

**AGENDA**  
**Benton Clean Air Agency**  
**Board of Directors Regular Meeting**  
**March 28, 2024, at 5:00 p.m.**



526 South Steptoe Street  
Kennewick, Benton County, Washington

**I. CALL TO ORDER**

**II. ROLL CALL**

Nancy Aldrich, chair  
Will McKay  
Jerry Peltier  
Duane LaPierre  
Jason McShane

**III. APPROVAL OF AGENDA**

**IV. APPROVAL OF February 22, 2024, BOARD MEETING MINUTES**

**V. CONSENT AGENDA**

ALL MATTERS LISTED WITHIN THE CONSENT AGENDA HAVE BEEN DISTRIBUTED TO EACH BOARD MEMBER FOR REVIEW AND ARE CONSIDERED TO BE ROUTINE. THE CONSENT AGENDA WILL BE APPROVED IN ITS ENTIRETY BY ONE MOTION WITH NO SEPARATE DISCUSSION. IF SEPARATE DISCUSSION IS DESIRED, ITEMS MAY BE REMOVED FROM THE CONSENT AGENDA AND PLACED ON THE REGULAR AGENDA BY REQUEST.

**February-March**

A. Ratification of voucher request dated	March 7, 2024	<b>\$48,544.14</b>
B. Ratification of voucher request dated	March 14, 2024	<b>\$2,207.58</b>
	<b>Total Expenditures</b>	<b>\$50,751.72</b>

**VI. NEW BUSINESS**

A. RESOLUTION 24-01 IMPREST CHECKING ACCOUNT FOR WOODSMOKE REDUCTION GRANT

**VII. OLD BUSINESS**

A. HORSE HEAVEN HILLS WIND FARM QUESTIONS - FYI

**VIII. REPORTS, COMMENTS AND DISCUSSION ITEMS**

- A. Expenditures vs. Budget Report
- B. Control Officer Report
- C. Legal Council Report
- D. Engineering Report
- E. Case Status Report, Complaint Summary and Monitoring Reports

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**IX. PUBLIC COMMENT**

**X. EXECUTIVE SESSION**

*Real Estate, Contracts, Personnel, Litigation RCW 42.30.110*

**XI. ADJOURNMENT**

**Benton Clean Air Agency is inviting you to a scheduled Zoom meeting.**

**Topic: Benton Clean Air Agency Regular Board Meeting**

**Time: Mar 28, 2024 05:00 PM Pacific Time (US and Canada)**

**Join Zoom Meeting**

**<https://us06web.zoom.us/j/85169743073?pwd=c0Rnigzad6sYjMfLeUHANdQXHBCjY3.1>**

**Meeting ID: 851 6974 3073**

**Passcode: 150678**

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**One tap mobile**

**+12532158782,,85169743073#,,,,\*150678# US (Tacoma)**

**+12532050468,,85169743073#,,,,\*150678# US**

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**Dial by your location**

• **+1 253 215 8782 US (Tacoma)**

• **+1 253 205 0468 US**

**Meeting ID: 851 6974 3073**

**Passcode: 150678**

**Find your local number: <https://us06web.zoom.us/u/kDe36rNBX>**

**MINUTES**  
**Benton Clean Air Agency**  
**Board of Directors Regular Meeting**  
**February 22, 2024, at 5:00 p.m.**



526 S. Steptoe Street  
Kennewick, Benton County, Washington

**CALL TO ORDER**

The meeting was called to order at 5:00 pm.

**ROLL CALL**

Nancy Aldrich, chair – present  
Will McKay, vice chair – present  
Jerry Peltier - present  
Duane LaPierre – present  
Jason McShane – present

**STAFF PRESENT**

Rob Rodger, Executive Director  
Tyler Thompson, Air Quality Engineer  
John Lyle, Air Quality Specialist

Bronson Brown, Attorney

**APPROVAL OF AGENDA**

Mr. McKay made a motion to approve the agenda, and Mr. LaPierre seconded, and the agenda was approved.

**APPROVAL OF January 26, 2024 BOARD MEETING MINUTES**

Mr. Peltier made a motion to approve the minutes, and Mr. LaPierre seconded. The minutes were approved.

**CONSENT AGENDA**

ALL MATTERS LISTED WITHIN THE CONSENT AGENDA HAVE BEEN DISTRIBUTED TO EACH BOARD MEMBER FOR REVIEW AND ARE CONSIDERED TO BE ROUTINE. THE CONSENT AGENDA WILL BE APPROVED IN ITS ENTIRETY BY ONE MOTION WITH NO SEPARATE DISCUSSION. IF SEPARATE DISCUSSION IS DESIRED, ITEMS MAY BE REMOVED FROM THE CONSENT AGENDA AND PLACED ON THE REGULAR AGENDA BY REQUEST.

**January-February**

A. Ratification of voucher request dated	February 1, 2024	<b>\$13,160.26</b>
B. Ratification of voucher request dated	February 8, 2024	<b>\$2,201.23</b>
C. Ratification of voucher request dated	February 15, 2024	<b>\$40,778.75</b>
	<b>Total Expenditures</b>	<b>\$56,140.24</b>

**MINUTES**  
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Mr. McKay made a motion to approve the consent agenda; Mr. LaPierre seconded, and the Consent Agenda was approved.

**NEW BUSINESS**

None.

**OLD BUSINESS**

None.

**REPORTS, COMMENTS AND DISCUSSION ITEMS**

Expenditures vs. Budget Report – Mr. Rodger reported that the budget was on track. The AOP billing was sent out 2 days ago so that should be reflected on the next report. NOC applications had been picking up. Burn permits had been lagging but recently agriculture burn permits had been picking up.

Control Officer Report – Mr. Rodger has been attending meetings regarding the climate commitment act for overburdened communities as well as regular legislative updates. The agency had the Title V program reviewed by EPA for the first time and are waiting for their report. The agency met with Atlas Agro regarding a new fertilizer plant. The city selection committee met and elected Jason McShane as the agency's newest board member. New EPA special agents stopped by to introduce themselves to the agency. The website and database updates were proceeding forward. The agency received an email from an organization regarding the proposed wind farm in Benton County containing questions for the board.

Legal Council Report – Mr. Brown reported there was no new legal news.

Engineering Report – Mr. Thompson reported that 2 new portable rock crusher permits had been issued as well as a new permit for a gas station. Tree Top was issued their penalty for a violation discussed previously and it has since been paid.

Case Status Report – Mr. Lyle reported that all cases are on schedule and moving forward.

Complaint Summary – Mr. Lyle reported that there were not very many complaints in January.

**MINUTES**  
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Monitoring Reports – Mr. Lyle reported that the Prosser monitor was still not working and that we saw a few days of increased PM 2.5 in January.

**PUBLIC COMMENT** – There was no public comment.

**EXECUTIVE SESSION** – None.

**ADJOURNMENT** – The meeting was adjourned at 5:08 pm.

***Approved by:***

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**Nancy Aldrich – Board Chair**  
Benton Clean Air Agency

Benton Clean Air Agency VOUCHER PAYMENT REQUEST		Warrants Dated: March 7th, 2024		Invoice		Fund Number: 6911			
VENDOR CODE	VENDOR NAME	DESCRIPTION		ORG NAME	BARS CODE	BCAA CODE	STATEMENT DATE	AMOUNT	VOUCHER #
102712	Intermountain Cleaning Service	Janitorial Service	112693	91158940	64801	4801	2/15/2024	\$480.00	254475
102713	Intermountain Cleaning Service	Janitorial Service	112160	91158940	64801	4801	12/15/2023	\$0.30	254474
103034	Lyle, John	Cell Phone Reimbursement		91158940	64200	4205	2/29/2024	\$75.00	254477
101244	Lee, Noah	Cell Phone Reimbursement		91158940	64200	4205	2/29/2024	\$75.00	254476
103785	Rodger, Rob	Cell Phone Reimbursement		91158940	64200	4205	2/29/2024	\$75.00	254478
104159	Thompson, Tyler	Cell Phone Reimbursement		91158940	64200	4205	2/29/2024	\$75.00	254480
104288	US Bank	Payment of Credit Cards		91158940	Attached	Attached	1/25/2024	\$2,602.68	254481
105933	The Rhizome Collaborative	IT Support	2638	91158940	64100	4109	3/10/2024	\$3,230.00	254479
								<b>TOTAL</b>	<b>\$6,612.98</b>

VOID

As the duly appointed Board for this Agency, we have reviewed the claims listed above and approve expenditures by our signatures below this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**BOARD OF DIRECTORS:**

Nancy Aldrich

William McKay

Jerry Peltier

  
Rob Rodger, BCAA

Jason McShane

Duane LaPierre

PLEASE NOTE: It is the AGENCY'S responsibility to maintain adequate, original, records to substantiate these claims.

\* Made out to Integrity 3, Inc. (Security)

Benton Clean Air Agency VOUCHER PAYMENT REQUEST		Warrants Dated: March 14th, 2024		Invoice		Fund Number: 6911			
VENDOR CODE	VENDOR NAME	DESCRIPTION		ORG NAME	BARS CODE	BCAA CODE	STATEMENT DATE	AMOUNT	VOUCHER #
100076	Advanced Protection Services Inc	Facility Maintenance	R149224	91158940	64801	4801	3/1/2024	\$48.86	254719
101833	Benton Clean Air Agency Payroll	Payroll Reimbursement		91158940	Attached	4807	3/6/2024	\$40,549.09	254720
101918	Connell Oil Inc	Vehicle Fuel	CL67981,69979	91158940	64807	4801	2/29/2024	\$230.90	254721
102084	Desert Springs Bottled Water LLC	Water Delivery Service	614022	91158940	64801	4801	2/29/2024	\$37.34	254722
105701	Law Offices of Bronson J Brown	Legal Services	148	91158940	64100	4101	3/4/2024	\$1,800.00	254723
TOTAL								\$42,666.19	

As the duly appointed Board for this Agency, we have reviewed the claims listed above and approve expenditures by our signatures below this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**BOARD OF DIRECTORS:**

Nancy Aldrich

William Mckay

Jerry Peltier

Duane LaPierre

  
Rob Rodger, BCAA

PLEASE NOTE: It is the AGENCY'S responsibility to maintain adequate, original, records to substantiate these claims.

Benton Clean Air Agency VOUCHER PAYMENT REQUEST		Warrants Dated: March 21st, 2024		Fund Number: 6911					
VENDOR CODE	VENDOR NAME	DESCRIPTION	Invoice	ORG NAME	BARS CODE	BCAA CODE	STATEMENT DATE	AMOUNT	VOUCHER #
105736	Gravis Tech	Professional Services	31383	91158940	64100	4109	1/31/2024	\$9,150.75	
105736	Gravis Tech	Professional Services	31384	91158940	64100	4109	2/29/2024	\$8,158.50	
103664	Quality Business Systems Inc. (OBSI)	Printing Fees	IN4020091	91158940	63106	3106	3/4/2024	\$7.77	
105933	The Rhizome Collaborative	IT Support	2647	91158940	64100	4109	3/14/2024	\$3,230.00	
100899	Xerox Financial Services	Copier/Printer Rental/Usage	5511578	91158940	63106	3106	3/12/2024	\$385.68	
							TOTAL	\$20,932.70	

As the duly appointed Board for this Agency, we have reviewed the claims listed above and approve expenditures by our signatures below this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**BOARD OF DIRECTORS:**

Nancy Aldrich \_\_\_\_\_

William McKay \_\_\_\_\_

Jerry Peltier \_\_\_\_\_

Jason McShane \_\_\_\_\_

Duane LaPierre \_\_\_\_\_

  
Rob Rodger, BCAA

PLEASE NOTE: It is the AGENCY'S responsibility to maintain adequate, original, records to substantiate these claims.



**BENTON CLEAN AIR AGENCY  
RESOLUTION NO. 24-01**

**A RESOLUTION ESTABLISHING AN IMPREST ACCOUNT TO BE USED TO ADMINISTER GRANT FUNDS FROM THE DEPARTMENT OF ECOLOGY WOODSMOKE REDUCTION GRANT FOR THE RECYCLING OF UNCERTIFIED WOODSTOVES**

**WHEREAS**, the Benton Clean Air Agency (BCAA) has received a grant from the Department of Ecology to issue \$400 rebates for each uncertified woodstove that is turned into BCAA for recycling; and

**WHEREAS**, the Washington State Auditor's office has approved the establishment of a revolving fund that can be used to issue rebates for the woodstove recycling grant program;

**WHEREAS**, the BCAA retains the services of a bookkeeper, who will act as the custodian of the account and will assist in monitoring the receipts and reporting; and

**NOW THEREFORE BE IT RESOLVED**, that effective April 1, 2024 an imprest account, to be replenished monthly, \$10,000.00 is authorized to be established for the disbursement of the woodstove recycling rebate grant funds.

**BE IT FURTHER RESOLVED**, that two signatures will be required for each check issued. The Control Officer and the Air Quality Specialist shall be the primary signator's.

**DATED** this \_\_\_\_ day of March, 2024.

**APPROVED BY:**

\_\_\_\_\_  
*Nancy Aldrich, Board Chair*

**APPROVED AS TO FORM:**

\_\_\_\_\_  
*Benton Clean Air Agency Legal Counsel  
Bronson Brown*



# BENTON CLEAN AIR AGENCY

Phone: 509.783.1304

Website: [www.bentoncleanair.org](http://www.bentoncleanair.org)

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March 27, 2024

To: Benton Clean Air Agency Board of Directors

On February 21, 2024 Benton Clean Air Agency received an email from Dave Sharp that directed questions to the Board of Directors. The Board was presented the email at the regularly scheduled Board meeting on February 22, 2024. At that time, the Board directed staff to answer the questions posed in the email. Below are the questions and answers by staff:

1. Are you familiar with the project, and the impact it will have from a construction and dust perspective?  
[Benton Clean Air Agency is aware of the project and the potential for fugitive dust emissions.](#)
2. Have you reviewed the parts that pertain to emissions? Have you commented?  
[Benton Clean Air Agency did review the emissions data. We did comment during the comment period.](#)
3. Has Scout Clean Energy met with you regarding the project, and if so, when?  
[Scout Clean Energy has not met with Benton Clean Air Agency.](#)
4. Are you aware that shortly after Scout receives their Site Certification they will provide you a permit request, and you will have 30 days to approve it? If necessary, you will get a 30 day extension.  
[Benton Clean Air Agency is not completely aware of the Site Certification process. From preliminary review, it appears that the project will require an air discharge permit for a minor source regarding the portable batch plants. It is our understanding that EFSEC has the authority to issue all air discharge permits. However, if Benton Clean Air Agency is required to issue these permits, we will be prepared to do so. We require the applicant to have a dust control plan. If Benton Clean Air Agency requests a copy of the dust control plan, the applicant has two business days to submit it to Benton Clean Air Agency.](#)
5. The problem is that without quantitative mitigation in the FEIS, and without comments you will be under pressure to approve the permit application with minimal mitigation.  
[Not a question.](#)
6. If they have met and talked with you, I am curious what they conveyed. My experience with them has not been good.  
[We have not met with them.](#)
7. Personally, I would like to understand what your role would be after the project constructions starts.  
[Benton Clean Air Agency's role will be to respond to complaints and enforce Benton Clean Air Agency Regulation 1.](#)

Benton Clean Air Agency				
Expenditures vs. Budget - FY 2024			Pct. Year	Typical
Year to Date (January 2024)			66.7%	YTD
	Jul 23 - Feb 24	Budget	% Budget	
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
Core/Base Grant	58,499	137,181	43	76
Engr - Air Operating Permit	56,690	111,690	51	13
Engr - Notice of Constrn. (NOC)	12,224	19,000	64	42
Fees - Registration	105,956	117,000	91	57
Fees - Asbestos Notifications	8,357	17,500	48	52
Fees - Burn Permits	3,038	16,500	18	42
Investment Income	15,392	12,500	123	18
Local Assessments	161,741	210,850	77	80
PM 2.5 Monitoring Grant	4,500	4,500	100	99
Woodstove Education Grant	3,306	3,909	85	57
IRA Grant	3,804	47,607	8	0
Penalties	13,241	12,000	110	51
Other	210,000	210,000	100	
<b>Total Income</b>	<b>656,748</b>	<b>920,237</b>	<b>71</b>	<b>62</b>
<b>Expense</b>				
1000 - Salaries & Wages	200,430	344,278	58	63
2100 - Benefits	102,580	179,252	57	62
3100 - Operating Supplies	4,523	10,600	43	52
4100 - Professional Services	35,081	38,600	91	74
4101 - Legal Services	14,550	22,600	64	65
4200 - Communications	7,797	13,800	57	59
4301 - Travel and Training	2,744	15,000	18	25
4403 - Outreach and Advertising	6,962	13,500	52	38
4600 - Insurance	11,185	11,500	97	97
4700 - Utilities	1,469	2,800	52	50
4800 - Repairs & Maintenance	33,996	41,000	83	65
4901 - Dues	627	1,200	52	94
6400 - Capital Expenditures	81,311	236,000	34	25
<b>Total Expense</b>	<b>488,705</b>	<b>907,530</b>	<b>54</b>	

## ENGINEERING REPORT for February 2024

		MOD/ Re-locate Requests	NOC Applications		Orders of Approval		
			Received	With-drawn	Issued	Pending	
Applicant		Expected	Received	Received	With-drawn	Issued	Pending
<b>Permitting</b>							
	AAA Concrete			1			1
	Circle K Gas Station			1		1	
	CPM Development		1				1
	Friends Corner #3 Gas Station					1	
	City of Richland WWTP						1
	City of Kennewick WWTP						1
	Columbia Crest Permit Revisions (3)						3
<b>Total This Month</b>			<b>1</b>	<b>2</b>		<b>2</b>	
<b>Total for 2024</b>			<b>3</b>	<b>3</b>		<b>4</b>	
<b>Compliance</b>							
	Source Inspections – Gas Dispensing Facilities	Ongoing – John					
	Source Inspections – Surface Coating Facilities	Ongoing – John					
	Source Inspections – Crematories	Ongoing – John					
<b>Notes</b>							

NOC – Notice of Construction Application. This application is required by WAC 173-400-110 for new sources and sources that modify their facility or air pollution control equipment. Once submitted, the BCAA has 30 days to determine if the application is complete. Once the application is determined to be complete, the BCAA has 60 days to issue an Order of Approval or Order of Denial. All facilities using the NOC process must install Best Available Control Technologies (BACT).

NIO – Notice of Intent to Operate Application. An application is required (WAC 173-400-035) for portable and temporary sources that operate for less than one year. The BCAA has 30 days to issue or deny a permit.

MOD – Permit Modification. This indicates that the BCAA is requiring, or the source requests, that modifications be made to an existing Title V, Order, or other permit. There are no time clocks that guide these activities, but generally, the BCAA processes permit modifications within the 90-day timeframe.

COMP – Compliance Assurance and Assistance. A significant activity of the engineering program is to assure regulatory compliance of BCAA’s Title 5 sources to the EPA. Synthetic Minor and other sources also receive compliance reviews, to assure regulatory compliance of records, reporting, and facility operation.

\*Completions of compliance work.

RO – Title 5 permits must be renewed every 5 years. The renewal process includes updating emission and control equipment information, updating regulatory applicability and compliance.

# 2023 Unresolved Cases BENTON CLEAN AIR AGENCY

\*Reflects status of cases as of March 18, 2024

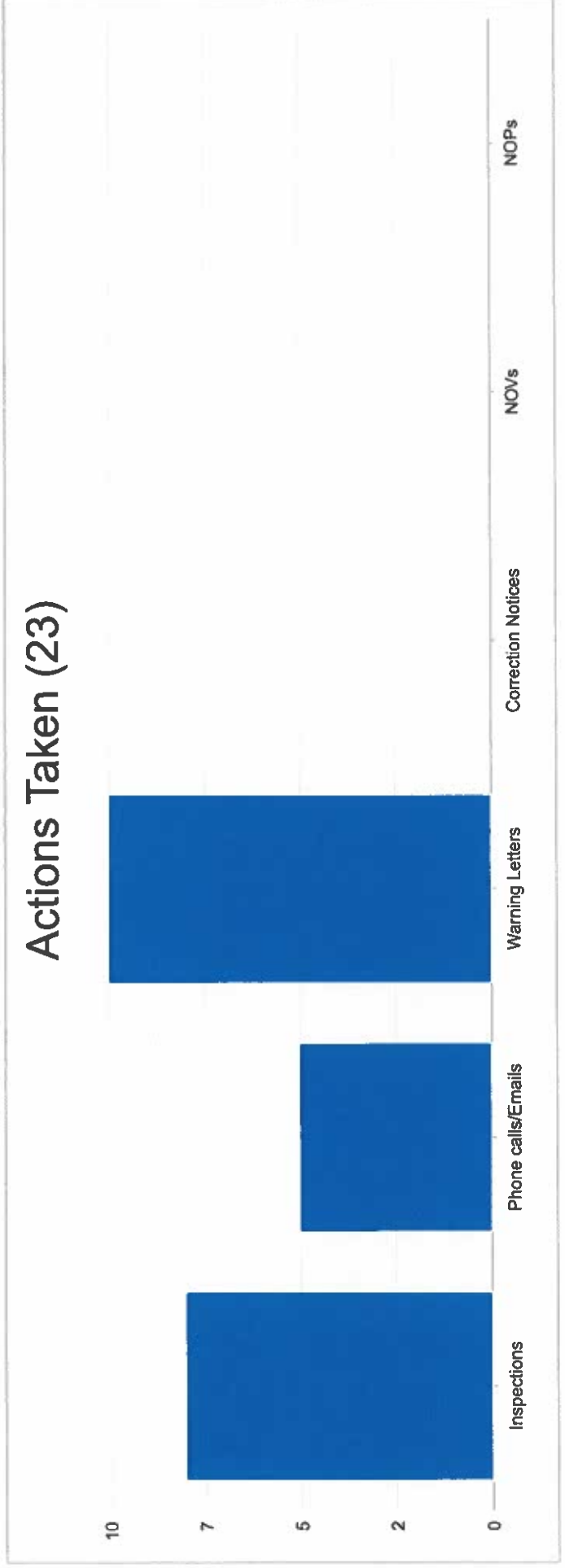
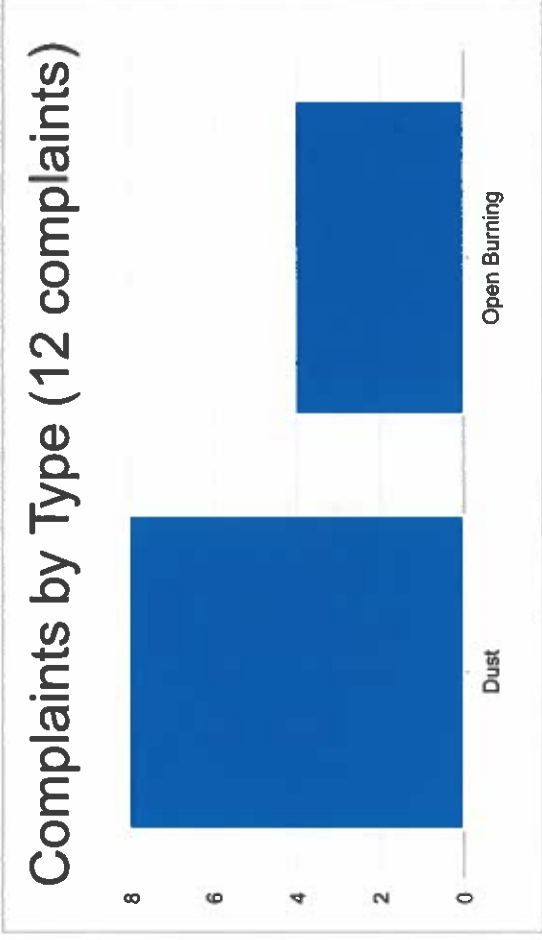
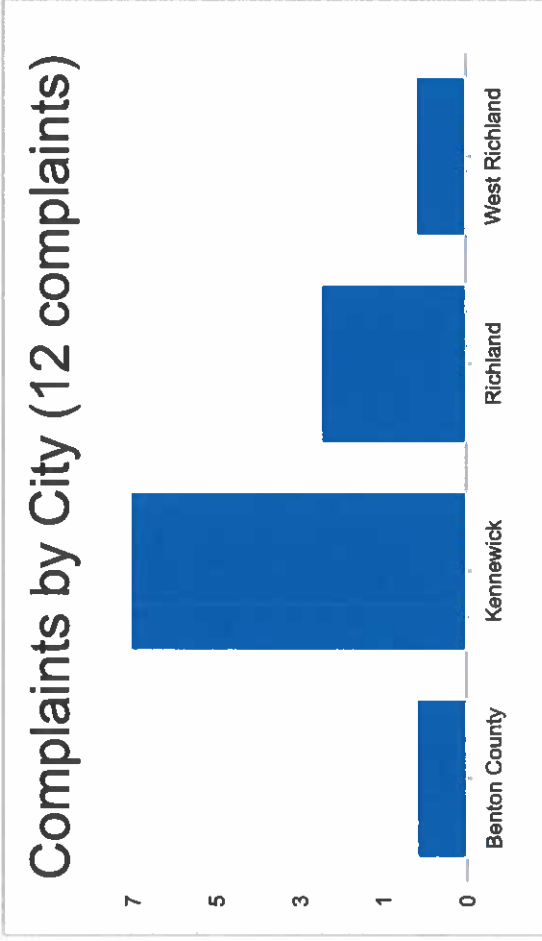
OWNER	OPERATOR	CASE NUMBER	TYPE	NOV RCVD	NOP RCVD	BCAA PENALTY	FIRE DEPT CHARGES	TOTAL PENALTY	CONSENT ORDER
George and Margaret Wingert		23-016	Outdoor Burn		Not yet issued				
Chazz and Ashley Ludwig		23-014	Outdoor Burn	10/11/23	1/30/24	\$300.00		\$300.00	
Jeremy Brock		23-011	Asbestos	10/10/23	1/05/24	\$500.00		\$500.00	\$250.00

# 2024 Unresolved Cases BENTON CLEAN AIR AGENCY

\*Reflects status of cases as of March 18, 2024

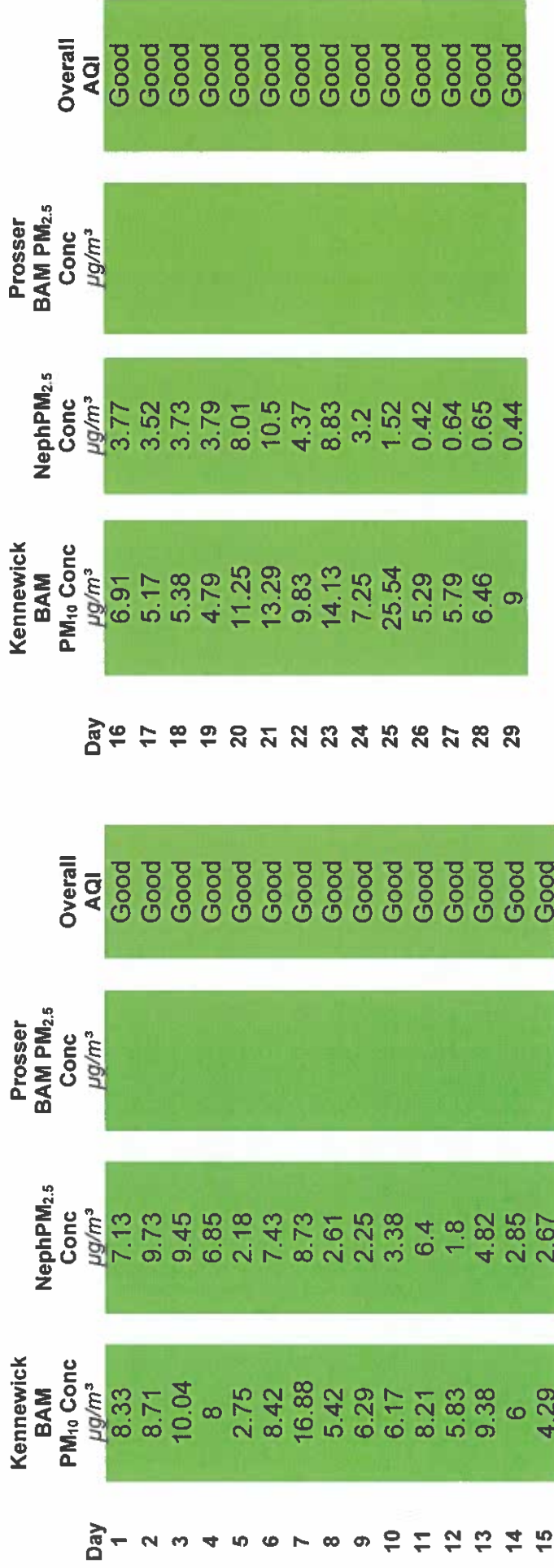
OWNER	OPERATOR	CASE NUMBER	TYPE	NOV RCVD	NOP RCVD	BCAA PENALTY	FIRE DEPT CHARGES	TOTAL PENALTY	CONSENT ORDER
DEPT OF NATURAL RESOURCES STATE LANDS DIVISIONS, STATE OF WASHINGTON	Roche Fruit, Roche Fruit	24-007	Outdoor Burn		Not yet issued				
Oswaldo Espindola		24-006	Outdoor Burn		Not yet issued				
Alan Cabanillas		24-005	Outdoor Burn		Not yet issued				
	Isaiah Stafford	24-004	Asbestos	2/21/24	Not yet issued				
Terry Christensen	Brian Stott	24-003	Outdoor Burn	2/06/24	3/08/24	\$700.00		\$700.00	\$350.00
Morgan Neal, NC Ventures LLC		24-002	Asbestos	2/02/24		\$600.00		\$600.00	\$300.00
WYCKOFF FARMS INC		24-001	Outdoor Burn	1/31/24		\$2,700.00		\$2,700.00	

# February 01, 2024 to February 29, 2024 Complaints Summary



# Monthly Monitoring Report

## Continuous Data (Unofficial Data) – February 2024 Station – Kennewick



PM<sub>10</sub> standard: 150 µg/m<sup>3</sup> (24-hr), 50 µg/m<sup>3</sup> (annual)

PM<sub>2.5</sub> standard: 35 µg/m<sup>3</sup> (24-hr), 15 µg/m<sup>3</sup> (annual)

**Air Quality Index Categories**  
■ Good    ■ Moderate    ■ Unhealthy/Sensitive    ■ Unhealthy/All    ■ Very Unhealthy    ■ Hazardous