

SOUTHWEST CLEAN AIR AGENCY

Board of Directors Meeting
October 5, 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 – September 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
None
- IX. Control Officer Report
 - A. House Adopts FY 2018 Spending Bill Including EPA Funding (September 14, 2017) –**
The U.S. House of Representatives voted 211 to 198 to adopt H.R. 3354 – the Make America Secure and Prosperous Appropriations Act – which contains funding for the federal government for FY 2018. While the House has completed its action, the Senate has not yet considered nor voted on appropriations legislation. Since it is virtually impossible for a Senate bill to be passed and the two bills to be reconciled by the end of the fiscal year on September 30, 2017, Congress took action on September 8, 2017 to adopt H.R. 601 (now Public Law No. 115-56) – a Continuing Resolution to provide funding for the federal government through

December 8, 2017 and avoid a government shutdown. The House bill calls for level funding for state and local air grants (\$228.2 million) and a 7-percent reduction in EPA's overall budget. It provides \$75 million for grants under the Diesel Emission Reduction Act and \$40 million for Targeted Airshed Grants and retains fine particulate monitoring grants under CAA Section 103 authority. The bill contains several riders affecting the air program including postponement of implementation of the 2015 ozone NAAQS (calling for designations to be submitted by 2024 and promulgated by 2025). For further information:

<https://www.congress.gov/bill/115th-congress/house-bill/3354>

B. President Nominates Bill Wehrum to Lead EPA Air Office (September 7, 2017) –

President Trump nominated Bill Wehrum to serve as EPA Assistant Administrator for the Office of Air and Radiation (OAR). Wehrum previously served at EPA during the George W. Bush Administration, holding the positions of Counsel to the Assistant Administrator for Air and Radiation from 2001 to 2005 and Acting Assistant Administrator for OAR from 2005 to 2007. He has been a Partner at the law firm Hunton and Williams LLP for the past 10 years. For further information: <https://www.whitehouse.gov/the-press-office/2017/09/07/eighnominations-sent-senate-today>

C. EPA Issues Multi-State Fuel Waivers to Prevent Hurricane-Related Disruption of Fuel Supply (September 7, 2017) –

EPA Administrator Scott Pruitt sent a letter to the governors of 38 states and the mayor of the District of Columbia (DC) advising them of his determination that there is an “extreme and unusual fuel...supply circumstance” that will prevent distribution of an adequate supply of gasoline to consumers. Under Clean Air Act Section 211 a determination that such a circumstance exists, and that it is the result of natural disasters that could not reasonably have been foreseen or prevented, allows the Administrator to waive fuel requirements. Specifically, in response to the continuing impacts of Hurricane Harvey on the nation's fuel supply system and the anticipated effects of Hurricane Irma, EPA is seeking to minimize or prevent supply disruption in 38 states from Maine to Florida to New Mexico to North Dakota as well as DC. Accordingly, Administrator Pruitt, in consultation with the U.S. Department of Energy, is immediately 1) waiving the summertime federal Reid vapor pressure (RVP) requirements until September 15, 2017 (the end of the “high ozone season”) to allow for the production, sale or distribution of winter gasoline in affected jurisdictions; 2) waiving the federal Reformulated Gasoline (RFG) requirements to allow for the production, sale or distribution of conventional winter gasoline in any RFG area within the affected jurisdictions through September 26, 2017; 3) extending his previous temporary waiver of the 7.8-pounds-per-squareinch RVP standard applicable in areas covered by the two Texas low-volatility gasoline programs; and 4) waiving, through September 15, 2017, all low-volatility gasoline requirements in any State Implementation Plan applicable in an affected jurisdiction. For further information: http://4cleanair.org/sites/default/files/resources/MSFEPA_Multi-state_Fuel_Waiver_Letter-090717.pdf and <https://www.epa.gov/enforcement/fuel-waivers>

D. Final VW Settlement Agreements Filed in Court and Await Approval (September 6, 2017) –

The final Volkswagen (VW) Settlement Trust Agreements have been filed with the U.S. District Court in the Northern District of California, San Francisco Division and are awaiting final approval. The documents reflect negotiations and an agreement among the Department of Justice, VW and the trustee, Wilmington Trust, N.A. (WTNA). Since the new trust agreements include some significant changes from the earlier agreements, DOJ is seeking final approval of the new documents. One of the important changes was the

establishment of two separate trusts, one for states and another for tribes (in response to different tax requirements applying to the two groups). Therefore, the filing includes two trust agreements: the “Environmental Mitigation Trust Agreement for State Beneficiaries” and the “Environmental Mitigation Trust Agreement for Indian Tribe Beneficiaries.” Another change relates to the timing for beneficiary mitigation plans such that, rather than requiring plans to be submitted to the trustee no later than 90 days after being deemed a beneficiary, beneficiaries would now be required to submit plans no later than 30 days prior to submitting their first funding request. Other changes relate to the trust effective date, certification for beneficiary status, beneficiary eligible mitigation action certification forms, discretionary trust vs. directed trust and a secure method of internet-based communication. For further information:

http://www.4cleanair.org/sites/default/files/Documents/ENV_ENFORCEMENT_268_2186-v1-VW_Mitigation_Trust_Motion_docket_stamped.pdf and
http://www.4cleanair.org/sites/default/files/Documents/NASEO_Information_related_to_VW_Settlement.pdf

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.