

## **MINUTES**

### **NACAA BOARD OF DIRECTORS AND COMMITTEE CHAIRS' 2018 SUMMER MEETING**

**July 28-30, 2018**

**Hyatt Regency Milwaukee  
Milwaukee, Wisconsin**

#### **Saturday, July 28, 2018**

##### Introduction and Review of Agenda

The NACAA Board of Directors and Committee Chairs convened their meeting at 10:00 a.m. NACAA co-president Bart Sponseller (WI) welcomed everyone. Other NACAA Board Members present included co-president Sam Rubens (Akron, OH) as well as Rick Brunetti (KS), Steve Flint (NY), Heidi Hales (VT), Craig Kenworthy (Seattle, WA), Ali Mirzakhilili (OR), Michelle Walker Owenby (TN), Eddie Terrill (OK), Richard Stedman (Monterey, CA) and Erik White (Auburn, CA).<sup>1</sup> Committee Co-Chairs present, who are not also Board Members, included Alberto Ayala (Sacramento, CA), Cecily Beall (DC), Mark Buford (Mount Vernon, WA), Stu Clark (WA), Gail Good (WI), Christine Kirby (MA), Lynne Liddington (Knoxville, TN), Wayne Nastri (Los Angeles, CA), Ursula Nelson (Tucson, AZ) and Jaclyn Palermo (OR). NACAA staff present included Miles Keogh, Nancy Kruger, Mary Sullivan Douglas and Karen Mongoven. The meeting agenda is attached.

##### Election of Interim Board Members and Update on NACAA Nominations

Bart and Sam then asked the State Agency Group of the Board and the Local Agency Group of the Board, in separate votes, to take action to fill several vacancies on the Board of Directors. The nominees to fill three state director vacancies were Heidi Hales (VT-Region 1), Mike Dowd (VA-Region 3) and Eddie Terrill (OK-Region 6). In addition, because NACAA Co-Vice President Ali Mirzakhilili had moved from Delaware to Oregon, the Board was asked to vote to elect him as the Region 10 representative. The State Group of the Board elected all the nominees unanimously. The nominee to fill the local director vacancy was Erik White (Auburn, CA). The Local Agency Group of the Board elected Erik unanimously.

Next Bart, on behalf of the State Agency Nominating Subcommittee for FY 2019 (no members of the subcommittee were present), provided a brief update on the status of the state nominations process and Craig Kenworthy, Chair of the Local Agency Nominating Subcommittee, did the same for the local nominations process.

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<sup>1</sup> Please see discussion immediately following Introductions and Review of Agenda concerning Election of Interim Board Members.

## Executive Director's Report

Miles Keogh (NACAA) provided a report summarizing the association's operations, recent activities and the status of membership. He also discussed some upcoming activities, including the institution of an *ad hoc* working group on Sustainability and Resilience. Miles reviewed some recent comments NACAA had submitted and discussed the association's relationships with other groups.

## Discussion of Recent and Upcoming Changes in Washington, DC

The group discussed the recent departure of Scott Pruitt as EPA Administrator and the appointment of Andrew Wheeler as Acting EPA Administrator. Karen Mongoven (NACAA) then discussed change at the U.S. Supreme Court and what it means for the Clean Air Act, focusing on the Clean Air Act records of retiring Justice Anthony Kennedy and the President's nominee to replace him, Judge Brett Kavanaugh.

## Critical Issues

### *Mobile Sources and Fuels*

Erik White (Auburn, CA) and Steve Flint (NY), co-chairs of the NACAA Mobile Sources and Fuels Committee, overviewed the status of several issues pending action including gliders, the need for a federal onroad heavy-duty NO<sub>x</sub> standard, the Renewable Fuel Standard and the notice of proposed rulemaking (NPRM) on light-duty vehicle (LDV) GHG and CAFE standards that EPA and NHTSA are developing. With respect to the LDV NPRM, Steve noted that representatives of NACAA had recently met with representatives of the Administration from the Office of Management and Budget and other federal agencies and offices to provide the association's perspectives on the regulatory initiative, based on NACAA's record on this topic. The group discussed these issues.

### *Permitting*

Ursula Nelson (Tucson, AZ), co-chair of the NACAA Permitting and New Source Review (NSR) Committee, announced that the committee recently completed a Title V fees survey developed by NACAA staff. Forty-eight state and local agencies submitted responses. NACAA has received much positive feedback on the compilation of completed surveys and summary chart.

Ursula next reported that the committee has developed a chart to track the NSR reform and other permitting-related actions that EPA has undertaken or has announced plans to undertake in the future. The chart, which is still a work in progress, shows the dates (or estimated dates) of each action and briefly summarizes their effects on the permitting program as a whole. It is for internal use only and will assist the committee in understanding the issues and the range of members' views on them. Committee co-chair Ali Mirzakhaili (OR) noted that EPA is willing to hold a standalone call with the committee on NSR issues but the committee would need to submit its list of questions in advance.

### *Public Outreach*

Christine Kirby (MA) and Wayne Natri (Los Angeles, CA), the new co-chairs of the NACAA Public Outreach Committee, discussed a new direction for the committee and shared a draft communications plan. The members then engaged in discussion of the plan and opportunities it presented for NACAA.

### *Climate Change*

Stu Clark (WA), co-chair of the NACAA Climate Change Committee, reported on a recent conference call with the Office of Management and Budget regarding the replacement of the Clean Power Plan (CPP) rule. He discussed the possible approaches the Administration might take with respect to the replacement of the rule. The members briefly discussed the issue.

## Consideration of Change to NACAA Leave Policy for Pregnancy and Childcare

Miles Keogh raised with the Board an inconsistency in the Maternity/Paternity section of the NACAA Leave Policy for Pregnancy and Childcare that precludes the use of accrued sick leave for paternal leave (such use of sick leave is allowed for mothers giving birth as well as for parents adopting a child). Miles asked the Board to consider revising the policy to allow the use of accrued sick leave for parental leave. The Board unanimously approved the change.

## Sunday, July 29, 2018

### Discussion of NACAA's Strategic Direction

NACAA co-president Sam Rubens (Akron, OH) and Miles Keogh explained that this session would offer an opportunity for Board members and committee chairs to share their views on NACAA's organizational mission and to prioritize goals going forward. Members first shared views on what the organization is for and what its key purposes should be. Responses were distilled into several categories and listed on flipcharts at the front of the room. Members were then invited to place colored stickers on items with which they most agreed and most disagreed. The members then discussed their impressions of areas where there appeared to be wide consensus. There was broad agreement that NACAA exists to serve as an advocate for public health and the environment.

In the second round of the exercise, members exchanged views on what NACAA should be doing, goals the association should organize around and directions toward which it should aim to grow. The discussion focused largely on values that members believed should drive the association's work. Miles concluded the session by observing that the discussion was extremely useful. Going forward, NACAA leadership will build on the conversation as it works to identify "next steps" toward building a strategic plan for the association.

### Development of Agenda for NACAA's 2018 Fall Membership Meeting

Miles Keogh reviewed a list of potential session topics for the NACAA 2018 Fall Membership Meeting to be held on October 15-17 in Cleveland, OH. In the ensuing discussion, the group agreed that the meeting should include, among others, a session with EPA Assistant Administrator Bill Wehrum; sessions on NAAQS and other implementation updates; enforcement issues; air quality and public health; Title V permit fee structures; mobile sources and fuels; per- and polyfluoroalkyl substances; environmental justice; risk communication; resilience and sustainability; and an open discussion session focused on issues of particular interest to local air agencies.

### NACAA Finances and Business

#### *NACAA Financial Reports*

Miles Keogh explained NACAA's financial reports and provided details about the association's current finances. The reports included information about the NACAA treasury account (i.e., non-grant funds) as well as NACAA's grant from EPA. Miles reported that NACAA's finances are in good order.

#### *NACAA Investments*

Miles provided information about the NACAA treasury funds that had been invested several years ago. He reported that the investments are in good order.

#### *Approval of Minutes – Spring 2018 Board-Committee Chairs' Meeting*

The State Agency Members and the Local Agency Members of the NACAA Board, in separate votes, unanimously approved the minutes of the 2018 Spring Board of Directors and Committee Chairs' Meeting (with one abstention among the State Agency Group of the Board)..

### *Future Meeting Dates and Locations*

Miles apprised the group of the dates and locations of the next two meetings: 1) NACAA 2018 Fall Board-Chairs' and Membership Meetings, October 13-17, 2018, in Cleveland, OH (Cleveland Renaissance Hotel) and 2) NACAA 2019 Winter Board of Directors and Committee Chairs' Meeting, January 29-30, 2019 in Washington, DC (Washington Court Hotel with meetings held in the Hall of the States).

Miles explained that plans for the 2019 Spring Membership Meeting and 2019 Summer Board-Chairs' Meeting are still underway and noted that NACAA is seeking to balance cost, ease of access and caliber of location. He also noted that he is looking at holding shorter meetings.

The NACAA Board of Directors, committee co-chairs and executive director then went into executive session.

### **Monday, July 30, 2018**

#### Critical Issues

##### *Program Funding*

Eddie Terrill (OK), co-chair of the NACAA Program Funding Committee, provided an update of the status of the FY 2019 appropriations process in Congress and then turned to the issue of FY 2020 appropriations. Eddie requested that the Board of Directors approve NACAA's message for FY 2020 and authorize him, Craig Kenworthy (Seattle, WA), the local co-chair of the NACAA Program Funding Committee, and the NACAA staff to carry those recommendations forward. He noted that this discussion typically takes place at the winter board meeting for the appropriations cycle that follows in the spring. However, this year the Board is being asked to consider this issue now so that NACAA will be ready to move ahead with its messaging as soon as necessary, perhaps before the January 2019 Winter Meeting.

Eddie outlined the proposed NACAA recommendation for state and local air grants under Sections 103 and 105 of the Clean Air Act in FY 2020, which includes three parts:

- An increase of \$82 million above the likely FY 2019 amount (\$228 million), for a total of \$310 million. In FY 2004, state and local air grants were \$228.5 million, which is approximately the same amount they have been for several years and are likely to be again for FY 2019. If adjusted for inflation, level funding from FY 2004 is approximately \$310 million in today's dollars, which is about \$82 million more than current amounts. NACAA's messaging would emphasize the fact that the recommendation represents level funding from 15 years ago, adjusted for inflation, and that additional grants are essential to address increased responsibility under Cooperative Federalism and the long-standing state and local shortfall.
- State and local air agencies should have flexibility to target the grants toward the highest priority activities in their areas.
- Funding for PM<sub>2.5</sub> monitors should continue to remain under Section 103 authority, so that matching funds are not required, rather than shifting it to Section 105.

The Board approved the position unanimously and authorized the co-chairs and staff to develop testimony and other materials reflecting these points and to carry the message to Congress and others.

Eddie indicated that a subcommittee would be established to assist the executive director in identifying potential sources of additional funding for NACAA's operations. The subcommittee will include the co-presidents, co-vice presidents, the Program Funding Committee co-chairs and other NACAA leaders who may be interested and will begin discussions in the next few weeks.

### *Resilience and Sustainability*

Miles reported that there is interest among the members in sustainability and resilience issues. Therefore, NACAA is forming an *ad hoc* Committee on Sustainability and Resilience.

Jaclyn Palermo (OR), one of the leads of the new *ad hoc* committee, discussed some of the activities the new group will undertake, focusing on tools and strategies related to sustainability and resilience. The members discussed some activities and programs in their areas and how some of the efforts relate to air quality programs.

Jaclyn reviewed the charter for the *ad hoc* committee, which will have a term of one year. NACAA will revisit the issue after a year to determine if the effort should continue.

### *Training*

NACAA Training Committee co-chair Mark Buford (Mount Vernon, WA) reported that the committee is envisioning a more active training role for the association. The committee has identified three pilot projects that it may undertake: 1) a webinar series on the intersections between the power sector and air quality planning; 2) a webinar series on Clean Air Act-related legal issues; and 3) trainings focused on management issues such as succession planning, crisis management and improving operational efficiencies. The members shared thoughts and suggestions with respect to these topics.

### *Concern with Stack Testing Methodologies*

Eddie Terrill (OK) shared his agency's concern that stack testing protocols are not keeping pace with the increasing stringency of emission standards. He has learned that there may be problems with test methodologies for mercury, particulate matter and possibly nitrogen oxides. Oklahoma intends to raise this issue through its EPA regional office and with OAQPS leadership. Eddie is investigating whether other agencies also perceive this to be a problem and will share anything he learns. Emissions and Modeling Committee co-chair Gail Good (WI) offered to have that committee take up the issue on its next bimonthly call.

### *Residential Wood Heater NSPS*

Nancy Kruger (NACAA) explained that NACAA is engaging more heavily in residential wood heater (RWH) issues and actions given EPA's plans to reconsider to the 2015 RWH NSPS, including the compliance deadline for Step 2 standards, and efforts in Congress to delay by three years the Step 2 compliance deadline. The membership response has been very positive. In discussion with various members NACAA has developed an idea for a national members' workshop to focus on actions states and localities can take to ensure the realization of emission reductions from RWHs. Craig Kenworthy, who has been active in NACAA's recent activities, provided background on current regulatory and legislative efforts and the potential impacts they will have and explained how the workshop would benefit member agencies affected by emissions from RWHs. The group then discussed current issues surrounding the regulation of RWHs and directed the staff to move forward with planning and convening the workshop.

### New Business

Steve Flint stated he would support a discussion of the length of the four-day Board-Chairs' meetings; he acknowledged the value of the meetings and networking time but feels that four days is a lot. NACAA co-president Bart Sponseller (WI) indicated that the leadership would develop some proposals for more condensed future meetings.

### Adjourn

**REVISED**  
**FINAL AGENDA**  
**NACAA**  
**BOARD OF DIRECTORS AND COMMITTEE CHAIRS'**  
**SUMMER MEETING**

**July 27-30, 2018**

**Hyatt Regency Milwaukee**  
**Milwaukee, Wisconsin**

**Friday, July 27, 2018**

5:00 p.m.	NACAA Networking Suite	Gilpatrick Room
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**Saturday, July 28, 2018**

Gilpatrick Room

9:00 a.m. – 10:00 a.m.	Continental Breakfast
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10:00 a.m. – 10:10 a.m.	<b>Introductions and Review of Agenda</b>
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10:10 a.m. – 10:15 a.m.	<b>Election of Interim Board Members and Update on NACAA Nominations</b>
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10:15 a.m. – 11:00 a.m.	<b>Executive Director' Report</b>
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11:00 a.m. – 12:00 p.m.	<b>Discussion of Recent and Upcoming Changes in Washington, DC</b>
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12:00 p.m. – 12:45 p.m.	Working Lunch
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12:45 p.m. – 2:00 p.m.	<b>Critical Issues</b> <ul style="list-style-type: none"> <li>• Mobile Sources and Fuels</li> <li>• Permitting</li> <li>• Public Outreach</li> <li>• Climate Change</li> </ul>
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2:00 p.m.	NACAA Networking Suite	Presidential Suite Room 1822
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**Sunday, July 29, 2018**

Gilpatrick Room

9:00 a.m. – 10:00 a.m. Continental Breakfast  
10:00 a.m. – 12:00 p.m. **Discussion of NACAA’s Strategic Direction**

**Sunday, July 29, 2018 (cont.)**

12:00 p.m. Working Lunch  
12:00 p.m. – 1:00 p.m. **Discussion of NACAA’s Strategic Direction (cont.)**  
1:00 p.m. – 1:45 p.m. **Development of Agenda for NACAA’s 2018 Fall Meeting**  
1:45 p.m. – 2:00 p.m. **NACAA Finances/Business**  
1. NACAA Financial Reports  
2. NACAA Investments  
3. Approval of Minutes – Spring 2018 Board-Committee Chairs’ Meeting  
4. Future Meeting Dates and Locations  
2:00 p.m. – 3:00 p.m. Executive Session  
3:00 p.m. NACAA Networking Suite Presidential Suite  
Room 1822

**Monday, July 30, 2018**

8:00 a.m. – 9:00 a.m. Breakfast  
9:00 a.m. – 10:30 a.m. **Critical Issues (cont.)**  
• Program Funding  
• Resilience and Sustainability  
• Training  
• Concern with Stack Testing Methodologies  
• Residential Wood Heater NSPS  
10:30 a.m. – 10:45 a.m. **New Business**  
10:45 a.m. Adjourn

Gilpatrick Room

7/26/2018