate climate change impacts. A representative comment is below:

“I just recently learned about your open meeting to give comments on your proposed SIP. I understand that YRCAA is our local organization tasked with enforcing the federal and state air quality laws. As you know, President Biden has set targets lowering GHG emissions 50-52% by 2030 from 2005 levels, achieving net zero greenhouse gas emissions by no later than 2050, and limiting global warming to 1.5 degrees Celsius. On the State level, Governor Inslee has set goals to reduce greenhouse gas emissions by 2030 to 45% below 1990 levels, by 2040 to 70% below 1990 levels, and by 2050 to 95% below 1990 levels to achieve net zero emissions. These targets are grounded in analysis that explored sectors of the economy that produce CO<sub>2</sub> and non-CO<sub>2</sub> greenhouse gases: electricity, transportation, buildings, industry, and lands. I would like to see

<sup>3</sup> Phone: 509-379-1464, Email: Sanjay.Barik@ecy.wa.gov

YRCAA pledge its alliance with these targets in ALL of these sectors. These goals and targets should be included in the current SIP. Currently neither in its SIP nor on its website does YRCAA commit to these incremental reductions over time nor does it express its desire to adhere to the federal and state targets. I would like assurances that the local agency is in line with our nation's goals.”

### **Ecology’s response:**

Ecology has a separate program to address climate change impacts. It includes the GHG Reporting Program. SIPs do not currently apply to GHG pollutants under the federal Clean Air Act. This SIP revision addresses criteria pollutants only, which are an important part of air quality protection. The commenters are invited to visit Ecology’s Greenhouse Gases program web page for additional details and to sign up for the listserv notifications:

<https://ecology.wa.gov/Air-Climate/Climate-change/Greenhouse-gases>.

### **Comment 9:**

One of the commenters questioned the discretionary enforcement authority asserted by the YRCAA Air Pollution Control Officer (APCO) during the 2020 rulemaking and in response to comments on the rule amendments. Specifically, the commenter stated:

“A statement that the YRCAA shall enforce the laws, as opposed to the current statement that YRCAA may enforce the laws. See Section 2.01 B & Section 2.01 E. FOTC made this request in July 2020 during the first review of YRCAA Regulation 1. YRCAA replied, “Enforcement discretion is and should remain with the duly appointed APCO.” What this means in fact is that the decision whether to investigate a complaint lies entirely with one man. The current APCO has no training in the law, in science, in public health or in agriculture. If citizens go to court to complain about lack of investigation, there is a legal defense imbedded in the proposed SIP, that says the YRCAA regulations allow the APCO to choose which air quality violations to address. This probably could not stand up in court, but citizens would have to struggle through years of litigation to secure justice. Why not do the right thing at the start and write a SIP that is not arbitrary and capricious?”

### **Ecology’s response:**

It is not clear from the comment where to find the specific statement regarding that YRCAA may enforce the laws. As a general matter, however, every regulatory agency does possess a degree of enforcement authority as well as a degree of enforcement discretion. As a specific matter pertaining to this SIP action, three separate agencies (YRCAA, Ecology, and EPA) have or will have conducted a legal analysis of the rule and associated SIP materials prior to adoption. The issue of whether or not the regulatory agency used their discretionary enforcement authority appropriately is outside the scope of this action.

### **Comment 10:**

A request for a rule change on the appeal process:

“A change to Section 2.05 Appeals. Delete Section C and replace it with a process in which the YRCAA Board of Directors hears appeals of YRCAA action. This is more appropriate than forcing citizens to appeal to the WA State Pollution Control Hearings Board over complaints that can easily be addressed at the local level.”

**Ecology’s response:**

This is an appropriate comment on the rulemaking. However, there is nothing in the federal SIP requirements that Ecology staff is aware of to compel this change for SIP purposes. Ecology always encourages the most cost-effective and collaborative resolution at the local level.

This SIP revision fulfills the requirement to provide the local rule to EPA for review and approval into the SIP. SIP approval of the rule makes the approved rules federally-enforceable meaning that EPA and citizens can enforce the rules in the federal court.

## Concluding Ecology's response:

Ecology staff appreciates the time, energy, and information the commenters shared with us during this public review process. Ecology recognizes that there are ongoing and emerging air quality concerns in Yakima County. Ecology, YRCAA, and EPA have been working, and will continue to work, on addressing these issues. This SIP action serves as a step towards compliance with the CAA and provides an important enforcement tool for the citizens, that would not be available should Ecology not submit the Regulation 1 to EPA for review for SIP purposes.

There is nothing in the comments that indicated that the current YRCAA Regulation 1, proposed for SIP submittal, is less stringent than the previously approved version of 1989 Regulation 1. Current Regulation 1 is consistent with state rules and laws, and thus is regulatory adequate for inclusion in the SIP. Yakima County at this time has not violated federal national ambient air quality standards, which would authorize EPA and Ecology to mandate SIP-changes. Thus, Ecology determines that it is in the best interest of the Yakima County residents, and in compliance with the applicable federal and state requirements, that Ecology submits the SIP revision without changes to EPA for review and approval.

## Appendices

Due to document size constraints, [Appendices A through E](#)<sup>4</sup>, [Appendix F](#)<sup>5</sup>, [Appendix G](#)<sup>6</sup>, and [Appendix H](#)<sup>7</sup> are available as separate documents. Note that some content in the appendices was not drafted by Ecology and cannot meet Ecology's document accessibility requirements. To request documents in an alternate format, email [AQComments@ecy.wa.gov](mailto:AQComments@ecy.wa.gov) or call 360-407-6800.

### **Appendix A. YRCAA SIP Revision Tables**

### **Appendix B. EPA/Ecology preliminary analysis of YRCAA Regulation I SIP revision**

### **Appendix C. EPA/Ecology preliminary analysis of YRCAA Regulation I SIP revision – Sections 3.03 and 3.04**

### **Appendix D. YRCAA SIP Revision Request to Ecology**

YRCAA Regulation 1 NSR SIP submittal regulatory text and SIP submittal letter to Ecology.

### **Appendix E. 2020 YRCAA's Concise Explanatory Statement and Rulemaking Documentation**

### **Appendix F. Public Notification**

Copies of public notices that were posted to ensure the public was properly notified and had an opportunity to participate in the decision-making process.

### **Appendix G. Public Comments**

Copies of public comments received.

### **Appendix H. SIP Adoption Order**

A copy of the SIP Adoption Order and transmittal letter to EPA, signed by the Director of Ecology

<sup>4</sup> <https://apps.ecology.wa.gov/publications/parts/2102025part1.pdf>

<sup>5</sup> <https://apps.ecology.wa.gov/publications/parts/2102025part2.pdf>

<sup>6</sup> <https://apps.ecology.wa.gov/publications/parts/2102025part3.pdf>

<sup>7</sup> <https://apps.ecology.wa.gov/publications/parts/2102025part4.pdf>

If you hold	And on the date of examination for your most recent medical certificate you were	And you are conducting an operation requiring	Then your medical certificate expires, for that operation, at the end of the last day of the
*	*	*	*

■ 4. In § 61.113, revise the introductory text of paragraph (i) to read as follows:

**§ 61.113 Private pilot privileges and limitations: Pilot in command.**

\* \* \* \* \*

(i) A private pilot may act as pilot in command or serve as a required flightcrew member of an aircraft without holding a medical certificate issued under part 67 of this chapter provided the pilot holds a valid U.S. driver's license, meets the requirements of § 61.23(c)(3), and complies with this section and all of the following conditions and limitations:

\* \* \* \* \*

**PART 68—REQUIREMENTS FOR OPERATING CERTAIN SMALL AIRCRAFT WITHOUT A MEDICAL CERTIFICATE**

■ 5. The authority citation for part 68 continues to read as follows:

**Authority:** 49 U.S.C. 106(f), 44701–44703; sec. 2307 of Pub. L. 114–190, 130 Stat. 615 (49 U.S.C. 44703 note).

■ 6. Amend § 68.3 by revising paragraphs (a) introductory text and (b) introductory text to read as follows:

**§ 68.3 Medical education course requirements.**

(a) The medical education course required to act as pilot in command or serve as a required flightcrew member in an operation under § 61.113(i) of this chapter must—

\* \* \* \* \*

(b) Upon successful completion of the medical education course, the following items must be electronically provided to the individual seeking to act as pilot in command or serve as a required flightcrew member under the conditions and limitations of § 61.113(i) of this chapter and transmitted to the FAA—

\* \* \* \* \*

■ 7. In § 68.9, revise the introductory text of paragraph (a) to read as follows:

**§ 68.9 Special Issuance process.**

(a) *General.* An individual who has met the qualifications to operate an aircraft under § 61.113(i) of this chapter and is seeking to act as a pilot in command or serve as a required flightcrew member under that section must have completed the process for obtaining an Authorization for Special

Issuance of a Medical Certificate for each of the following:

\* \* \* \* \*

Issued in Washington, DC, under authority provided by 49 U.S.C. 106(f), 44701, 44702, and 44703, and section 318 of Public Law 115–254 on or about November 1, 2021.

**Robert Ruiz,**  
*Acting Deputy Executive Director, Flight Standards Service.*  
[FR Doc. 2021–24141 Filed 11–17–21; 8:45 am]

**BILLING CODE 4910–13–P**

**DEPARTMENT OF THE TREASURY**

**Office of Investment Security**

**31 CFR Parts 800 and 802**

**Proposed Regulations Pertaining to Certain Investments in the United States by Foreign Persons and Proposed Regulations Pertaining to Certain Transactions by Foreign Persons Involving Real Estate in the United States**

*Correction*

In proposed rule document 2021–24597, appearing on pages 62978–62980 in the issue of Monday, November 15, 2021, make the following correction:

On page 24597, in the third column, on the second line of the **DATES** section, “December 15, 2021” is corrected to read “December 10, 2021”.

[FR Doc. C1–2021–24597 Filed 11–17–21; 8:45 am]

**BILLING CODE 0099–10–P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

**[EPA–R10–OAR–2021–0750, FRL–9189–01–R10]**

**Air Plan Approval; Washington; Update to the Yakima Regional Clean Air Agency Wood Heater and Burn Ban Regulations**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to approve submitted revisions to the Yakima Regional Clean Air Agency (YRCAA)

regulations designed to control particulate matter from residential wood heaters, such as woodstoves and fireplaces. The updated YRCAA regulations set fine particulate matter trigger levels for impaired air quality burn bans, consistent with statutory changes enacted by the Washington State Legislature. The submission also contains updates to improve the clarity of the language and align with the statewide solid fuel burning device regulations already applicable in YRCAA’s jurisdiction. We are proposing to approve these changes because they meet the requirements of the Clean Air Act and strengthen the Washington SIP.

**DATES:** Comments must be received on or before December 20, 2021.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA–R10–OAR–2021–0750 at <https://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.* on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>.

**FOR FURTHER INFORMATION CONTACT:** Jeff Hunt, EPA Region 10, 1200 Sixth Avenue—Suite 155, Seattle, WA 98101, at (206) 553–0256, or [hunt.jeff@epa.gov](mailto:hunt.jeff@epa.gov).

**SUPPLEMENTARY INFORMATION:** Throughout this document whenever “we,” “us,” or “our” is used, it is intended to refer to the EPA.

## Table of Contents

- I. Background
- II. Summary of SIP Revision
- III. Proposed Action
- IV. Incorporation by Reference
- V. Statutory and Executive Order Reviews

### I. Background

On July 1, 1987, the EPA published revised National Ambient Air Quality Standards (NAAQS) for particulate matter focused on inhalable coarse particles (PM<sub>10</sub>) that are 10 micrometers in diameter or smaller (52 FR 24634). The PM<sub>10</sub> standard most relevant to Washington was the 24-hour PM<sub>10</sub> NAAQS.<sup>1</sup> The EPA set the 24-hour PM<sub>10</sub> NAAQS at 150 micrograms per cubic meter (µg/m<sup>3</sup>), not to be exceeded more than once per year on average over a three-year period. On August 7, 1987, the EPA identified the Yakima area as a PM<sub>10</sub> “Group I” area of concern, *i.e.*, an area with a 95% or greater likelihood of violating the PM<sub>10</sub> NAAQS (52 FR 29383). The U.S. Congress subsequently designated the Yakima area as a moderate PM<sub>10</sub> nonattainment area upon enactment of the Clean Air Act Amendments of 1990 (November 15, 1990).<sup>2</sup> On March 24, 1989, the Washington Department of Ecology (Ecology) submitted a plan for attaining the 24-hour PM<sub>10</sub> NAAQS, amended with additional submissions between 1992 and 1995. The EPA approved the plan on February 2, 1998 (63 FR 5269). One element of the approved PM<sub>10</sub> attainment plan was the residential wood smoke curtailment program codified in local regulation at YRCAA, Article IX, *Woodstove and Fireplaces*. On February 8, 2005, the EPA redesignated the Yakima area to attainment for PM<sub>10</sub> based on the existing set of control measures contained in the attainment plan (70 FR 6591).<sup>3</sup>

On July 18, 1997, the EPA published a revision to the particulate matter standards to establish the fine particulate matter (PM<sub>2.5</sub>) NAAQS for particles that are 2.5 micrometers in diameter or smaller, based on significant evidence and numerous health studies demonstrating that serious health effects are associated with exposures to PM<sub>2.5</sub> (62 FR 38652). The EPA’s revised 1997 particulate matter standards included a 24-hour NAAQS of 65 µg/m<sup>3</sup> for PM<sub>2.5</sub>, based on a three-year average of the 98th percentile of 24-hour concentrations. On October 17, 2006, the EPA published a

revision to the PM<sub>2.5</sub> 24-hour NAAQS, lowering the level from 65 µg/m<sup>3</sup> to 35 µg/m<sup>3</sup>, based on additional evidence and health studies (71 FR 61144).

On February 2, 1998, the EPA approved Article IX, *Woodstoves and Fireplaces*, adopted by YRCAA in 1993 and 1995 (63 FR 5269). This set of adopted regulations predated the EPA’s promulgation of the 1997 and 2006 PM<sub>2.5</sub> NAAQS and focused on the 1987 PM<sub>10</sub> NAAQS for residential woodstove curtailment. In a series of amendments beginning in 2005, the Washington State Legislature revised the underlying statutory authority contained in Chapter 70.94<sup>4</sup> Revised Code of Washington (RCW) (Washington Clean Air Act) regarding residential wood smoke curtailment programs to focus on the more recent 24-hour PM<sub>2.5</sub> NAAQS. In a SIP revision approved by the EPA on May 9, 2014, Ecology provided an analysis covering former PM<sub>10</sub> nonattainment areas in both Western and Eastern Washington, including the Yakima area, to demonstrate that wood smoke curtailment programs focused on the more recent 24-hour PM<sub>2.5</sub> NAAQS will provide continued maintenance of the 24-hour PM<sub>10</sub> NAAQS (79 FR 26628). The EPA agreed with Ecology’s analysis and approved revisions to the statewide regulations contained in Chapter 173–433 Washington Administrative Code (WAC) *Solid Fuel Burning Devices* (May 9, 2014, 79 FR 26628). These revisions removed the PM<sub>10</sub> burn ban trigger levels and replaced them with PM<sub>2.5</sub> trigger levels, consistent with the changes to RCW 70.94.473<sup>5</sup> of the Washington Clean Air Act.<sup>6</sup>

### II. Summary of SIP Revision

In the October 14, 2021 submission that is the subject of this action, Ecology and YRCAA requested that the EPA approve changes to *Regulation 1*,

<sup>4</sup> This statute was re-codified on June 11, 2020, to Chapter 70A.15 RCW. There were no substantive changes to the statutory text except updated cross references.

<sup>5</sup> Re-codified to RCW 70A.15.3580 with no substantive changes to the statutory text.

<sup>6</sup> YRCAA continues to operate a PM<sub>10</sub> monitor, in addition to the collocated PM<sub>2.5</sub> monitor, to verify compliance with both the PM<sub>10</sub> and PM<sub>2.5</sub> NAAQS (Yakima-4th Ave S, monitor ID #530770009). Ecology’s 2014 analysis, based on these collocated monitors, determined that PM<sub>2.5</sub> concentrations would need to reach 62 µg/m<sup>3</sup> before triggering the former PM<sub>10</sub> level for a stage 1 impaired air quality burn ban. Therefore, the current trigger level established under Chapter 70A.15.3580 of the Washington Clean Air Act (forecasted to reach or exceed PM<sub>2.5</sub> concentrations of 30 µg/m<sup>3</sup>) is the controlling standard. Similarly, PM<sub>2.5</sub> concentrations would need to reach 76 µg/m<sup>3</sup> to exceed the former PM<sub>10</sub> trigger level for a stage 2 impaired air quality burn ban. See 79 FR 26628 (May 9, 2014).

sections 3.04 *Wood Heaters* and 3.05 *Burn Bans*, adopted by YRCAA on October 8, 2020, to replace the outdated 1993 and 1995 Article IX provisions previously approved into the SIP.<sup>7</sup> The submitted revisions, state effective on November 9, 2020, align the YRCAA wood heater and impaired air quality burn ban regulations with the Washington Clean Air Act statutory changes discussed above, as well as the EPA-approved changes to Ecology’s statewide solid fuel burning device regulations. The definition of “wood heater” in Regulation 1, section 3.04 is consistent with the term “solid fuel burning device” in the Washington Clean Air Act. Specifically, section 3.04(B) *Applicability* states, “This section applies to any solid fuel burning device which, as defined by RCW 70A.15.3510, burns wood, wood products, or other nongaseous or non-liquid fuels, including those rated less than one million British thermal unit (Btu) per hour.” Aside from this difference in terminology, the YRCAA regulations generally mirror and cite to the statewide Chapter 173–433 WAC provisions already applicable in YRCAA’s jurisdiction. An analysis of the YRCAA regulations is included in the docket for this action.

We note that the former Article IX regulations adopted in 1993 and 1995 included a “Woodsmoke Control Zone,” which imposed impaired air quality burn ban requirements on a portion of Yakima County generally corresponding to the boundaries of the northern half of the county which encompassed the former PM<sub>10</sub> nonattainment area.<sup>8</sup> YRCAA’s current regulations expand applicability of impaired air quality burn bans to all of Yakima County, except for lands located within the external boundaries of the Yakama Indian Reservation. Because this revision strengthens the SIP by expanding the geographic scope of the curtailment program, we are proposing to approve YRCAA’s elimination of the Woodsmoke Control Zone from the regulations.

### III. Proposed Action

The EPA is proposing to approve and incorporate by reference *Regulation 1*, sections 3.04 *Wood Heaters* and 3.05 *Burn Bans*, adopted by YRCAA effective November 9, 2020. These revisions strengthen the SIP in several ways, including by revising burn ban trigger

<sup>7</sup> We note that the October 14, 2021 submission also includes outdoor burning regulations and other general air quality regulations which the EPA will address in separate actions.

<sup>8</sup> See 40 CFR 81.348 for legal description and current designation.

<sup>1</sup> No areas in Washington violated the annual PM<sub>10</sub> NAAQS, which the EPA subsequently revoked on October 17, 2006 (71 FR 61144).

<sup>2</sup> See 40 CFR 81.348 for legal description and current designation.

<sup>3</sup> *Ibid.*

levels to align with the Washington State Legislature's statutory changes focused on the more recent 24-hour PM<sub>2.5</sub> NAAQS and expanding the burn ban applicability beyond the former Woodsmoke Control Zone. The EPA is also proposing to determine that *Regulation 1*, sections 3.04 *Wood Heaters* and 3.05 *Burn Bans*, adopted by YRCAA effective November 9, 2020 are consistent with section 110 of the Clean Air Act. The EPA is soliciting public comments on YRCAA *Regulation 1*, sections 3.04 *Wood Heaters* and 3.05 *Burn Bans* which will be considered before taking final action. We are also proposing to remove from the SIP the outdated 1993 and 1995 Article IX provisions *Woodstoves and Fireplaces*, which are replaced by sections 3.04 and 3.05. We note that the October 14, 2021 submission also includes outdoor burning regulations and other general air quality regulations which the EPA will address in separate actions.

#### IV. Incorporation by Reference

In this document, the EPA is proposing to include in a final rule, regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is proposing to incorporate by reference YRCAA *Regulation 1*, sections 3.04 and 3.05 discussed in section III of this preamble and remove from the incorporation by reference YRCAA *Regulation 1*, Article IX which is replaced by sections 3.04 and 3.05. The EPA has made, and will continue to make, these documents generally available through <https://www.regulations.gov> and at the EPA Region 10 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

#### V. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Clean Air Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve State choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this proposed action merely approves State law as meeting Federal requirements and does not impose additional requirements beyond those imposed by State law. For that reason, this proposed action:

- Is not a "significant regulatory action" subject to review by the Office of Management and Budget under

Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);

- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);

- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);

- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4);

- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);

- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);

- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);

- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of the requirements would be inconsistent with the Clean Air Act; and

- Does not provide the EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this proposed action would not apply on any Indian reservation land or in any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). Consistent with EPA policy, the EPA provided an opportunity to request consultation to the Confederated Tribes and Bands of the Yakama Nation in a letter dated April 5, 2021.

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: November 9, 2021.

**Michelle L. Pirzadeh,**

*Acting Regional Administrator, Region 10.*

[FR Doc. 2021-25042 Filed 11-17-21; 8:45 am]

**BILLING CODE 6560-50-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 64

[CG Docket No. 03-123; RM-11820; FCC 21-95; FR ID 57163]

### Internet Protocol Relay Service Compensation Methodology

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** In this document, the Federal Communications Commission (FCC or Commission) proposes to modify the methodology for determining compensation for the provision of internet Protocol Relay (IP Relay) service and seeks comments on modifying the formula for determining the per-minute compensation for providers of IP Relay to ensure Interstate TRS Fund support is sufficient to sustain a functionally equivalent telephone service.

**DATES:** Comments are due December 20, 2021; reply comments are due January 18, 2022.

**ADDRESSES:** You may submit comments, identified by CG Docket No. 03-123 and RM-11820, by either of the following methods:

- *Federal Communications Commission's Website:* <https://www.fcc.gov/ecfs/filings>. Follow the instructions for submitting comments.

- *Paper Filers:* Parties who choose to file by paper must file an original and one copy of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. Currently, the Commission does not accept any hand delivered or messenger delivered filings as a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID-19. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

For detailed instructions on submitting comments and additional information on the rulemaking process, see document FCC 21-95 at: <https://docs.fcc.gov/public/attachments/FCC-21-95A1.pdf>.

**FOR FURTHER INFORMATION CONTACT:** William Wallace, Consumer and



**ACTION**

**ITEMS**



*Yakima Regional Clean Air Agency  
186 Iron Horse Court, Suite 101  
Yakima, WA 98901  
(509) 834-2050, Fax (509) 834-2060  
[yakimacleanair.org](http://yakimacleanair.org)*

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## **Executive Memorandum**

**Date of Release:** December 2, 2021  
**Date of Consideration:** December 9, 2021  
**To:** Honorable YRCAA Board of Directors and Alternates  
**From:** Office of the Executive Director / Air pollution Control Officer  
**Subject:** Fiscal Program Report

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**Issue:**  
Fiscal Reports

**Discussion:**  
November 2021 Accounts Payable (AP) and Payroll Authorizations are enclosed for your approval. The Budget Verification Analysis (BVA) and Supplemental Income documents are included as informational items.

**Recommendation:**  
Accept and approve by minute action the November 2021 AP Fiscal Vouchers, totaling \$57,051.20, and the November 2021 Payroll Authorization, totaling \$68,882.71.

Encl. 4



November 12, 2021

**Fund 614-6140 YRCAA**  
**Fund 614-1410 Enterprise**

<u>Name</u>	<u>Warrant/MICR #</u>	<u>GL #</u>	<u>Amount</u>	<u>Date</u>
Absolute Comfort Technology, LLC*	34888	4105	\$ 13,998.96	11/15/2021
Cascade Natural Gas Corporation	34889	4701	\$ 56.04	11/15/2021
Coleman Oil Company	34890	3201	\$ 161.55	11/15/2021
Julie Durston*	34891	4105	\$ 2,000.00	11/15/2021
Engravings Unlimited	34892	3101	\$ 26.53	11/15/2021
Pat Hambling*	34893	4105	\$ 250.00	11/15/2021
Iron Horse Real Estate & Property Mgt	34894	4501	\$ 4,741.89	11/15/2021
KAPP-KVEW, Inc.*	34895	4105	\$ 800.00	11/15/2021
Ty Kirkham*	34896	4105	\$ 2,000.00	11/15/2021
Mathew Lennon*	34897	4105	\$ 2,000.00	11/15/2021
Jeanette Mackey*	34898	4105	\$ 2,500.00	11/15/2021
Nth Degree Environmental Engineering Sol	34899	4101	\$ 600.00	11/15/2021
Northwest Community Action Center*	34900	4105	\$ 250.00	11/15/2021
Jeremy Sauve*	34901	4105	\$ 2,000.00	11/15/2021
Sunnyside Sun*	34902	4105	\$ 19.38	11/15/2021
Verizon Wireless	34903	4201	\$ 343.22	11/15/2021
YRCAA	34904	4901	\$ 471.05	11/15/2021
Yakima County Financial Services	34905	4192	\$ 122.75	11/15/2021
Yakima County Public Services	34906	4701	\$ 20.48	11/15/2021

**\$ 32,361.85**

\*Reimbursement from Grant

\*\*NOC/Enterprise

This is to certify that the invoices and warrants above for the Yakima Regional Clean Air Agency have been examined, audited and approved by the Alternate Auditing Officer for payment.

Total Amount: **\$ 32,361.85**

Christa Owen, Alternate Auditing Officer 11/15/2021

12/9/2021

Jon DeVaney, Board Chairman

Hasan M. Tahat, Interim Auditing Officer 11/15/2021



November 29, 2021

**Fund 614-6140 YRCAA**  
**Fund 614-1410 Enterprise**

<u>Name</u>	<u>Warrant/MICR #</u>	<u>GL #</u>	<u>Amount</u>	<u>Date</u>
Abadan Reprographics	34907	4801	\$ 115.01	11/30/2021
Alliant Communications	34908	4101	\$ 319.14	11/30/2021
Juan Carrillo*	34909	4105	\$ 250.00	11/30/2021
Catholic Charities Volunteer Services*	34910	4105	\$ 200.00	11/30/2021
Charter Communications	34911	4201	\$ 397.92	11/30/2021
Raquel Cortes Vargas*	34912	4105	\$ 2,500.00	11/30/2021
Juan Crisotomo Gonzalez*	34913	4105	\$ 1,500.00	11/30/2021
Cuillier Law Office	34914	4101	\$ 2,480.00	11/30/2021
Anna Gohl*	34915	4105	\$ 2,000.00	11/30/2021
KeyBank**	34916	Various	\$ 2,265.45	11/30/2021
Menke Jackson Law Firm	34917	4101	\$ 3,405.70	11/30/2021
Paul Michael*	34918	4105	\$ 250.00	11/30/2021
Tim Moehrke*	34919	4105	\$ 2,000.00	11/30/2021
Pacific Power	34920	4701	\$ 174.97	11/30/2021
April Puterbaugh*	34921	4105	\$ 1,500.00	11/30/2021
Sousley Sound & Communications	34922	4801	\$ 77.76	11/30/2021
Steven Springer*	34923	4105	\$ 2,000.00	11/30/2021
Stephens Media Group*	34924	4105	\$ 2,075.00	11/30/2021
Anthony Taff*	34925	4105	\$ 500.00	11/30/2021
Terrace Heights Sewer District	34926	4701	\$ 100.00	11/30/2021
Denise Whalen*	34927	4105	\$ 500.00	11/30/2021
Yakima County Sheriff's Department	34928	4101	\$ 78.40	11/30/2021


**\$ 24,689.35**

\*Reimbursement from Grant

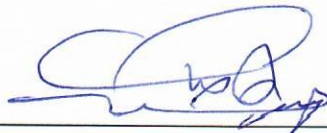
\*\*NOC/Enterprise

This is to certify that the invoices and warrants above for the Yakima Regional Clean Air Agency have been examined, audited and approved by the Alternate Auditing Officer for payment.

Total Amount: **\$ 24,689.35**

  
\_\_\_\_\_  
Christa Owen, Alternate Auditing Officer 11/30/2021

\_\_\_\_\_  
12/9/2021  
Jon DeVaney, Board Chairman

  
\_\_\_\_\_  
11/30/2021  
Hasan M. Tahat, Interim Auditing Officer

**AUTHORIZATION FOR ELECTRONIC FUNDS TRANSFER**

**Direct Deposit Payroll & Payroll Taxes**

**Date:** 11/29/2021

**District:** Yakima Regional Clean Air Agency

**Contact Person:** Christa Owen

**Address:** 186 Iron Horse Ct. #101, Yakima, WA 98901

**Telephone No. 834-2050 ext 104      Telefax No. 834-2060**

Authorization is given for the Yakima County Treasurer to electronically transfer the amounts listed below:

**Name of Bank:** Key Bank of Washington

**ABA Routing Number:** 125000574

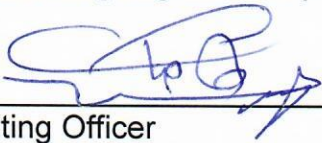
**Bank Account Number:** 472091010661

**Payroll Date:** December 1, 2021

**Transfer Amount(s):** \$ 68,882.71

**Total Amount of Electronic Transfer:** \$ 68,882.71

**Authorizing Signatures (No facsimile signatures accepted.):**

  
\_\_\_\_\_  
Auditing Officer

\_\_\_\_\_  
Chairman Board of Directors

Christa Owen  
\_\_\_\_\_  
Alternate Auditing Officer

Date November 29, 2021

**Note:** The Yakima County Treasurer's Office must receive the completed authorization by 12:00 noon, two (2) business days prior to payroll date. An original must be provided to the County Treasurer's Office if a telefax is sent. *Do not consider a telefax delivered until you have verified with the Treasurer's Office that it has been received.*

Contact Persons at County Treasurer's Office: **Cindy**

Telephone Number: 509-574-2780  
(01-2008)

Telefax Number: 509-574-2801

## FY 2022 Monthly BVA

November 2021						
Report Date: December 9, 2021		Budget	Actual Current	Actual Year to Date	Year to Date % of Budget	
<b>REVENUE</b>						
<b>REVENUE 614 YRCAA Base Operations</b>						
<b>Stationary Source Permit Fees</b>						
614-32190001	Minor Sources	\$ 151,000	\$ -	\$ 4,077		2.7%
614-32190008	Synthetic Minor Sources	\$ 18,620	\$ -	\$ -		0.0%
614-32190006	Complex Sources	\$ 29,555	\$ -	\$ -		0.0%
614-32290001	Title V Sources	\$ 113,000	\$ -	\$ 131,510		116.4%
614-32190002	New Source Review	\$ 37,500	\$ 11,152	\$ 19,685		52.5%
<i>Subtotal, Stationary Source Permit Fees</i>		\$ 349,675	\$ 11,152	\$ 155,272		44.4%
<b>Burn Permit Fees</b>						
614-32290005	Residential Burn Permits	\$ 60,500	\$ 2,544	\$ 11,520		19.0%
614-32290007	Agricultural Burn Permits	\$ 32,250	\$ 2,657	\$ 5,212		16.2%
614-32290011	Conditional Use Burn Permits	\$ 1,800	\$ -	\$ 675		37.5%
<i>Subtotal, Burn Permit Fees</i>		\$ 93,000	\$ 5,201	\$ 17,407		18.7%
<b>Compliance Fees</b>						
614-32190005	Asbestos Removal Fees	\$ 30,000	\$ 1,592	\$ 7,571		25.2%
614-32190009	Construction Dust Control Fees	\$ 5,000	\$ 155	\$ 3,340		66.8%
<i>Subtotal, Compliance Fees</i>		\$ 35,000	\$ 1,747	\$ 10,911		31.2%
<i>Subtotal, All Permit Fee Revenue</i>		\$ 479,225	\$ 18,100	\$ 183,590		38.3%
<b>Base Grants</b>						
614-33366001	EPA, Core Grant	\$ 106,322	\$ 26,636	\$ 54,022		50.8%
614-33403101	DOE, Core Grant	\$ 76,800	\$ 19,288	\$ 38,578		50.2%
<i>Subtotal, Base Grants</i>		\$ 183,122	\$ 45,924	\$ 92,600		50.6%
<b>Fines &amp; Penalties</b>						
614-35990001	Civil Penalty	\$ 2,500	\$ 2,359	\$ 30,011		
614-35990001	Other Fines	\$ -	\$ -	\$ -		
<i>Subtotal, Fines &amp; Penalties</i>		\$ 2,500	\$ 2,359	\$ 30,011		
<b>Supplemental Income</b>						
614-33831001	Supplemental Income	\$ 102,830	\$ -	\$ 22,710		22.1%
<i>Subtotal, Supplemental Income</i>		\$ 102,830	\$ -	\$ 22,710		22.1%
<b>Other Income</b>						
614-36111001	Interest	\$ 2,000	\$ 292	\$ 1,466		73.3%
614-36990014	Miscellaneous Income	\$ 50	\$ 6	\$ 1,383		2765.3%
<i>Subtotal, Other Income</i>		\$ 2,050	\$ 297	\$ 2,849		139.0%
<i>Total YRCAA Base Operations Revenue</i>		\$ 769,727	\$ 66,680	\$ 331,759		43.1%
<b>REVENUE 614 YRCAA Grant Operations</b>						
614-33403105	Wood Stove Ed	\$ 4,588	\$ 1,526	\$ 2,599		56.6%
614-33403108	PM 2.5	\$ 21,050	\$ 5,263	\$ 10,525		50.0%
614-33403107	Woodstove Change-out	\$ 300,000	\$ 253	\$ 261		0.1%
<i>Total YRCAA Grant Operations Revenue</i>		\$ 325,638	\$ 7,042	\$ 13,385		4.1%
<b>REVENUE Enterprise Operations</b>						
614-34317001	VE Certification Fees	\$ 80,000	\$ 23,561	\$ 32,419		40.5%
614-34317002	Other Enterprise Revenue	\$ -	\$ -	\$ -		#DIV/0!
<i>Subtotal, Enterprise Revenue</i>		\$ 80,000	\$ 23,561	\$ 32,419		40.5%
<i>Total Base, Grant and Enterprise Revenue</i>		\$ 1,175,365	\$ 97,283	\$ 377,563		32.1%

FY 2022 Monthly BVA

November 2021 Report Date: December 9, 2021	Budget	Actual Current	Actual Year to Date	Year to Date % of Budget
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**EXPENSES**  
**EXPENSES 614 YRCAA Base Operations**

**Salaries**

614-1001	Salaries	\$ 441,546	\$ 42,668	\$ 196,523	44.5%
614-2002	Benefits	\$ 152,717	\$ 14,991	\$ 69,048	45.2%
614-1003	Overtime	\$ -	\$ -	\$ -	#DIV/0!
<i>Subtotal, Salaries</i>		<i>\$ 594,263</i>	<i>\$ 57,659</i>	<i>\$ 265,571</i>	<i>44.7%</i>

**Supplies**

614-3101	Office Supplies	\$ 6,500	\$ 495	\$ 2,036	31.3%
614-3101	Safety Equipment	\$ 300	\$ -	\$ -	0.0%
614-3201	Vehicles, Gas	\$ 1,500	\$ 162	\$ 766	51.1%
614-3501	Small Tools/Equipment	\$ 200	\$ -	\$ 1,079	539.3%
614-3502	Computer Network	\$ 3,000	\$ 563	\$ 810	27.0%
<i>Subtotal, Supplies</i>		<i>\$ 11,500</i>	<i>\$ 1,220</i>	<i>\$ 4,691</i>	<i>40.8%</i>

**Services**

614-4101	Professional Services	\$ 55,000	\$ 7,189	\$ 36,114	65.7%
614-4101	Laboratory Analyses	\$ 500	\$ -	\$ -	0.0%
614-4125	Treasurer, Yakima County	\$ 1,473	\$ 123	\$ 614	41.7%
614-4201	Communications, Phones/Internet	\$ 12,350	\$ 741	\$ 4,160	33.7%
614-4202	Postage	\$ 2,000	\$ -	\$ 609	30.4%
614-4301	Travel & Transportation	\$ 3,200	\$ -	\$ -	0.0%
614-4401	Public Education	\$ 2,000	\$ -	\$ -	0.0%
614-4401	Publications, Legal Notices	\$ 1,000	\$ -	\$ 35	3.5%
614-4501	Rents & Leases, Equipment	\$ 2,988	\$ -	\$ 243	8.1%
614-4501	Rents & Leases, Space	\$ 57,532	\$ 4,742	\$ 23,709	41.2%
614-4601	Insurance	\$ 14,613	\$ -	\$ 15,720	107.6%
614-4701	Utilities	\$ 4,622	\$ 351	\$ 1,584	34.3%
614-4801	Maintenance, Motor Vehicles	\$ 1,200	\$ 887	\$ 1,249	104.1%
614-4801	Maintenance, Equipment	\$ 5,000	\$ 193	\$ 5,381	107.6%
614-4801	Maintenance, Computers	\$ 750	\$ -	\$ 316	42.2%
614-4801	Maintenance, Building	\$ 500	\$ -	\$ 512	102.5%
614-4901	Memberships	\$ 650	\$ 14	\$ 108	16.6%
614-4901	Training	\$ 2,500	\$ -	\$ 450	18.0%
614-4901	Service Chgs & Interest	\$ 6,950	\$ 471	\$ 2,382	34.3%
614-4901	Miscellaneous Services	\$ 4,000	\$ -	\$ -	0.0%
614-4901	DOE Oversight Fees	\$ 4,600	\$ -	\$ -	0.0%
<i>Subtotal, Services</i>		<i>\$ 183,428</i>	<i>\$ 14,711</i>	<i>\$ 93,186</i>	<i>50.8%</i>

**Capital Out-Lay & Fixed Assets**

614-6401	Capital Out-Lay/Fixed Assets	\$ -	\$ -	\$ -	#DIV/0!
<i>Total YRCAA Base Operations Expenses</i>		<i>\$ 789,191</i>	<i>\$ 73,590</i>	<i>\$ 363,448</i>	<i>46.1%</i>

**EXPENSES 614 YRCAA Grant Operations**  
**614-33403105 Wood Stove Ed**

**Salaries**

614-1001	Salaries	\$ 3,399	\$ 262	\$ 1,356	39.9%
614-2002	Benefits	\$ 1,189	\$ 92	\$ 477	40.1%
614-1003	Overtime	\$ -	\$ -	\$ -	#DIV/0!
<i>Subtotal, Salaries</i>		<i>\$ 4,588</i>	<i>\$ 355</i>	<i>\$ 1,833</i>	<i>40.0%</i>

**Supplies**

614-3101	Office Supplies	\$ -	\$ -	\$ -	#DIV/0!
<i>Subtotal, Supplies</i>		<i>\$ -</i>	<i>\$ -</i>	<i>\$ -</i>	<i>#DIV/0!</i>

FY 2022 Monthly BVA

November 2021 Report Date: December 9, 2021		Budget	Actual Current	Actual Year to Date	Year to Date % of Budget
<b>Services</b>					
614-4139	Professional Services	\$ -	\$ -	\$ -	#DIV/0!
614-4202	Postage	\$ -	\$ -	\$ -	#DIV/0!
<i>Subtotal, Services</i>		<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>#DIV/0!</u>
<i>Subtotal, Woodstove Grant Expenses</i>		\$ 4,588	\$ 355	\$ 1,833	40.0%
<b>614-33403108 PM2.5</b>					
<b>Salaries</b>					
614-1001	Salaries	\$ 15,270	\$ 1,559	\$ 6,785	44.4%
614-2002	Benefits	\$ 5,780	\$ 548	\$ 2,384	41.2%
614-1003	Overtime	\$ -	\$ -	\$ -	#DIV/0!
<i>Subtotal, Salaries</i>		<u>\$ 21,050</u>	<u>\$ 2,106</u>	<u>\$ 9,169</u>	<u>43.6%</u>
<b>Supplies</b>					
614-3101	Office Supplies	\$ -	\$ -	\$ -	#DIV/0!
<i>Subtotal, Supplies</i>		<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>#DIV/0!</u>
<b>Services</b>					
614-4101	Professional Services	\$ -	\$ -	\$ -	#DIV/0!
<i>Subtotal, Services</i>		<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>#DIV/0!</u>
<b>Capital Out-Lay &amp; Fixed Assets</b>					
614-6401	Capital Out-Lay/Fixed Assets	\$ -	\$ -	\$ -	#DIV/0!
<i>Subtotal, PM 2.5 Grant Expenses</i>		<u>\$ 21,050</u>	<u>\$ 2,106</u>	<u>\$ 9,169</u>	<u>43.6%</u>
<b>614-33403107 Woodstove Change-out</b>					
<b>Salaries</b>					
614-1001	Salaries	\$ 44,550	\$ 6,484	\$ 13,413	30.1%
614-2002	Benefits	\$ 15,450	\$ 2,278	\$ 4,713	30.5%
614-1003	Overtime	\$ -	\$ -	\$ -	#DIV/0!
<i>Subtotal, Salaries</i>		<u>\$ 60,000</u>	<u>\$ 8,763</u>	<u>\$ 18,125</u>	<u>30.2%</u>
<b>Supplies</b>					
614-3101	Office Supplies	\$ 100	\$ -	\$ -	0.0%
<i>Subtotal, Supplies</i>		<u>\$ 100</u>	<u>\$ -</u>	<u>\$ -</u>	<u>0.0%</u>
<b>Services</b>					
614-4101	Professional Services	\$ 240,000	\$ 41,093	\$ 76,162	31.7%
<i>Subtotal, Services</i>		<u>\$ 240,000</u>	<u>\$ 41,093</u>	<u>\$ 76,162</u>	<u>31.7%</u>
<b>Capital Out-Lay &amp; Fixed Assets</b>					
614-6401	Capital Out-Lay/Fixed Assets	\$ -	\$ -	\$ -	#DIV/0!
<i>Subtotal, Woodstove Change-out Grant Expenses</i>		<u>\$ 300,100</u>	<u>\$ 49,856</u>	<u>\$ 94,287</u>	<u>31.4%</u>
<i>Total, Grant Operations Expenses</i>		<u>\$ 325,738</u>	<u>\$ 52,317</u>	<u>\$ 105,289</u>	<u>32.3%</u>
<b>EXPENSES 141 Enterprise Operations</b>					
<b>Salaries</b>					
141-1001	Salaries	\$ 12,481	\$ -	\$ 4,769	38.2%
141-2002	Benefits	\$ 4,275	\$ -	\$ 1,676	39.2%
141-1003	Overtime	\$ -	\$ -	\$ -	#DIV/0!
<i>Subtotal, Salaries</i>		<u>\$ 16,756</u>	<u>\$ -</u>	<u>\$ 6,445</u>	<u>38.5%</u>



## FY 2022 Monthly BVA

November 2021		Budget	Actual Current	Actual Year to Date	Year to Date % of Budget
<b>Report Date:</b> December 9, 2021					
<b>Supplies</b>					
141-3101	Office Supplies	\$ 250	\$ 28	\$ 28	11.0%
141-3201	Vehicles, Gas	\$ 1,000	\$ -	\$ 463	46.3%
141-3501	Small Tools/Equipment	\$ 100	\$ -	\$ -	0.0%
<i>Subtotal, Supplies</i>		<i>\$ 1,350</i>	<i>\$ 28</i>	<i>\$ 491</i>	<i>36.3%</i>
<b>Services</b>					
141-4101	Professional Services	\$ 350	\$ -	\$ 475	135.7%
141-4202	Postage	\$ 200	\$ -	\$ -	0.0%
141-4301	Travel & Transportation	\$ 5,150	\$ -	\$ 3,893	75.6%
141-4501	Rents & Leases, Space	\$ 3,230	\$ -	\$ 350	10.8%
141-4801	Maintenance, Motor Vehicles	\$ 200	\$ -	\$ 68	34.1%
141-4801	Maintenance, Equipment	\$ 500	\$ -	\$ -	0.0%
141-4901	Miscellaneous Services	\$ -	\$ -	\$ -	#DIV/0!
<i>Subtotal, Services</i>		<i>\$ 9,630</i>	<i>\$ -</i>	<i>\$ 4,786</i>	<i>49.7%</i>
<b>Capital Out-Lay &amp; Fixed Assets</b>					
141-4500	Capital Out-Lay/Fixed Assets	\$ -	\$ -	\$ -	#DIV/0!
<i>Total Enterprise Operations Expenses</i>		<i>\$ 27,736</i>	<i>\$ 28</i>	<i>\$ 11,721</i>	<i>42.3%</i>
<b>Summary of Revenue vs Expenses:</b>					
<i>Prior-Year Carry Over Funds</i>		<i>\$ 125,000</i>	<i>\$ -</i>	<i>\$ 125,000</i>	
<i>Total Revenue, Base, Grants &amp; Enterprise</i>		<i>\$ 1,300,365</i>	<i>\$ 97,283</i>	<i>\$ 502,563</i>	<i>38.6%</i>
<i>Total Expenses, Base, Grants &amp; Enterprise</i>		<i>\$ 1,142,665</i>	<i>\$ 125,934</i>	<i>\$ 480,458</i>	<i>42.0%</i>
<i>Fund Balance</i>		<i>\$ 157,700</i>	<i>\$ (28,651)</i>	<i>\$ 22,105</i>	
<i>Operating Reserves</i>		<i>\$ 32,700</i>			
<i>Estimated Available Fund Balance</i>		<i>\$ 125,000</i>			

**YAKIMA REGIONAL CLEAN AIR AGENCY**  
**SUPPLEMENTAL INCOME STATUS for CY 2021 on November 30, 2021**  
**CY 2021 \$.40 PER CAPITA (Rounded Amounts)**

City/Town	Beginning Balance	Assessment Amount	Total Amt Due	Date Received	Current Amt Rec'd	Total Amt Rec. to date	Balance Due	Responses
Grandview	\$ -	\$ 4,480	\$ 4,480	1/29/2021		\$ 4,480	\$ -	Pd in full
Granger	\$ -	\$ 1,630	\$ 1,630	2/1/2021; 3/29/2021; 6/30/2021; 10/4/2021	\$ -	\$ 1,630	\$ -	Pd in full
Harrah	\$ -	\$ 270	\$ 270	1/29/2021		\$ 270	\$ -	Pd in full
Mabton	\$ -	\$ 928	\$ 928	2/1/2021		\$ 928	\$ -	Pd in full
Moxee	\$ -	\$ 1,654	\$ 1,654	1/20/2021		\$ 1,654	\$ -	Pd in full
Naches	\$ -	\$ 396	\$ 396	2/16/2021		\$ 396	\$ -	Pd in full
Selah	\$ -	\$ 3,186	\$ 3,186	1/29/2021		\$ 3,186	\$ -	Pd in full
Sunnyside	\$ -	\$ 6,828	\$ 6,828	6/15/2021; 7/12/2021; 10/18/2021	\$ -	\$ 6,828	\$ -	Pd in full
Tieton	\$ -	\$ 522	\$ 522	2/8/2021		\$ 522	\$ -	Pd in full
Toppenish	\$ -	\$ 3,642	\$ 3,642	1/28/2021		\$ 3,642	\$ -	Pd in full
Union Gap	\$ -	\$ 2,510	\$ 2,510	6/21/2021		\$ 2,510	\$ -	Pd in full
Wapato	\$ -	\$ 2,022	\$ 2,022	1/28/2021		\$ 2,022	\$ -	Pd in full
City of Yakima	\$ -	\$ 37,776	\$ 37,776	1/28/2021; 6/30/2021; 7/9/2021; 10/4/2021	\$ -	\$ 37,776	\$ -	Pd in full
Zillah	\$ -	\$ 1,274	\$ 1,274	1/25/2021		\$ 1,274	\$ -	Pd in full
Yakima Co.	\$ 26,315	\$ 35,262	\$ 61,577	2/2/2021		\$ 61,577	\$ -	Pd in full
<b>Totals:</b>	<b>\$ 26,315</b>	<b>\$ 102,380</b>	<b>\$ 128,695</b>		<b>\$ -</b>	<b>\$ 128,695</b>	<b>\$ -</b>	