

## SOUTHWEST CLEAN AIR AGENCY

Board of Directors Meeting  
August 4<sup>th</sup>, 2016  
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 – June 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

**SWCAA 400 Regulation Proposed Changes Presentation** – The Southwest Clean Air Agency is proposing changes to SWCAA 400 “General Regulations for Air Pollution Sources.” The purpose of the rulemaking is to meet EPA federal enforceability requirements, provide consistency with Department of Ecology rules, update definitions; delete obsolete rule language; update NESHAP, MACT and NSPS adoptions; revise/expand source category specific requirements; revise emission testing/monitoring requirements; revise public involvement provisions; and make minor administrative edits. SWCAA will hold a public hearing before the Board of Directors on September 1<sup>st</sup> during the Board’s regular scheduled meeting. The rules may also be considered for adoption immediately following the hearing.

- VII. Public Hearing

None

VIII. Unfinished Business/New Business

None

IX. Control Officer Report

A. **SWCAA Coordinates with City of Vancouver on PM2.5 (July 12, 2016)**

SWCAA presented in front of the Vancouver City Council and has met with city management about coordination on reducing fine particulate (PM 2.5) emissions within the City of Vancouver to avoid possible non-attainment with the National Ambient Air Quality Standard for PM 2.5. The main conversations have involved coordinated education and outreach efforts around woodstove smoke, data sharing, and assistance providing notice when air quality advisories and burn bans are in effect. SWCAA and the City of Vancouver will continue to collaborate regarding this issue.

B. **Volkswagen Agrees to Pay California AG \$86 Million over Use of Defeat Devices (July 7, 2016)**

– Volkswagen has agreed to pay the California Attorney General (AG) a total of \$86 million in civil penalties to resolve claims by the AG under California’s Unfair Competition Law and the Dodd-Frank Consumer Protection Act of 2010. The penalty, included in a partial consent decree filed in the U.S. District Court for the Northern District of California, includes \$10 million to establish a grant program to fund research and development of new defeat device detection technologies, assessments of onroad emissions and efforts to mitigate the health impacts of vehicle emissions. The remaining \$76 million is for the California AG’s office to defray costs of the Volkswagen investigation and litigation and to fund the future consumer protection and environmental law enforcement efforts. This settlement is separate from a \$14.7-billion proposed agreement Volkswagen made with the federal government and California. In addition, the consent decree with the California AG does not address separate civil claims filed by the California Air Resources Board, including its claims for civil penalties related to 2.0- and 3.0-liter vehicles and other claims related to 3.0-liter vehicles, nor does it address the company’s potential criminal liability. For further information:

[http://www.4cleanair.org/sites/default/files/Documents/In\\_Re\\_Volkswagen\\_No\\_16\\_3620.pdf](http://www.4cleanair.org/sites/default/files/Documents/In_Re_Volkswagen_No_16_3620.pdf)

C. **EPA Makes Second Round of SO2 Designations (June 30, 2016)**

– EPA announced the final designation of 61 areas in 24 states under the 2010 one-hour sulfur dioxide (SO2) National Ambient Air Quality Standard (NAAQS). In particular, EPA designated 41 areas as unclassifiable/attainment, four areas as nonattainment and 16 areas as unclassifiable. These final area designations will take effect 60 days after EPA publishes a notice in the Federal Register. This action represents the second “round” of designations under the SO2 NAAQS, with the first round having occurred in July 2013 and the third and fourth rounds to take place December 31, 2017 and December 31, 2020, respectively. Areas in SWCAA’s jurisdiction will be evaluated for attainment during the third round of designations in 2017. For further information: <https://www.epa.gov/sulfur-dioxide-designations/sulfurdioxide-designations-regulatory-actions>

**D. VW to Pay up to \$14.7 Billion Under Proposed Settlements for 2.0L Diesel Vehicles Equipped with Illegal Defeat Devices (June 28, 2016)** – The Department of Justice filed a partial consent decree in the U.S. District Court to partially settle allegations by EPA and California that Volkswagen (VW) used illegal defeat devices on nearly 500,000 Model Year 2009 through 2015 diesel vehicles to evade emission tests. Under the settlements VW and related entities agree to spend up to \$14.7 billion. Up to \$10.033 billion of this total is to compensate consumers and get the vehicles off the road through buyback, repair (subject to EPA and California approval of any VW-proposed modification to the vehicle emissions system) and additional compensation programs. Another \$2.7 billion will go into a Mitigation Trust Fund to be allocated among every state in the nation – a minimum of \$7.5 million per state – as well as tribes to undertake pollution reduction projects. According to the consent decree, this funding is intended “to fully mitigate the total, lifetime excess NOx emissions from the 2.0 Liter Subject Vehicles.” Projects eligible to receive funding from the Mitigation Trust Fund include ones for repowering or replacing a wide range of diesel vehicles, oceangoing vessel shore power and light-duty Zero Emission Vehicle (ZEV) supply equipment. The final \$2 billion of the total settlement will be directed, over a 10-year period, to efforts by VW to support increased use of technology for ZEVs in California and the U.S. and may include investments related to ZEV infrastructure, access to ZEVs and ZEV education. These settlements apply only to affected 2.0-liter vehicles; action on 3.0-liter vehicles is still pending. In addition, the settlements do not address civil claims or criminal liability. For further information: <https://www.justice.gov/opa/file/871311/download>

**E. International Energy Agency Says Energy-Related Investments Could Help Reduce Estimated 6.5 Million Annual Deaths Linked to Air Pollution (June 27, 2016)** – The International Energy Agency (IEA) published a report highlighting the links between energy, air and health. In Energy and Air Pollution: World Energy Outlook Special Report, IEA estimates that approximately 6.5 million premature deaths around the world each year can be attributed to air pollution – a number that is expected to rise significantly in the decades to come unless the energy sector takes increased action to cut emissions. IEA reports that 80 percent of the population lives in cities with air pollution levels that fail to meet the air quality standards established by the World Health Organization. The scale of this “public health crisis,” says IEA, and “the importance of the energy sector to its resolution” are why the Agency undertook this first-ever in-depth analysis, which includes detailed profiles of Africa, China, the European Union, India, Mexico, Southeast Asia and the U.S. In the report, IEA presents a “Clean Air Scenario” that demonstrates how energy choices requiring only a 7-percent increase in energy investment through 2040 can result in a decline in premature deaths from outdoor air pollution of 1.7 million annually and those from indoor (household) air pollution of 1.6 million annually in 2040. The scenario includes increased access to clean cooking facilities, emission controls and fuel switching in the power sector, increased industrial energy efficiency and strictly enforced emission standards for on-road transportation. IEA also highlights three key areas for government action: 1) setting an ambitious long-term air quality goal, 2) putting in place a package of clean air policies for the energy sector and 3) ensuring effective monitoring, enforcement, evaluation and communication. For further information: <http://www.worldenergyoutlook.org/>

X. Board Policy Discussion Issues

As Necessary

XI. Issues for Upcoming Meetings

Hearing and Rule Adoption of SWCAA 400 Updates – September 1, 2016

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.