

**NATIONAL ASSOCIATION OF CLEAN AIR AGENCIES  
2010 SPRING MEMBERSHIP MEETING**

**May 17-19, 2010**

**The Hyatt Regency  
Sacramento, California**

The National Association of Clean Air Agencies (NACAA) held its 2010 Spring Membership Meeting May 17-19, 2010, at the Hyatt Regency in Sacramento, California. Presentations provided by speakers are available electronically on Air Web – NACAA’s members-only web site. Below are minutes of the NACAA Business Meeting, held Tuesday afternoon, May 18, 2010, and the NACAA Board of Directors meeting, held Sunday, May 16, 2010. The Membership Meeting agenda and attendees list are attached, as is the Board Meeting agenda.

**MINUTES  
NACAA BUSINESS MEETING  
Tuesday, May 18, 2010**

Larry Greene (Sacramento, CA) and Vince Hellwig (MI), Co-Presidents of NACAA, called the Business Meeting to order.

*Approval of Minutes*

The 2009 Fall Membership Meeting minutes were unanimously approved by the membership.

*NACAA Co-Treasurers’ Report*

Bill Becker, Executive Director of NACAA, reported on the association’s finances, including both federal and non-federal funds.

*Update on NACAA’s Training Strategy*

Mary Boyer (CA), Co-Chair of the NACAA Training Committee, provided the membership with an update on NACAA’s training strategy and training strategy action plan. Mary reported that members of the NACAA Training Committee would be meeting June 2-3, 2010, in St. Louis, Missouri to flesh out the action plan. Mary and her Committee Co-Chair, Arturo Blanco (Houston, TX), anticipate that the meeting will help prioritize future training needs at the federal, state and local levels. It is expected that the Joint Training Committee will ratify the draft action plan in September.

*Other Business*

The NACAA Business Meeting was adjourned.

## MINUTES

### NATIONAL ASSOCIATION OF CLEAN AIR AGENCIES 2010 SPRING BOARD OF DIRECTORS MEETING

**Sunday, May 16, 2010  
8:30 a.m. – 12:30 p.m.**

**The Hyatt Regency  
Sacramento, California**

The NACAA Board of Directors convened its meeting at 8:30 a.m. NACAA Board members present included Arturo Blanco (Houston, TX), Rick Brunetti (Kansas), Andy Ginsburg (Oregon), Larry Greene (Sacramento, CA), Vince Hellwig (MI), Cheryl Heying (UT), Jim Hodina (Cedar Rapids, IA), Merlyn Hough (Springfield, OR), Lynne Liddington (Knoxville, TN), John Lyons (KY), Richard Stedman (Monterey, CA), and Mary Uhl (NM). Committee Co-Chairs present included Bruce Andersen (Kansas City, KS), Mary Boyer (CA), Jack Broadbent (San Francisco, CA), Cory Chadwick (Cincinnati, OH), Stu Clark (WA), Bob Colby (Chattanooga, TN), Bob Hodanbosi (OH), Ursula Kramer (Tucson, AZ), John Paul (Dayton, OH), Nancy Seidman (MA), Eddie Terrill (OK), Dick Valentinetti (VT) and Barry Wallerstein (Los Angeles, CA). NACAA staff present included Bill Becker, Nancy Kruger, Mary Sullivan Douglas, Misti Duvall, Monique Faye and Stephanie Cooper. The meeting agenda is attached.

#### **Legislative Update**

NACAA Executive Director Bill Becker began an update on congressional activity, identifying several legislative initiatives of importance to state and local air directors. Amy Royden-Bloom and Nancy Kruger provided an overview of key provisions of the just-introduced American Power Act (sponsored by Senators John Kerry and Joe Lieberman). Bill offered a status report on a resolution drafted by Senator Lisa Murkowski to overturn EPA's greenhouse gas (GHG) endangerment finding and also discussed two bills that have been offered to curtail EPA's regulatory authorities relative to GHGs: the Blackburn-Pomeroy bill to overturn the Supreme Court decision in *Massachusetts v. EPA* and the Rockefeller bill to delay by two years the regulation of GHGs from power plants and other industrial facilities, which would conflict with EPA's efforts on the Tailoring Rule.

A discussion ensued regarding the final Tailoring Rule and Johnson Memorandum Reconsideration. Many members noted how carefully EPA had considered NACAA's and state and local air agencies' comments on the draft rules and the significant changes the agency made in the final rules consistent with NACAA's recommendations. The discussion then turned to what role NACAA might play in litigation when the two final actions are challenged in court. A number of members expressed the view that NACAA should engage in such litigation in support of EPA since the agency went to such great lengths to support the association's views and the needs of state and local air agencies. Others noted that while EPA did go to great lengths, some states had objected in their comments to EPA's regulation of GHGs and a number of

Governors had signed a letter opposing EPA's efforts to regulate GHGs under the Clean Air Act, instead favoring a legislative approach. The group discussed that if NACAA were to engage in the litigation, the issue at hand would be the final actions themselves and not the broader issue of regulating GHGs under the Clean Air Act versus via legislation. There was agreement that this approach was worthy of further exploration and discussion.

In the interest of time, Bill suggested forgoing the remainder of his legislative update, noting that he would cover the remaining information the next morning in his Executive Director's report to the membership.

### **Funding Issues**

#### *Reallocation Formula*

Andy Ginsburg (OR), Co-Chair of the NACAA Program Funding Committee, summarized EPA's plans for allocating FY 2011 state and local air grants according to a revised formula. He explained that EPA had added an element to the allocation formula to account for financial need and to ensure that all regions receive increased funds in FY 2011. The revised formula would only be put into place if Congress provides the additional grants that EPA is requesting. EPA had issued its grant guidance, which shows the new allocation, and the NACAA Co-Chairs had heard positive feedback about the plan.

Andy asked the members if NACAA should work with EPA on any implementation issues related to the new allocation. Among the issues would be how frequently the formula should be recalculated and other issues EPA will have questions about in the future. Following a discussion, the group decided that NACAA should discuss with EPA future implementation issues related to the revised grant allocation. They also agreed that the NACAA Implementation Workgroup should have a representative from each region and the Co-Presidents, just as the NACAA Allocation Workgroup had in the past. NACAA staff was asked to ascertain if any of the membership of the previous NACAA Implementation Workgroup needed to be updated.

The members discussed the importance of letting Congress know that air quality grants should be increased in FY 2011 consistent with the President's request.

In response to specific questions about how the revised allocation was calculated, Andy promised that NACAA would get additional details from EPA and share them with the members.

#### *FY 2010 – Remaining Funds*

Bruce Andersen (Kansas City, KS), Co-Chair of the NACAA Program Funding Committee, reported that EPA has \$5.5 million in remaining FY 2010 funds and was seeking NACAA's input on how to distribute the money. Bruce described three options for distributing the funds that EPA had proposed and one that the Program Funding Committee Co-Chairs had developed for the Committee to consider.

The members discussed the merits of each of the four options and voted for the one that called for \$3 million for monitoring, \$1.5 million for the Regional Planning Organizations and \$1 million for training. The Training Committee was charged with developing specific uses for the funds, which EPA staff had indicated would be necessary before the agency would consider using some of the funds for training. Following additional discussion, the members agreed that

the monitoring funds would be divided into two parts: \$2 million for lead monitoring and \$1 million for nitrogen dioxide monitoring.

#### *FY 2011 – Allocation of Greenhouse Gas Permitting Grants*

Andy Ginsburg reported that EPA needs to determine how to allocate the \$25 million in the FY 2011 proposed budget for capacity-building for greenhouse gas (GHG) permitting. The agency is likely to develop an allocation that includes some fixed and some variable costs. NACAA needs to determine whether or not to engage with EPA in developing an allocation.

The members discussed whether to participate in the allocation process, to decline to participate or to prepare criteria for EPA to consider but to let EPA develop the allocation on its own. They decided that NACAA should develop criteria for the distribution of the grants, which the association would provide to EPA for its consideration, but that NACAA should not participate in the development of the actual allocation. The members requested that the Co-Chairs of the NACAA Program Funding, Permitting and Global Warming Committees develop draft criteria and distribute them to the Program Funding Committee for comment.

#### *NACAA Dues*

Bill Becker raised the issue of state and local contributions to the NACAA budget and listed three options for calculating how much each agency's portion should be: 1) use a formula based on the new formula EPA has developed for allocating Section 105 grants, 2) develop an entirely new formula or 3) use the existing formula (based on population).

The members discussed the options and the question was raised about how the contributions of half-percent states would be calculated if the new EPA formula for Section 105 grants was used. The group agreed that NACAA should develop a table comparing each state's current contribution with what it would be according to the updated formula.

The further discussion of the issue was deferred until a future meeting.

#### **Follow-Up to NACAA-EPA Retreat**

Following the NACAA-EPA Retreat, held in February 2010, 15 issues were identified for further discussion and action and NACAA and EPA leads were identified for each. As follow up has taken place, two process issues have been identified: 1) how to most effectively and efficiently engage the membership and 2) how to address surveys, including whether there are alternatives to multiple surveys or a single giant survey.

For the first issue, the Board decided that, to the greatest extent possible, these issues should be addressed through the existing NACAA committee process, which will maximize opportunities for member engagement. For the second issue, the Board decided that any potential surveys should be brought to the Co-Presidents for their consideration, or polls (in place of written surveys) could be taken during regular committee calls.

The leads for two issues provided status updates to the Board. John Lyons (KY) and Cheryl Heying (UT) spoke about the SIP reform issue. The NACAA and EPA leads agreed to assemble a compilation of streamlining efforts that have been undertaken across the country. They also reported that EPA appears to be taking SIP reform and backlog seriously.

Second, John Paul (Dayton, OH) gave an update on GHG BACT. There are three major efforts underway related to this issue. The first is the RACT/BACT/LAER Clearinghouse and database workgroup. The second is follow up to Phase I of the CAAAC GHG BACT workgroup. Phase I identified a list of guidance needs from states and localities; EPA staff is working on items and hopes to have guidance complete by fall and training on the guidance by the end of this year. The third is Phase II of the CAAAC GHG BACT workgroup, which is focusing on energy efficiency and innovative control technology; the workgroup hopes to have the Phase II report to EPA by mid-July. The Phase II workgroup is talking about looking at the process for different industries (i.e., what is BACT for each industry). So far the group has identified six industries.

### **Training**

Mary Boyer (CA) noted that the National Training Strategy and the draft training strategy action plan were distributed prior to the meeting. Mary stated that the National Training Strategy had been ratified by NACAA's Training Committee earlier this year. Since then, committee members have been developing white papers for each item included in the draft action plan. These papers will be discussed June 2-3, 2010 at a meeting being held in St. Louis. It is anticipated that the Joint Training Committee will ratify the action plan in September.

### **NACAA Finances**

Bill Becker presented and explained the NACAA financial statements, including those covering the association's non-federal funds and the operating grant (through March 31, 2010).

### **Future NACAA Meeting Locations**

Bill Becker apprised the group that the Summer Board and Committee Chairs Meeting will be held in Burlington, Vermont. The 2010 Fall Membership Meeting will be held in Washington, DC, to commemorate the 30th anniversary of the establishment of a NACAA national headquarters. It is likely that either the 2011 Spring or Fall Membership Meeting will be held in Chicago, Illinois, or some other midwestern city.

### **Adjourn**

The NACAA Board of Directors meeting was adjourned.

**NATIONAL ASSOCIATION OF CLEAN AIR AGENCIES  
BOARD OF DIRECTORS AND COMMITTEE CHAIRS MEETING**

**Sunday, May 16, 2010  
8:30 a.m. – 12:30 p.m.**

**Hyatt Regency Sacramento  
Capitol View, 15<sup>th</sup> Floor  
Sacramento, California**

**AGENDA**

7:00 a.m. – 8:30 a.m.	<u>Breakfast</u>
7:30 a.m. – 8:30 a.m.	<u>Registration</u>
8:30 a.m. – 8:45 a.m.	<u>Introductions and Review of Agenda</u>
8:45 a.m. – 9:45 a.m.	<u>Legislative Update</u> <ul style="list-style-type: none"><li>• Greenhouse Gases</li><li>• Multi-Pollutants</li><li>• Transportation</li></ul>
9:45 a.m. – 11:00 a.m.	<u>Funding Issues</u> <ul style="list-style-type: none"><li>• FY 2011 Appropriations</li><li>• Reallocation Formula</li><li>• FY 2010 – Remaining Funds</li><li>• FY 2011 – Allocation of GHG Permitting Grants</li></ul>
11:00 a.m. – 11:15 a.m.	Break
11:15 a.m. – 11:45 a.m.	<u>Follow-up to NACAA-EPA Retreat</u>
11:45 a.m. – 12:00 p.m.	<u>Training</u>
12:00 p.m. – 12:15 p.m.	<u>NACAA Finances</u>
12:15 p.m. – 12:30 p.m.	<u>Future NACAA Meeting Locations</u>
12:30 p.m.	Adjourn/Box Lunch

(5/12/2010)

**AGENDA**

**NATIONAL ASSOCIATION OF CLEAN AIR AGENCIES  
SPRING MEMBERSHIP MEETING**

**May 17-19, 2010**

**Hyatt Regency Sacramento  
Sacramento, California**

**Sunday, May 16, 2010**

8:30 a.m. – 12:30 p.m.	<b>NACAA Board of Directors and Committee Chairs Meeting</b>	<b>Capitol View 15<sup>th</sup> Floor</b>
5:30 p.m. – 6:30 p.m.	<b>Social Hour</b>	<b>Suite 1300</b>

**Monday, May 17, 2010**

7:00 a.m. – 8:30 a.m.	<b>Continental Breakfast</b>	
8:00 a.m. – 8:30 a.m.	<b>Registration</b>	
8:30 a.m. – 9:00 a.m.	<b>Welcome and Introductions by NACAA Co-Presidents</b> <i>Larry Greene (Sacramento, CA)</i> <i>Vince Hellwig (Michigan)</i>	<b>Regency AB</b>
9:00 a.m. – 9:30 a.m.	<b>NACAA Executive Director's Report</b> <i>Bill Becker (NACAA)</i>	<b>Regency AB</b>
9:30 a.m. – 10:00 a.m.	<b>Air Quality Profile of California</b> <i>Larry Greene (Sacramento, CA)</i> <i>James Goldstene (California)</i>	<b>Regency AB</b>
10:00 a.m. – 10:15 a.m.	<b>Break</b>	
10:15 a.m. – 11:45 a.m.	<b>Area Source and Sector-Based Approaches to Air Toxics</b> <u>Moderator:</u> <i>Bob Colby (Chattanooga, TN)</i> <u>Speakers:</u> <ul style="list-style-type: none"> <li>• <i>Andy Ginsburg (Oregon)</i></li> <li>• <i>Vince Hellwig (Michigan)</i></li> <li>• <i>Peter Tsigotis (EPA OAQPS)</i></li> </ul>	<b>Regency AB</b>
11:45 a.m. – 1:15 p.m.	<b>Lunch</b>	<b>Regency C</b>

**Monday, May 17, 2010** (continued)

1:15 p.m. – 2:15 p.m.	<b>Implementing the Tailoring Rule: The Path Forward</b> <u>Moderator:</u> <i>Bob Hodanbosi (Ohio)</i> <u>Speaker:</u> <ul style="list-style-type: none"><li>• <i>Anna Marie Wood (EPA OAQPS)</i></li></ul>	<b>Regency AB</b>
2:15 p.m. – 3:45 p.m.	<b>Permitting Greenhouse Gases: There's a Light at the End of the Tunnel</b> <u>Moderator:</u> <i>Ursula Kramer (Tucson, AZ)</i> <u>Speakers:</u> <ul style="list-style-type: none"><li>• <i>John Paul (Dayton, OH)</i></li><li>• <i>Bill O'Sullivan (New Jersey)</i></li><li>• <i>Don Neal (CALPINE)</i></li></ul>	<b>Regency AB</b>
3:45 p.m. – 4:00 p.m.	<b>Break</b>	
4:00 p.m. – 5:30 p.m.	<b>Innovative State and Local Greenhouse Gas Initiatives</b> <u>Moderator:</u> <i>Stu Clark (Washington)</i> <u>Speakers:</u> <ul style="list-style-type: none"><li>• <i>Kevin Kennedy (California)</i></li><li>• <i>Lynn Terry (California)</i></li><li>• <i>Barbara Lee (CAPCOA/Northern Sonoma County, CA)</i></li></ul>	<b>Regency AB</b>

**Tuesday, May 18, 2010**

7:00 a.m. – 8:00 a.m.	<b>Continental Breakfast</b>	
8:00 a.m. – 9:30 a.m.	<b>"Face the Air Directors"</b>  <u>Moderators:</u> <i>Larry Greene (Sacramento, CA)</i> <i>Vince Hellwig (Michigan)</i> <u>Speaker:</u> <ul style="list-style-type: none"><li>• <i>Gina McCarthy</i> <i>Assistant Administrator</i> <i>EPA Office of Air and Radiation</i></li></ul>	<b>Regency AB</b>
9:30 a.m. – 9:45 a.m.	<b>Break</b>	
9:45 a.m. – 10:45 a.m.	<b>Revising and Setting the NAAQS</b> <u>Moderator:</u> <i>Lynne Liddington (Knoxville, TN)</i> <u>Speaker:</u> <ul style="list-style-type: none"><li>• <i>Lydia Wegman (EPA OAQPS)</i></li></ul>	<b>Regency AB</b>



**Tuesday, May 18, 2010** (continued)

- 10:45 a.m. – 12:15 p.m. **NAAQS Implementation: Criteria Pollutant SIPs, Visibility SIPs and EPA's Fire Policy** **Regency AB**  
Moderator:  
*Cheryl Heying (Utah)*  
Speaker:  
  - *Anna Marie Wood (EPA OAQPS)*
- 12:15 p.m. – 2:15 p.m. **Lunch** **Regency C**  
Speaker:  
  - *Mary D. Nichols, Chairwoman California Air Resources Board*
- 2:15 p.m. – 3:45 p.m. **How EPA Is Helping States and Localities Meet the NAAQS: Federal Control Measures On the Books and On the Way** **Regency AB**  
Moderator:  
*Tad Aburn (Maryland)*  
Speakers:  
  - *Steve Page (EPA OAQPS)*
  - *Brian McLean (EPA OAP)*
  - *Chris Grundler (EPA OTAQ)*
- 3:45 p.m. – 4:45 p.m. **New Monitoring Requirements and Proposals** **Regency AB**  
Moderator:  
*Dick Valentinetti (Vermont)*  
Speaker:  
  - *Chet Wayland (EPA OAQPS)*
- 4:45 p.m. – 5:00 p.m. **Break**
- 5:00 p.m. – 5:30 p.m. **NACAA Business Meeting** **Regency AB**  
  - Approval of 2009 Fall Meeting Minutes
  - NACAA Treasury Report
  - Update on NACAA's Training Strategy
  - Other Business

**Wednesday, May 19, 2010**

- 7:00 a.m. – 8:00 a.m. Continental Breakfast
- 8:00 a.m. – 9:30 a.m. **SIP Reform: We Can Do Better** **Regency AB**  
Moderator:  
*John Lyons (Kentucky)*  
Speakers:  
  - *Rob Sliwinski (New York)*
  - *Jim Nolan (Seattle, WA)*
  - *Joshua Tapp (EPA Region 7) and Rick Brunetti (Kansas)*
  - *Greg Green (EPA OAQPS)*

**Wednesday, May 19, 2010** (continued)

9:30 a.m. – 10:00 a.m. **Break and Check Out**

10:00 a.m. – 11:00 a.m. **Federal Enforcement and Compliance Update**

**Regency AB**

Moderator:

*Eddie Terrill (Oklahoma)*

Speakers:

- *Lisa Lund (EPA OECA)*
- *Phil Brooks (EPA OECA)*

11:00 a.m.

**Adjourn**

5/12/2010

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Spring Membership Meeting  
May 17-19, 2010  
The Hyatt Regency Sacramento  
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**National Association of Clean Air Agencies  
Spring Membership Meeting  
May 17-19, 2010  
The Hyatt Regency Sacramento  
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Spring Membership Meeting  
May 17-19, 2010  
The Hyatt Regency Sacramento  
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Spring Membership Meeting  
May 17-19, 2010  
The Hyatt Regency Sacramento  
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**National Association of Clean Air Agencies  
Spring Membership Meeting  
May 17-19, 2010  
The Hyatt Regency Sacramento  
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**National Association of Clean Air Agencies  
Spring Membership Meeting  
May 17-19, 2010  
The Hyatt Regency Sacramento  
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Spring Membership Meeting  
May 17-19, 2010  
The Hyatt Regency Sacramento  
Sacramento, CA**

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Spring Membership Meeting  
May 17-19, 2010  
The Hyatt Regency Sacramento  
Sacramento, CA**

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**National Association of Clean Air Agencies  
Spring Membership Meeting  
May 17-19, 2010  
The Hyatt Regency Sacramento  
Sacramento, CA**

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Spring Membership Meeting  
May 17-19, 2010  
The Hyatt Regency Sacramento  
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**National Association of Clean Air Agencies  
Spring Membership Meeting  
May 17-19, 2010  
The Hyatt Regency Sacramento  
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Spring Membership Meeting  
May 17-19, 2010  
The Hyatt Regency Sacramento  
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Spring Membership Meeting  
May 17-19, 2010  
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