

SOUTHWEST CLEAN AIR AGENCY

Board of Directors Meeting
November 2, 2017 at 3:00 PM
Southwest Clean Air Agency
11815 NE 99th St. Suite 1294
Vancouver, Washington

Optional Conference Call Number for Board of Directors 1-800-356-8278 Code: 576617

AGENDA

- I. Call to Order
SWCAA Chair Don Jensen
- II. Roll Call/Determination of Quorum
SWCAA Chair Don Jensen
- III. Board of Directors Minutes
Board of Directors Minutes - October Meeting
- IV. Changes to the Agenda
SWCAA Chair Don Jensen
- V. Consent Agenda
 - A. Approval of Vouchers
 - B. Financial Report
 - C. Monthly Activity Report
- VI. Info Items & Public Comment
None
- VII. Public Hearing
None
- VIII. Unfinished Business/New Business

Cancellation of the December 7, 2017 Board of Directors Meeting

Issue - The December Board meeting has traditionally been cancelled once the minimum number of Board meetings for the calendar year has been satisfied.

Summary - The Washington Clean Air Act requires that SWCAA's Board of Directors meet at least 10 times per year. Ten meetings will have been held when the November Board meeting has concluded. Vouchers needing payment in December can be hand delivered for the necessary Board member signatures.

Recommendation - Cancel the December 2017 Board of Directors Meeting

IX. Control Officer Report

A. **FERC “Grid Resiliency Pricing” Rule Moves Ahead as DOE’s Perry Faces the Hill**

(October 11-12, 2017) – U.S. Department of Energy (DOE) Secretary Rick Perry faced lawmakers to address questions as the Federal Energy Regulatory Commission (FERC) moved forward with what some observers have called a “rocket docket” that would explore new ways to subsidize coal and nuclear power plants in wholesale power markets. DOE issued its “Grid Resiliency Pricing” directive to FERC last month ordering it to open proceedings into new regulation of wholesale power markets. The proposal would allow full operating costs to be subsidized and provide other cost recovery for power plants that keep 90 days' worth of fuel onsite – in practice, only nuclear and coal units could meet this requirement. As considered by FERC, the rule would cover only the PJM Interconnection (a regional transmission organization that coordinates the movement of wholesale electricity in all or parts of 13 states and the District of Columbia), the New York Independent System Operator (NYISO) and ISO New England regions. Testifying before a House Energy and Commerce subcommittee, Secretary Perry faced heated questioning from both parties.

<https://energy.gov/sites/prod/files/2017/09/f37/Notice%20of%20Proposed%20Rulemaking%200.pdf> , <https://www.ferc.gov/media/headlines/2017/2017-3/10-04-17.pdf> , https://elibrary.ferc.gov/idmws/file_list.asp?accession_num=20171011-3036 and <https://www.ferc.gov/docs-filing/efiling.asp>

B. **EPA to Propose Clean Power Plan Repeal and Request Comment on Replacement**

Options (October 6, 2017) – In a prepublication Federal Register notice, EPA proposes to repeal the Clean Power Plan (CPP) on the basis that the agency misinterpreted Section 111(d) of the Clean Air Act (CAA) when it issued the rule in 2015. In the notice, EPA announces its intention to interpret Section 111(d)’s “best system of emission reduction” (BSER) requirements to include only “emission-reduction measures that can be applied to or at an individual stationary source.” The proposal criticizes the agency’s earlier interpretation of BSER, which included system-wide electricity generation shifts away from coal-fired power plants toward natural gas and renewable energy resources. In addition to the CPP repeal, the proposal notes that EPA is “considering whether it is appropriate” to propose a new 111(d) rule to regulate CO2 emissions from existing power plants and that the agency intends to “issue an [advanced notice of proposed rulemaking] in the near future to solicit information on systems of emission reduction that are in accord with the legal interpretation proposed in this notice (i.e., those that are applicable to and at an individual source), as well as information on compliance measures and state-planning requirements.” The proposed repeal will be open to public comment for 60 days once it is published in the Federal Register. For further information:

http://www.4cleanair.org/sites/default/files/Documents/Prepublication_CPP_Repeal_Proposal.pdf

C. Seven Western Governors Sign MOU to Establish Regional Electric Vehicle Plan for the West (October 4, 2017) – The Governors of seven western states signed a Memorandum of Understanding (MOU) to serve as the framework for establishment of the “REV West Plan” – a regional electric vehicle (EV) plan for the West. Through the MOU, Colorado Governor John W. Hickenlooper, Jr., Idaho Governor C.L. “Butch” Otter, Montana Governor Steve Bullock, Nevada Governor Brian E. Sandoval, New Mexico Governor Susana Martinez, Utah Governor Gary R. Herbert and Wyoming Governor Matt Mead seek to “make it possible to seamlessly drive an electric vehicle across [their states’] major transportation corridors,” which include over 5,000 miles of highway. The Governors’ state their intentions to form a Coordination Group, create best practices and procedures to enhance EV adoption, establish voluntary minimum standards for EV charging stations, identify and develop opportunities to incorporate EV charging infrastructure into planning and development processes, encourage EV manufacturers to stock and market a wide variety of EVs in the signatory states and identify, respond to and, where possible, collaborate on funding opportunities to support development of the REV West Plan. For further information:

https://www.colorado.gov/governor/sites/default/files/rev_west_plan_mou_10_3_17_final_for_signature1.pdf

D. State AGs and Environmental and Public Health Groups Notify EPA of Their Intent to Sue Over Agency’s Failure to Make Final Designations Under 2015 Ozone Standards (October 3 & 5, 2017) – In separate letters, a group of 14 state attorneys general and a group of 10 environmental and public health organizations notified EPA of their intent to sue the agency for its failure to promulgate area designations for the 2015 ozone National Ambient Air Quality Standards (NAAQS) by the October 1, 2017 statutory deadline. The Clean Air Act requires that once EPA adopts a NAAQS – the most recent ozone NAAQS was adopted on October 1, 2015 – each state must, within one year, recommend to EPA designations of all areas in the state as nonattainment, attainment or unclassifiable. These state recommendations were due October 1, 2016. EPA must then promulgate final designations, after making any necessary changes, “as expeditiously as practicable, but in no case later than 2 years from the date of promulgation of the new or revised [NAAQS]” – in this case, by October 1, 2017. The two-year period may be extended for up to a year, but only in cases when the EPA Administrator has “insufficient information” to promulgate the designations. As of the October 3 and October 5 submittal dates of the notices of intent (NOI) to sue EPA had not yet issued designations for the 2015 ozone NAAQS. Signatories noted in their respective NOIs EPA’s June 28, 2017 action to extend its deadline for promulgating the ozone designations by a year – to October 1, 2018 – as well as the agency’s subsequent action, on August 10, 2017, withdrawing the extension and reinstating the October 1, 2017 deadline. The AGs filing the NOI are from New York, California, Connecticut, Illinois, Iowa, Maine, Massachusetts, Minnesota, Oregon, Pennsylvania, Rhode Island, Vermont, Washington and the District of Columbia. The environmental and public health groups filing the NOI are the American Lung Association, American Public Health Association, American Thoracic Society, Appalachian Mountain Club, Environmental Defense Fund, Environmental Law & Policy Center, National Parks Conservation Association, Natural Resources Defense Council, Sierra Club and West Harlem Environmental Action. For further information:

http://4cleanair.org/sites/default/files/resources/Ozone_DesignsEnviro&PubHealth_NOI_to_Sue_EPA-100317.pdf and
https://ag.ny.gov/sites/default/files/2017_10_05_2015_ozone_naaqs_citizen_suit_letter.pdf

E. House Energy and Commerce Committee Examines Connection Between Wildfires and Air Quality (October 4, 2017) – The House Energy and Commerce Subcommittee on Environment held a hearing to examine the air quality impacts of wildfires. According to a background memo prepared by the Subcommittee, U.S. wildfires have burned approximately 8.5 million acres through September 25, 2017 compared to only 4.8 million acres burned in 2016. The memo also points to air quality data from fire-impacted areas, quoting a 2013 analysis that found that “wildfires burning within 100 miles of a city routinely caused air quality to be 5-15 times worse than normal, and often 2-3 times worse than the worst non-fire day of the year.” Subcommittee Chairman John Shimkus (R-IL) used his opening remarks to address the health and regulatory challenges posed by wildfires. “Millions of Americans can be exposed to the pollutants found in wildfire smoke, sometimes for extended periods of time. Nearly every other significant source of combustion – from vehicles to power plants to factories – are subject to very stringent controls. But the emissions from wildfires are completely uncontrolled,” he said. The hearing featured four witnesses, and much of their written hearing testimony focused on forest management practices. The hearing was entitled Air Quality Impacts of Wildfires: Perspectives of Key Stakeholders. For further information: <https://energycommerce.house.gov/hearings/air-quality-impacts-wildfiresperspectives-key-stakeholders/>

X. Board Policy Discussion Issues

As Necessary

XI. Issues for Upcoming Meetings

Asbestos Rulemaking

XII. Adjournment

Notes:

(1) Served by C-TRAN Routes: 7, 72 and 76.

(2) Accommodation of the needs for disabled persons can be made upon request. For more information, please call (360) 574-3058 extension 110.