

Advisory Council Minutes
August 27, 2009
Spokane Regional Clean Air Agency

Members Present:

Peter Williams
John Livingston
Ray Kelleher
Jana McDonald
Adrienne Borgis
Bernard (Bud) Leber

Staff Present:

Bill Dameworth
Ron Edgar
Debbie Riley
Matt Holmquist
Brandy Ellis

The meeting was called to order at 8:05 a.m.

1. Approval of the May 28, 2009 Minutes:

Ray Kelleher moved to approve the May 27, 2009 minutes and Bud Leber seconded it. Minutes approved

2. Approval of the June 25, 2009 Minutes:

Bud Leber moved to approve the June 25, 2009 minutes and Ray Kelleher seconded it. Minutes approved.

3. Update on Asbestos Rule - Matt Holmquist

Matt Holmquist gave a brief overview of the Asbestos Regulation & Fee Schedule Revisions. Contractors removing 10 or more linear feet of asbestos, or 48 or more square feet of asbestos from an owner - occupied, single - family residence, must submit a no-fee Notice of Intent for asbestos removal. A provision that allows the Control Officer to temporarily waive notification fees if a state of emergency is declared was added and the number of structures that can be filed on a single notification will be five instead of unlimited. The Revisions were adopted August 6, 2009. They become effective on September 9, 2009. There was some discussion between Peter Williams and Matt Holmquist.

4. Update on Odor Rule - Ron Edgar

Ron Edgar gave a summary for the proposed changes to Section 6.04, Odors and Nuisances. Spokane Regional Clean Air Agency (SRCAA) is proposing to amend its Odor and Nuisances Regulation in SRCAA Regulation I, Article VI, Section 6.04. Ron talked about the Spokane Clean Air Policy, current State and Spokane Clean Air Rules, Enforcement Policy with present Rule, enforcement challenges and a review of other Agencies' Rules and recommendations for Spokane Regional Clean Air.

Spokane Clean Air has not typically taken enforcement action unless all of the following have occurred: Spokane Clean Air receives one or more complaints; the inspector documents off-site odors; and the odor is associated with failure to employ good practice to reduce odors to a reasonable minimum. Most of the other Agencies rules have been similar to the State of Washington and Spokane Clean Air rules. After reviewing other Agencies rules Spokane Clean Air chose to recommend incorporating the requirements from Puget Sound Clean Air Agency's Section 911 (nuisance regulation), which establishes odor standards that are clear to the regulated community and the public. A Summary of Proposed Revisions include revoking the present regulation; adding a reference to Regulation I, Article I, Section 1.04 for the applicable definitions; and adding a notification that SRCAA implements and enforces WAC 173-400-040 as well as Regulation I, Article VI, Section 6.04. The more stringent of the two regulations supersedes the lesser. Also, adopt by reference RCW 70.94-640 (odors or fugitive dust caused by agricultural activities consistent with good agricultural practices exempt from the chapter). To enforce the Rule and issue a violation, the inspector has to document an odor at level 2 or above; obtain an affidavit from the person making a complaint; and there has to be documentation connecting the odor to the source.

The Board approved Spokane Clean Air to proceed with the rule making process at the August Board Meeting. November 5th the Board will vote on the rule. There was some discussion between staff and Jana McDonald about land use issues and agriculture practices.

5. Update on the No Burn Area - Brandy Ellis

Spokane Valley Fire District has elected not to allow waste burning anywhere in their district. Fairchild Air Force Base would prefer that the expansion not include Fairchild since open burning is not allowed on the base, and the base periodically competes for new missions and any constraints, such as being in a no burn area could be misconstrued and affect the scoring for these missions.

At the August Board meeting the Board adopted Resolution 09-18 Option "B". There was discussion between staff and council members.

John Livingston moved to adjourn the Advisory Council meeting and Bud Leber seconded it. Motion passed.

The meeting adjourned at 8:57 a.m.

ADVISORY COUNCIL MEMBER

WILLIAM DAMEWORTH, DIRECTOR