

JUNE 2022

Yakima Regional Clean Air Agency Board Meeting



LOCATION: AGENCY's CONFERENCE ROOM
186 Iron Horse Court, Suite 101
Yakima, WA 98901
www.yakimacleanair.org

June 9, 2022

REGULAR BOARD OF DIRECTORS' MEETING at 2:00 P.M.

AGENDA

1. Call to Order

2. Roll Call

3. Additions or Deletions to the Agenda

4. Public Comments

If you wish to address any matter relevant to the business of the Board, you may do so now. Please, state your name and the item you wish to address. Please limit your comments to three (3) minutes.

5. FY2022 Budget Hearing

The Chairman of the Board will open the Public Hearing to accept public testimony on the proposed agency FY2023 budget. After hearing all public testimony, the Chairman will then close the hearing. Action will be taken on the proposed FY 2023 Budget during the regular Board meeting.

6. Consent Agenda

6.1 By consent, approve May 12, 2022 Board Meeting Summary

6.2 By consent, accept May 2022 YRCAA Monthly Activity Report

Action Requested: Approve Consent Agenda Items 6.1 through 6.2

7. Regular Agenda

7.1 Interim Executive Director's Report

8. Action Items

8.1 Approve FY 2023 Budget

8.2 Approve Resolution 2022-02 Primary and Alternative Auditing and Investing Officers

8.3 Approve Fiscal Vouchers and Payroll Authorization Transfers for May 2022.

Action Requested: Approve Action Items 8.1 through 8.3.

9. Other business

9.1 Updates on the Search Process for Air Pollution Control Officer (APCO)/Executive Director

10. Adjournment

If you wish to attend the YRCAA Board meeting and require an accommodation due to a disability or Language Interpretative Services, call 509-834-2050, ext. 100 or send us an email



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at admin@yrcaa.org.

9 de junio de 2022

REUNIÓN ORDINARIA DE LA JUNTA DIRECTIVA a las 2:00 p.m.

AGENDA

1. Llamada al orden

2. Registro de asistencia

3. Incorporaciones o eliminaciones al orden del día

4. Comentarios públicos

Si desea tratar cualquier asunto pertinente a los temas del consejo, puede hacerlo en este momento. Acérquese al podio, diga su nombre e indique el tema que desea abordar. Limite sus comentarios a tres (3) minutos.

5. Audiencia de presupuesto para el año fiscal 2022

El Presidente de la Junta abrirá la Audiencia Pública para aceptar el testimonio público sobre el presupuesto propuesto de la agencia para el año fiscal 2023. Después de escuchar todos los testimonios públicos, el Presidente cerrará la audiencia. Se tomarán medidas sobre el presupuesto propuesto para el año fiscal 2023 durante la reunión ordinaria de la Junta.

6. Aprobación de la agenda de consentimiento

6.1 Por consentimiento, apruebe el Resumen de la Reunión de la Junta del 12 de mayo de 2022

6.2 Por consentimiento, acepte el Informe Mensual de Actividad de YRCAA de mayo de 2022

Acción solicitadas: Aprobar el consentimiento Puntos 6.1 a 6.2 del orden del día

7. Agenda de asambleas ordinarias

7.1 Informe del Director Ejecutivo Interino

8. Elementos de acción

8.1 Approve FY 2023 Budget

8.2 Aprobar la Resolución 2022-02 Oficiales de Auditoría e Inversión Primarios y Alternativos

8.3 Aprobar comprobantes fiscales y transferencias de autorización de nómina para mayo de 2022

Acción solicitada: Aprobar los puntos de acción 8.1 a 8.3.



9. Otros asuntos

9.1 Actualizaciones sobre el proceso de búsqueda de Oficial de Control de la Contaminación del Aire (APCO)/Director Ejecutivo

10. Cierre

Si desea asistir a la asamblea del consejo de YRCAA y requiere servicios especiales por discapacidad o de interpretación llame al 509-834-2050, ext 100 o escribanos a admin@yrcaa.com

CONSENT AGENDA ITEMS



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**SUMMARY OF THE GOVERNING
BOARD OF DIRECTORS
REGULAR BOARD MEETING**

May 12, 2022

Location and Time:

YRCAA Office

Started at 2:00 PM

REGULAR MEETING

- 1. Chairman DeVaney** *called the meeting to order at 2:00 p.m.*
- 2. Christa Owen, Clerk of the Board,** *conducted roll call. There was a quorum.*

PRESENT WERE: Jon DeVaney, Member-at-Large Steven Jones, Ph.D., County Representative Janice Deccio, Large City Representative	
ABSENT: Amanda McKinney, County Commissioner Jose Trevino, Small City Representative	
BOARD MEMBERS: Steven Jones, Ph.D., County Representative Jon DeVaney, Member-at-Large Amanda McKinney, County Commissioner Jose Trevino, Small City Representative Janice Deccio, Large City Representative	LEGAL COUNSEL: Gary Cuillier STAFF: Hasan Tahat, Ph.D., Interim Executive Director Christa Owen, Clerk of the Board Pamela Herman, Public Records Officer

3. Additions or Deletions to the Agenda

Chairman DeVaney asked if there were any additions or deletions to the Agenda.

Dr. Tahat stated there was none, however, extra new information provided to each board member and placed on the table in front of you.

Chairman DeVaney confirmed that the information would be provided to board members that were not present, Dr. Tahat replied, yes.



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4. Public Comment

Chairman DeVaney asked if there were any public comments.

Jean Mendoza, White Swan, made comments regarding the budget. Ms. Mendoza inquired on the amount of FTE's are included in the budget, number of the employees based on the proposed budget, how many employee hours will be spent on collecting data, how many hours will be sent on responding to complaints, and how many employee hours will be spent educating the public?

Sandy Braden, Friends of Toppenish Creek, have two questions. Inquired about who will be taking over for the tasks Dustin Harrington provides the agency. Ms. Braden also asked how is your hunt for the new "Dude" who will head this agency.

5. Approval of Consent Agenda

5.1 By consent, approve April 14, 2022 Board Meeting Summary

5.2 By consent, accept April 2022 YRCAA Monthly Activity Report

Action Requested: Approve Consent Agenda Items 5.1 through 5.2

Dr. Jones moved and Mayor Deccio seconded to approval.
Motion approved with no dissension.

6. Regular Agenda

6.1 Interim Executive Director's Report

Dr. Tahat presented the report. Refer to the Board packet.

Dr. Jones inquired about the Proposed Heavy-Duty Trucks Rules having any effect on heavy equipment or stationary equipment.

Dr. Tahat replied that the proposed rule would not affect the stationary sources.

Dr. Tahat asked for direction guidance from the board regarding what percentage should be added to the FY2023 budget for the employee's pay increase, as they did not have any increase for the past three years. In addition, Dr. Tahat asked for guidance about the classification and pay scale.

Dr. Tahat discussed the proposed budget in sections, revenue and expenditure including grants etc.

Dr. Tahat talked about pursuing the reclassification and the pay scale to be done by the consulting firm recommended by the Yakima County HR.

AGENDA ITEM NO. 5.1



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Dr. Tahat continued the discussion about the monitoring program as Dustin's last day is May 31, 2022. He continued to talk about the discussion with the Department of Ecology.

7. Action Items

7.1 Fiscal Vouchers and Payroll Authorization Transfers for April 2022.

Dr. Jones moved and Mayor Deccio seconded to approval.


Motion approved with no dissension.


8. Other business

8.1 Updates on the Search Process for Air Pollution Control Officer (APCO)/Executive Director.

9. Adjournment

Chairman DeVaney adjourned the meeting at 3:07p.m.

DocuSigned by:

3C16941DAE82455
Jon DeVaney, Board of Directors

DocuSigned by:

F00B35438787434
Christa Owen, Clerk of the Board

Date of Release: June 2, 2022
Date of Consideration: June 9, 2022
To: Honorable YRCAA Board of Directors and Alternates
From: Office of the Interim Executive Director
Subject: Monthly Activity Report

Current Quarter

Activity	FY21 Total	Mar FY22	Apr FY22	May FY22	FY22 Total to Date
Minor Source Inspections	129	7	0	0	35
Complaints Received	295	7	9	4	92
NOVs Issued	94	1	6	0	24
AODs Issued	10	0	0	0	0
Warning Notices Issued	11	0	0	0	0
NOPs Issued	52	5	0	2	26
SEPA Reviews	433	49	34	19	390
AOP Applications Received	0	0	0	0	0
AOPs Issued or Renewed	0	0	0	0	0
Deviations/Upsets Reported	31	2	2	2	18
AOP Inspections	4	0	1	0	2
Public Workshops	0	0	0	0	1
Media Events	2	0	0	0	1
Media Contacts	7	0	0	1	6
Education Outreach Events	1	1	0	0	1
Sources Registered	353	79	56	23	247
NSR Applications Received	26	0	1	1	10
NSR Approvals Issued-Temporary	2	0	0	0	0
NSR Approvals Issued-Permanent	31	0	2	0	21
NODRs Received	195	16	11	13	115
Agricultural Burn Permits Issued	97	15	13	6	65
Conditional Use Permits Issued	8	4	1	1	7
Residential Burn Permits Issued	724	259	123	73	594
Burn Ban Days	58	0	0	0	84
Public Records Requests Fulfilled	41	4	3	2	31

Acronyms:

AOP - Air Operating Permit; **NODR** - Notification of Demolition and Renovation; **NOP** - Notice of Penalty; **NOV** - Notice of Violation; **NSR** - New Source Review; **SEPA** - State Environmental Policy Act

AGENDA ITEM 6.2

REGULAR

AGENDA



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Executive Memorandum

Date of Release: June 2, 2022
Date of Consideration: June 9, 2022
To: Honorable YRCAA Board of Directors and Alternates
From: Office of the Interim Executive Director / Air pollution Control Officer
Subject: Interim Executive Director's Report for the Month of May 2022

1. Staff Update.

Our Agency has hired two new employees and they started Monday this week on June 6, 2022. Mr. Devin DeLeon and Mr. Martin Melo. I asked them to join us to introduce them today. We are fortunate to have them and I believe they will be an asset to our agency.

2. Proposed Heavy-Duty Trucks Rules

I reported to you in the past two board meetings, about the heavy-duty truck rule. The current proposed published heavy-duty truck rule was published on March 28, 2022 *Federal Register* is also continuation of the effort in 2020. <https://www.govinfo.gov/content/pkg/FR-2022-03-28/pdf/2022-04934.pdf>). The National Association of Clean Air Agency (NACAA) submitted comments letter to Environmental Protection Agency (EPA) signed by the NACAA Mobile Sources and Fuels Committee comments (attached).

Please note that even NACAA is the national, nonpartisan, non-profit association of air pollution control agencies in 40 states, including 115 local air agencies, the District of Columbia and four territories, the views expressed in the attached comments letter do not represent the positions of every state and local air pollution control agency in the country.

3. Draft Budget FY 2023- Revised Code of Washington (RCW) 70A.15.1590- Air pollution control authority—Fiscal year—Adoption of budget—Contents.

Revised Code of Washington (RCW) 70A.15.1590 - Air pollution control authority—Fiscal year—Adoption of budget—Contents. As you know, this section requires budget adoption on or before the fourth Monday in June of every year for the following fiscal year. Staff prepared a draft budget for FY2023 and presented to your board on May 12, 2022. The attached is a proposed budget of the YRCAA for FY 2023. The comment period for the draft was published for 30 days. The public announcement was published at the two newspapers, Yakima Herald-Republic, Sunnyside Sun and the agency's website. The public comment period ended on June 1, 2022. The public hearing was published at Yakima Herald-Republic and our website on May 25, 2022. We did receive some comments and we addressed them as attached.

4. FY 2022 Woodstove Change- out

For the month of May, we changed 6 woodstoves at a total of \$21,242.04 including 5 bounties. Two of the six are change out and 4 of which rebates,

5. Engineering & Compliance

We registered 23 sources for the month of May. We processed 13 Notifications of Demolition / Renovation (NODR). Agricultural burning and burn bans pursuant to WAC 173-430 and WAC 173-433 requires daily allocation / metering and three days weather forecast, hence, the division do the daily allocation and forecast (dispersion). We issued 3 Dust Control Plans. We issued 6 Agricultural burn permits. We investigated 4 complaints. Issued 4 NOV's and 1 NOP.

The following Table itemizes, by type, the number of complaints received and the number of NOV's issued, if any, for the month of May 2022:

Type of Complaint	Number of Complains	Number of NOV's*	Number of AOD's**
Residential Burning	0	0	0
Agricultural Burning	1	0	0
Other Burning and SFBD***	0	0	0
Fugitive / Construction Dust	2	0	0
Agricultural Dust	0	0	0
Agricultural Odor	0	0	0
Other Dust	0	0	0
Surface Coating	1	0	0
Odor	0	0	0
Asbestos	0	0	0
Others and NSR****	0	0	0
Registration	0	0	0
Industrial Sources	0	1	0
TOTALS	4	1	0

*NOV- Notice of Violation

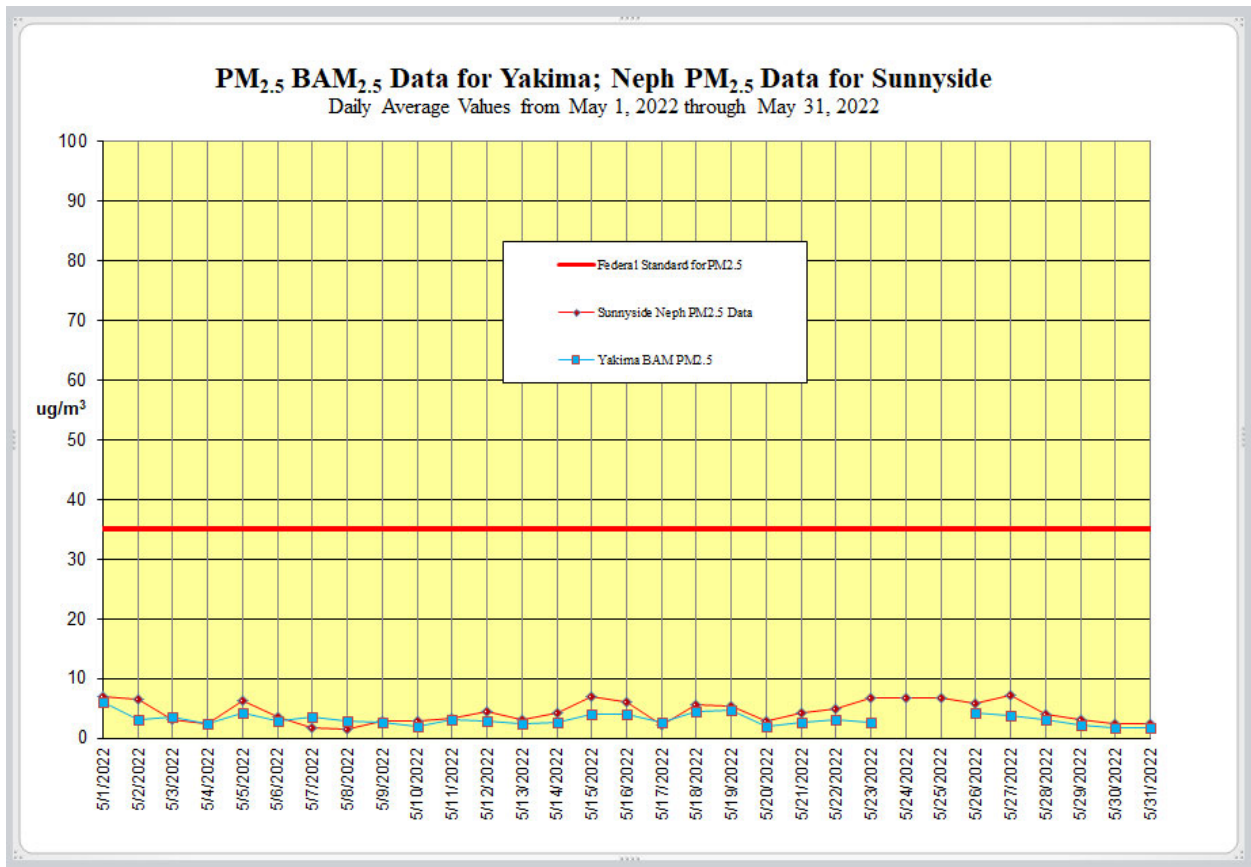
**AOD- Assurance of Discontinues

*** Solid Fuel Burning Device **** New Source Review

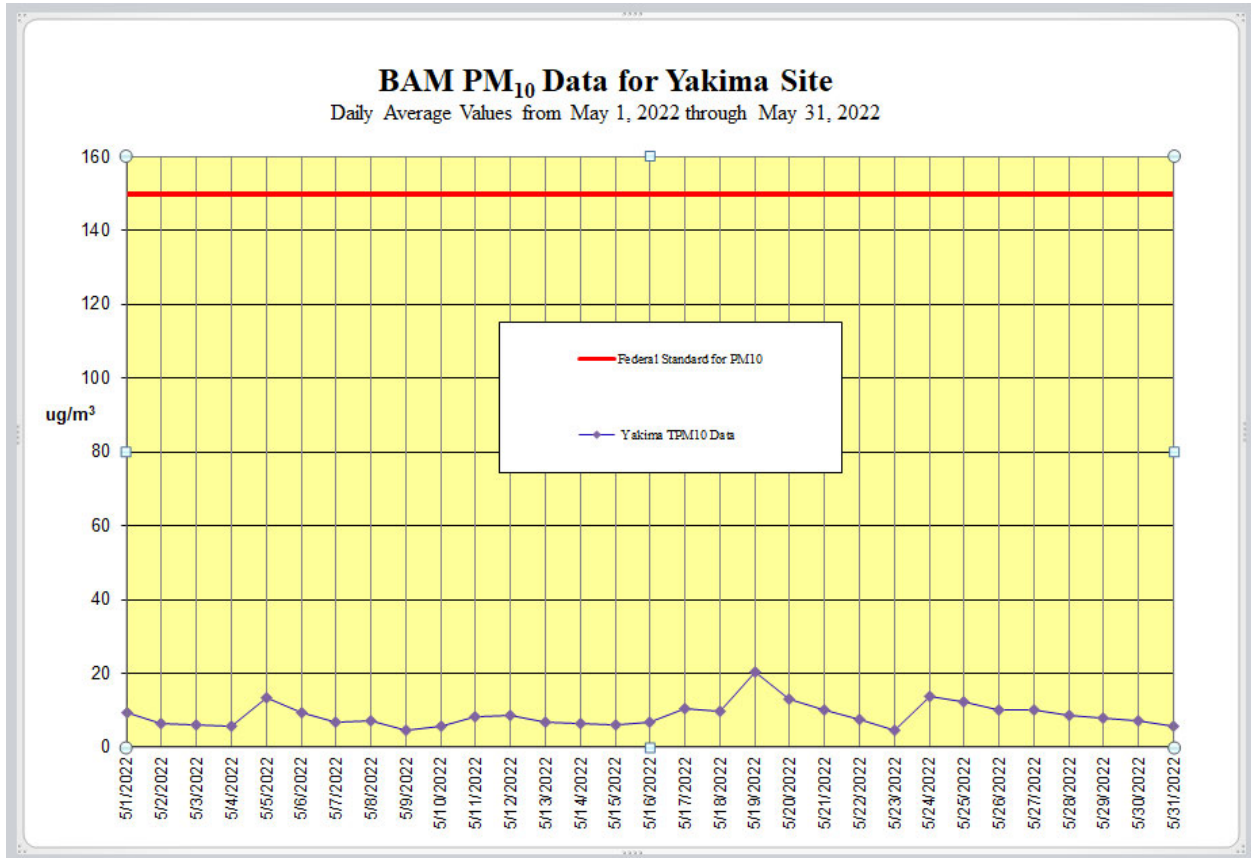
6. Air Monitoring Data for April 2022

Department of Ecology (Ecology) is working with us and they are very understanding of our situation for the monitoring. They will continue running the monitors until we train the new staff. Ecology will also help in the training part. We will send staffs to Ecology’s headquarter. In addition, staff will be trained in operating the actual monitors at the two sites. Collected and shipped for analysis approximately 15 Air Monitoring Samples and completed 6 Quality Control (QC) checks on 5 Air Monitors.

- **PM_{2.5} Data**
 - We expect no PM_{2.5} exceedances for the month.

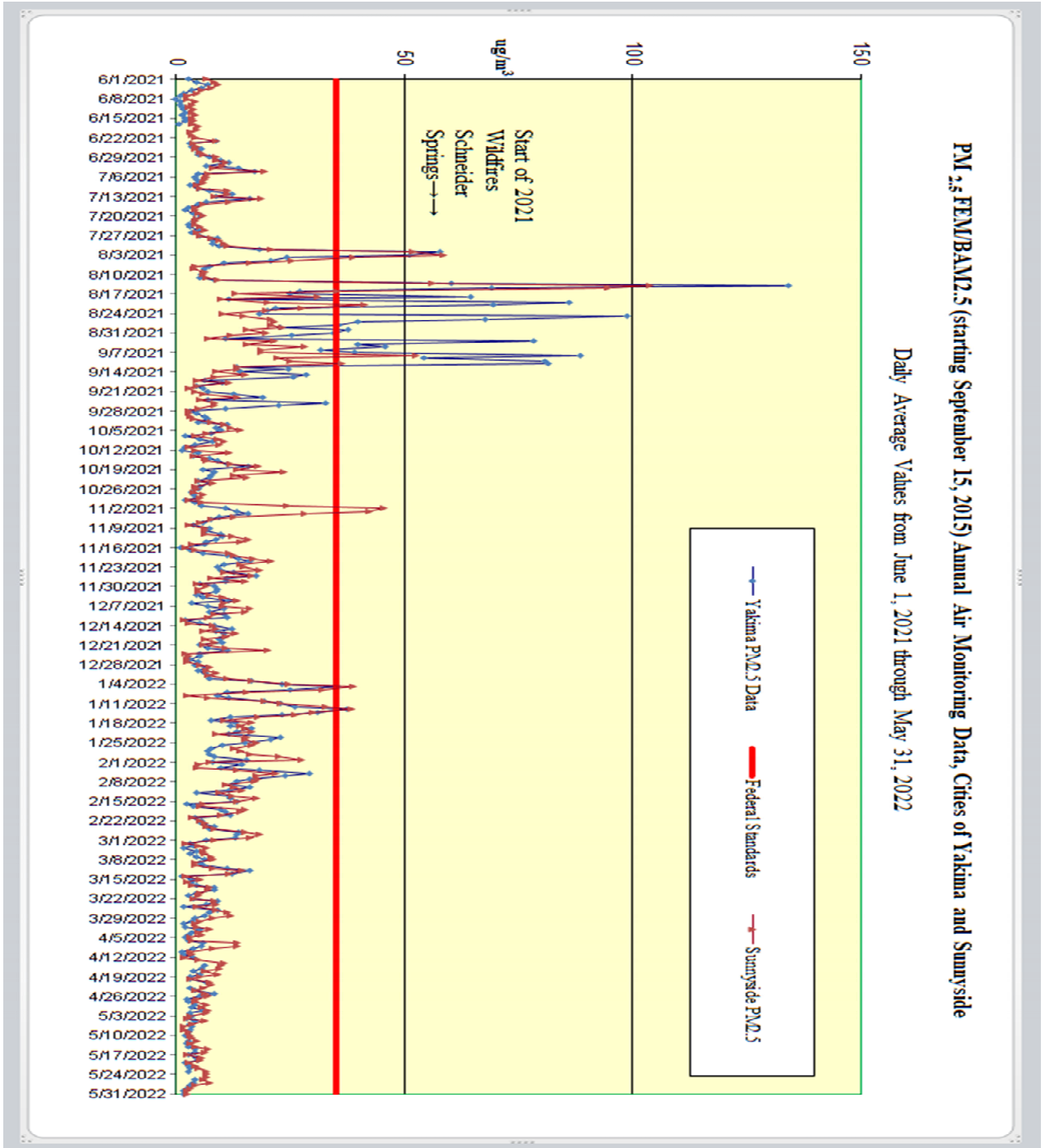


- **PM₁₀**
 - We expect no PM₁₀ exceedance for the month.



- **Annual PM_{2.5} Data**

- Annual PM_{2.5} for Yakima and Sunnyside monitors.
- Exceedances for 2021 are due to the wildfire (Schneider Springs Fire) as indicated in the graph below.





May 16, 2022

www.regulations.govU.S. Environmental Protection Agency
Docket ID No. EPA-HQ-OAR-2019-0055

To Whom It May Concern:

The National Association of Clean Air Agencies (NACAA) offers the following comments on the U.S. Environmental Protection Agency's (EPA) Notice of Proposed Rulemaking (NPRM), "Control of Air Pollution from New Motor Vehicles: Heavy-Duty Engine and Vehicle Standards," which was published in the *Federal Register* on March 28, 2022 (87 Fed. Reg. 17,414).¹ NACAA is the national, nonpartisan, non-profit association of air pollution control agencies in 40 states, including 115 local air agencies, the District of Columbia and four territories. The air quality professionals in our member agencies have vast experience dedicated to improving air quality in the U.S. These comments are based upon that experience. In addition, a number of our members have been, and are, directly involved in low-emission engine demonstrations, incentive programs to field cleaner engines and vehicles and investing in zero-emission technology. That combined engine and advanced powertrain practical experience is also reflected in these comments. The views expressed in these comments do not represent the positions of every state and local air pollution control agency in the country.

Introduction

On multiple occasions over the past seven years NACAA has urged EPA to set cleaner standards for nitrogen oxide (NO_x) emissions from heavy-duty (HD) trucks. We are pleased that the agency has now reached the milestone of putting forth a proposal for public comment.

As we have described to EPA over the years, NACAA strongly supports establishment of a stringent, technology-forcing federal rule that will reduce HD truck NO_x emissions by at least 90 percent and implement other key requirements to ensure these reductions will continue to be realized over the full useful life of vehicles beginning not later than with model year (MY) 2027.

We have consistently highlighted the importance of such a federal program adopted no later than 2022 so implementation will begin no later than MY 2027. We are now at the "final hour." If EPA does not finalize a rule before the end of this calendar year it will not take effect with MY 2027. With clean air and public health on the line, our nation cannot afford to sacrifice another year of NO_x reductions from this significant source of emissions.

¹ <https://www.govinfo.gov/content/pkg/FR-2022-03-28/pdf/2022-04934.pdf>

The Nationwide Need for NO_x Emission Reductions from Heavy-Duty Trucks

It has been over 21 years since EPA last set federal NO_x emission standards for HD trucks. Given the interstate nature of trucking – both cross-border operations and downwind atmospheric transport – federal standards are necessary to achieve the broad NO_x reductions needed across the nation. Over the past two decades, technological advances to reduce HD truck NO_x emissions have soared as has the potential for even further advances, but EPA failed to take regulatory advantage of the opportunities these advances afford. At the same time, emission limits for most other major NO_x sources have been ratcheted down repeatedly. HD trucks will continue to be one of the largest contributors to the national mobile source NO_x inventory in 2028 without additional regulations to reduce emissions.

There is a looming crisis facing many state and local clean air agencies. Currently, more than one-third of the U.S. population lives in an area that does not meet the health- and welfare-based National Ambient Air Quality Standards (NAAQS) for ozone, particulate matter (PM) or both. Many of these areas are over-burdened communities whose citizens are exposed to a disproportionate share of harmful environmental conditions. The excessive emissions from HD trucks are a primary cause, contributing substantial emissions of NO_x – the key pollutant contributing to the formation of ozone and PM_{2.5} – and are linked with a large number of adverse impacts on the respiratory system, as well as other ill effects associated with exposure to elevated levels of ozone and PM, including premature death.

While state and local air agencies have made great strides in reducing emissions from stationary sources, for the most part they lack the authority to regulate mobile sources and never do they have the authority to regulate mobile sources upwind of or across their borders. The regulation of mobile sources is an authority that lies almost entirely within the purview of the federal government. Unfortunately, emission standards for this heavy-duty “federal source” have not kept pace with standards for the light-duty motor vehicle sector or stationary sources, and fall far short of what is needed to meet clean air and public health protection goals. As large swaths of the country slip deeper into nonattainment, or teeter on the cusp of it, many state and local air agencies are left with few avenues to achieve the emission reductions they sorely need. Areas that miss their attainment deadlines face the threat of “bump-up” to a more demanding classification of nonattainment – if they are not already classified as Extreme – and statutorily required economic sanctions if they fail to meet their attainment deadlines. On April 13, 2022, EPA proposed to bump up 30 areas in nonattainment of the 2008² and 2015³ ozone NAAQS, meaning the citizens of these areas continue to suffer the detrimental impacts of unhealthful air.

Further, EPA is now in the process of reconsidering the existing PM and ozone NAAQS, adopted in 2012 and 2015, respectively, and reaffirmed in December 2020. With respect to PM, the agency’s science advisors on the Clean Air Science Advisory Committee (CASAC) are recommending that EPA revise the standards to make them more protective of public health. In a letter transmitted to Administrator Michael S. Regan on March 18, 2022,⁴ responding to the EPA staff Draft Policy Assessment (PA) for PM, the science advisors wrote that “all CASAC members agree that the current level of the annual [PM_{2.5}] standard [of 12 micrograms per cubic meter (µg/c³)] is not sufficiently protective of public health and should be lowered” and that a majority of CASAC members finds “that the available evidence calls into question the adequacy of the current 24-hour standard [of 35 µg/m³]” and “conditional on retaining the current form, the majority of CASAC members favor lowering the 24-hour standard.” NACAA also notes that in the Draft

² <https://www.govinfo.gov/content/pkg/FR-2022-04-13/pdf/2022-07509.pdf>

³ <https://www.govinfo.gov/content/pkg/FR-2022-04-13/pdf/2022-07513.pdf>

⁴ <https://www.4cleanair.org/wp-content/uploads/PM-NAAQS-CASAC-Responses-to-EPA-PM-Draft-PA-031822.pdf> (see pp. 2-3)

PA EPA staff report that the risk assessment for PM_{2.5} revealed that Black populations experience significantly higher mortality risk when compared to other racial groups, even at the recommended lower standard.⁵

On April 28, 2022,⁶ EPA staff released for review and comment the Draft PA for ozone, in which the staff put forth their conclusion that the current evidence and information do not call into question the adequacy of the protection provided by the current standard and, instead, continue to provide support for the current standard and consideration of retaining that standard without revision. CASAC members, who have not yet weighed in, were to meet in June to conduct their peer review of the Draft PA. However, on May 13, 2022, CASAC Chair Dr. Lianne Sheppard issued a memorandum⁷ in which she announced that she had paused review of the Draft PA so the Committee can 1) discuss EPA's charge question about the CASAC Ozone Panel's views on "EPA's evaluation of newer studies and its conclusion that they do not materially change the findings of the 2020 ISA [Integrated Science Assessment] or warrant reopening of the air quality criteria," 2) consider several Panel members' concerns regarding some of the causal determinations made in the 2020 ISA and 3) decide if the Panel would like to have further discussion of the science prior to reviewing the draft PA.

Regardless of whether either or both standards are strengthened, the fact is that many areas across the country are in need of NO_x reductions just to meet the current standards and provide clean air to their citizens.

Our nation is in need of a strong, sustainable transportation strategy with top priority placed on new federal programs to continue to reduce emissions from the mobile source sector. As this strategy is developed, the need for meaningful reductions in criteria pollutant emissions, especially NO_x and PM, cannot be overlooked. Regarding attainment and maintenance of the ozone NAAQS, most areas of the country are "NO_x-limited," meaning that reducing NO_x emissions is the key to success. In addition, research shows that in some areas of the country, such as much of the East Coast, NO_x reductions are now "supercharged," meaning that one-pound of reduction in NO_x emissions equals more than one pound of ozone reduction. Failure to adequately address transportation-related NO_x sources will have a direct and consequential impact on state and local air agencies' abilities to fulfill their statutory obligations to attain and maintain federal air quality standards by mandated deadlines and achieve their environmental justice goals.

Now is the time for decisive federal action that will result in deep NO_x reductions from HD trucks. Cleaning up this sector is imperative to putting our nation on a path to attaining and maintaining the health-based NAAQS and protecting our nation's most vulnerable communities. EPA must take full advantage of this opportunity to adopt a maximally stringent, technology-forcing federal rule that will take effect beginning with MY 2027 and achieve the full measure of potential emission reductions. Through a variety of actions, states are demonstrating strong leadership with respect to addressing HD truck NO_x emissions, including by exercising their authority under section 177 of the CAA and through non-regulatory efforts such as collaborative Memoranda of Understanding (MOU). It is incumbent upon EPA to do its part. If EPA does not incorporate NACAA's recommendations into the final rule and does not finalize the rule this year, in time for it to take effect with MY 2027, many areas will be forced to adopt severe limits on stationary

⁵ https://www.epa.gov/system/files/documents/2021-12/draft-policy-assessment-for-the-reconsideration-of-the-pm-naaqs_october-2021_ed3.pdf (see pp. 3-149 – 3-150)

⁶ https://www.epa.gov/system/files/documents/2022-04/o3_reconsideration_draft_pa-v_final-compressedfinal.pdf

⁷ <https://www.4cleanair.org/wp-content/uploads/CASAC-Ozone-Panel-Chair-Memo-05-13-22.pdf>

sources, for which they have authority to control, at ever-increasing costs, if reductions from such sources are even available.

State and Local Air Agencies Across the Country Face an Array of Circumstances Necessitating NO_x Reductions

Americans in every part of the country urgently need improvements in NO_x emissions from onroad HD vehicles; the following examples are just a few indications of this nationwide need.

In Wisconsin, EPA action to significantly reduce NO_x emissions from highway heavy-duty vehicles is critical for the state to meet its Clean Air Act (CAA) attainment obligations relative to ozone. Wisconsin's Lake Michigan shoreline experiences complex, persistent ozone issues due to a combination of emissions, meteorology and geography, as well as from transported ozone precursors originating from out of state. As a result, Wisconsin has multiple areas that remain in nonattainment of the 2015 ozone standard. Reductions in regional NO_x emissions are necessary to resolve these nonattainment areas. The onroad mobile sector is the largest contributor of NO_x emissions in Wisconsin. According to the 2017 National Emissions Inventory, the onroad mobile sector accounts for 38 percent of the NO_x inventory in Wisconsin, with nearly half of those emissions coming from heavy-duty vehicles. Recent ozone modeling done by the Lake Michigan Air Directors Consortium indicates onroad diesel vehicles, the vast majority of which are heavy-duty vehicles, contribute up to 8 parts per billion (ppb) or 11 percent of ozone at Wisconsin's lakeshore nonattainment monitors. A comprehensive federal rule to address nationwide NO_x emissions from this sector cannot be delayed any further.

New Jersey and its multi-state nonattainment areas need NO_x reductions from HD trucks for attainment and/or maintenance reasons associated with both the 2008 and 2015 ozone NAAQS. Although the state is currently in attainment of the PM_{2.5} NAAQS, the NO_x reductions would help the state attain any future revised PM_{2.5} NAAQS by reducing levels of PM_{2.5} precursors. In addition, New Jersey needs NO_x reductions to meet its regional haze goals; given the timing of this rule – to be finalized this year – the related NO_x reductions will contribute toward achievement of those goals. New Jersey is also home to several ports that are surrounded by environmental justice communities impacted by the emissions from heavy truck traffic. Mobile sources (onroad and nonroad) make up greater than 75 percent of New Jersey's annual and summer day inventory for NO_x. Due to state preemption, New Jersey is limited in its capacity to address the largest sources of ozone-producing pollutants and relies on federal measures like the HD truck rule to attain. In New Jersey, electric generating units (EGU) are less than 5 percent of the inventory and non-EGU stationary sources are 14 percent. The cost per ton associated with further reductions from these source sectors would be high.

Over the years, Oregon has had difficulty reducing emissions from the medium- and heavy-duty mobile source sectors because of limited tools at the state level. Oregon relies on California and its federal counterparts at EPA to develop and maintain the most advanced new vehicle emission standards possible to complement bold action at the state level. In 2019, Oregon adopted the second strongest diesel regulations in the nation and will begin phasing out older model medium- and heavy-duty diesel-powered trucks in the Portland Metro Region next year. But state action alone will not be enough. The decades-long downward trend in ambient ozone concentrations has leveled off. Despite Oregon's status as a "section 177 state" and its adoption of several California rules, it remains likely that the state will see increases in ozone concentrations due to ongoing climate warming and increased interstate transportation.

Further, if the ozone NAAQS is revised downward, Oregon will be at greater risk of losing its attainment status in several communities.

The Puget Sound Clean Air Agency (PSCAA) in Seattle, WA seeks a technology-forcing standard to reduce NO_x emission from HD trucks due to several ozone-related concerns. Reducing NO_x would help reduce exposure in the near-road communities, which are disproportionately affected by air pollution, and also assist in addressing ozone-impacted areas. More important to PSCAA, however, are the proposed rule's requirements for better longevity of the PM controls' performance under more-varied duty cycles and for longer warranty requirements. Combined, these would help alleviate the expensive breakdowns that reports say are leading truck owners to tamper with the PM controls on trucks used in drayage service, where the typical duty cycle for these older trucks includes low speeds, lots of queueing and short trips that clog diesel particulate filters (DPF) designed for long-haul, high-temperature operation. Over the last decade, EPA has provided millions of dollars in Diesel Emission Reduction Act (DERA) grants nationwide to replace older diesel drayage trucks with newer, 2007+ trucks to reduce their emissions in, and adverse impacts on, port-adjacent communities; the U.S. Department of Transportation has also provided millions in funding under the Congestion Mitigation and Air Quality Improvement (CMAQ) program for the same purpose. PSCAA and local ports received over \$10M of these grant funds and replaced more than 400 pre-2007 drayage trucks with 2007+ and 2010+ trucks, reducing PM_{2.5} by 17 tons per year and NO_x by 390 tons per year. Unfortunately, the sustainability of these and other DERA- and CMAQ-funded emission reductions is in question due to the poor performance of the PM emissions controls under these duty cycles and the risk of tampering to disable the controls as a result. Had the PM standards for 2007+ engines included the more-diverse testing scenarios for meeting emissions standards and the longer warranties that are in EPA's current proposal, the public's investments would have resulted in more durable emission reductions and health benefits. Finally, the PSCAA's former PM_{2.5} nonattainment area includes one of the largest container ports on the West Coast and strong growth in both population and goods movement are anticipated along the West Coast's main north-south interstate and the in the region served by PSCAA. Reducing PM and NO_x from heavy-duty vehicles through controls that do not lose their effectiveness over time or during some duty cycles will be vital to the health of near-roadway and near-port communities and to maintaining the area's attainment status. For all these reasons, technology-forcing regulations and substantial warranties to ensure that compliant emission rates are sustained over more of the useful life of the truck and over the full set of duty cycles will provide significant benefit to the Seattle area.

Historically, the Louisville Metropolitan Statistical Area (MSA) has been challenged with meeting the ozone NAAQS.⁸ The area was designated as Marginal nonattainment for the 2015 ozone NAAQS and has recently been proposed by EPA to be bumped up to Moderate nonattainment since the area failed to meet the standard by the Marginal nonattainment deadline of August 2021. In the meantime, the MSA currently meets the standard (with a 2021 design value of 69 ppb) and a Request for Redesignation is being prepared for submittal to EPA. Even so, EPA's proposed rule provides an important opportunity to address HD truck emissions now and protect public health by reducing emissions of ozone precursors, particulate matter and toxic air pollutants. HD truck emissions are a significant contributor of ozone precursors, NO_x and volatile organic compounds (VOC). The impact of this vehicle sector was apparent recently with respect to meeting transportation conformity Motor Vehicle Emission Budgets; variations in HD truck speeds were found to be critical in staying under the 2020 NO_x budget (established in 2007). As with most medium- and large-size cities in the U.S., the HD trucks in the mobile emissions category are a critical source over which the Louisville Metro Air Pollution Control District (APCD) has little control, so

⁸ <https://www.4cleanair.org/wp-content/uploads/Lville-Ozone-History.jpg>

meaningful federal controls are very important to APCD's attainment planning for ozone and subsequent maintenance of the standard. Onroad heavy-duty diesel vehicles represent the third largest overall NO_x emissions sector in the area (after EGUs and onroad non-diesel light-duty vehicles).⁹ In addition, should EPA revise the PM NAAQS, as EPA staff and CASAC have recommended to the Administrator, reductions in NO_x emissions from HD trucks will be equally important for Louisville's attainment planning for that standard. Although APCD has instituted a voluntary cooperative program, the *Air Quality Action Partners Program*,¹⁰ for businesses to reduce emissions, including mobile source emissions, HD trucks continue to be an ongoing concern, especially from an environmental justice standpoint. Further, a stringent HD truck rule will further reduce risk from emissions of toxic air pollutants not addressed by APCD's Strategic Toxic Air Reduction (STAR) Program. This is especially important since HD truck traffic travels through many fenceline communities and adds to the cumulative exposures of those who live nearby. The strictest version of this rule will benefit Louisville in many ways.

Although Maryland has made significant progress over the past 30 years in improving air quality for its citizens, there is still much work needed to reduce NO_x emissions and meet air quality and public health goals. Maryland has implemented aggressive NO_x reduction measures such as adopting the California light-duty vehicle emission program and pursuing strong reduction measures on stationary sources via the state's Healthy Air Act. Despite these efforts, the majority of Maryland's population resides in areas designated nonattainment for the 70-ppb 2015 ozone NAAQS, and on April 13, 2022, significant portions of Maryland were proposed to be bumped up in nonattainment status. In Maryland, and the Northeast region, medium- and heavy-duty trucks are the second leading contributor of NO_x emissions. To attain the federal ozone standards, emission reductions from HD trucks are needed.

The Yakima Regional Clean Air Agency was designated as nonattainment for PM₁₀ and is now in its second 10-year maintenance plan. The area is now in jeopardy of becoming nonattainment for PM_{2.5}. If EPA revises the PM_{2.5} NAAQS to 30 or 32 micrograms per cubic meter (µ/m³) the area will most likely be designated as nonattainment. Hence, Yakima needs reductions in NO_x – a PM_{2.5} precursor – from HD trucks along area highway corridors to reduce its PM levels.

The Denver Metro/North Front Range needs reductions in emissions from heavy-duty truck traffic to aid in attainment and address environmental justice concerns. Recent source apportionment modeling for 2023 demonstrates that NO_x emissions are driving ozone formation at monitors throughout the region¹¹ and that medium- and heavy-duty truck traffic is a significant contributor to ozone formation.¹²

Reductions in HD truck NO_x emission would be a proactive measure for the Kansas City metropolitan area. While the county and Greater Kansas City metro area would obviously benefit from cleaner heavy-duty trucks, Johnson County, KS does not have data that indicate the need for NO_x reductions specifically from HD trucks. That being said, the last photochemical modelling, a fairly dated data set, showed the Johnson County metro area to be a mix of VOC- and NO_x-limited areas. The Kansas City metro area is in the early stages of developing a local-scale neighborhood monitoring effort, perhaps a network, that may reveal need for these reductions at a neighborhood scale. It is anticipated this monitoring will aid in confirming those suspected EJ communities in the greater metro area and within Johnson County that the regional scale monitoring does not capture. The recent trends in increased

⁹ <https://www.4cleanair.org/wp-content/uploads/Lville-HD-Diesel.jpg>

¹⁰ <https://louisvilleky.gov/government/air-pollution-control-district/air-quality-action-partners-program>

¹¹ [https://raqc.egnyte.com/dl/mQUvLxQUWs/Dashboard_mda8_v_2021.03.05_\(1\).xlsx](https://raqc.egnyte.com/dl/mQUvLxQUWs/Dashboard_mda8_v_2021.03.05_(1).xlsx)

¹² [https://raqc.egnyte.com/dl/VHRCCkBur/Dashboard_LocalAPCA_mda8_v2021.03.17_\(1\).xlsx](https://raqc.egnyte.com/dl/VHRCCkBur/Dashboard_LocalAPCA_mda8_v2021.03.17_(1).xlsx)

industrial warehousing across the Kansas City metro area is anticipated to increase truck traffic and bring it closer to residential neighborhoods, including environmental justice communities. Unfortunately, the area does not have targeted data to show the potential impact of this clearly beneficial program for cleaner heavy-duty trucks. However, the anticipated reductions from the proposed HD truck rule would be preventative and help keep the Kansas City metro area from needing to explore future NO_x reduction strategies. Although the situation is not as dire as in other parts of the country, cleaner heavy-duty trucks would certainly help in improving and maintaining our air quality to be more protective of our residents' health.

The District of Columbia continues to have annual ozone fourth highest values above the 70-ppb 2015 ozone NAAQS, except in 2020 when vehicle congestion in the Washington, DC, area was significantly reduced due to the COVID-19 health emergency. NO_x emissions from highway trucks are major contributors to unhealthy levels of ground-level ozone and fine PM. In fact, modeling conducted by the Ozone Transport Commission¹³ found that onroad diesel vehicles are the second largest contributor to ozone in the District, behind only onroad gasoline vehicles. Onroad diesels were modeled to contribute 16 percent of anthropogenic ozone on exceedance days and throughout the ozone season in the District, which is a higher percentage than all of the District contributes to itself (12 percent on average and 10 percent on exceedance days). NO_x reductions from diesel vehicles are necessary in order for residents of the District to breathe healthy air.

Many key environmental justice communities in Washington are located near high-traffic roadways well used by heavy-duty trucks. One such community is Seattle's Chinatown-International District, which sits next to the interchange of two major interstates (I-5 and I-90). This community is home to Seattle's near-road NO_x monitoring site, which records the highest NO_x concentrations in the region. Monitoring results demonstrate that ambient concentrations of NO and NO₂ are highly correlated with peak traffic patterns on these interstates. As a key precursor to ozone formation, NO_x also impacts air quality in communities with elevated ozone concentrations such as Washington's Tri-Cities. Previous research indicates that onroad vehicles are the dominant source of NO_x in this community, which experiences some of Washington's highest ozone concentrations in the summer months.

For almost 50 years, Connecticut's citizens have suffered the public health and economic impacts of ozone nonattainment. This past year, Connecticut experienced 21 days with unhealthy ozone levels, and on April 13, 2022, EPA proposed to reclassify Fairfield, New Haven and Middlesex Counties as Severe nonattainment with respect to the 2008 ozone NAAQS. The importance of reducing NO_x emissions to address ozone nonattainment is critical for Connecticut. A recent national report, *Asthma Capitals 2021*,¹⁴ ranked New Haven (#5) and Hartford (#17) among the 100 largest U.S. cities where it is most challenging to live with asthma. The Connecticut Department of Energy and Environmental Protection recently issued an assessment of onroad medium- and heavy-duty vehicle emissions,¹⁵ which included the finding that in 2020 onroad HD vehicles accounted for 36 percent of total onroad NO_x emissions but are projected to increase to 57 percent of total onroad NO_x emissions by 2045 without the adoption of new emission standards. Connecticut urgently needs stringent, technology-forcing federal emission standards for HD trucks now.

¹³ <https://otcair.org/upload/Documents/Reports/OTC%20MANE-VU%202011%20Based%20Modeling%20Platform%20Support%20Document%20October%202018%20-%20Final.pdf>

¹⁴ <https://www.aafa.org/media/3040/aafa-2021-asthma-capitals-report.pdf>

¹⁵ https://portal.ct.gov/-/media/DEEP/air/mobile/MHD/MHD_Whitepaper_030822.pdf

California's population closely overlaps its air quality challenges driven in large part by transportation emissions that often differentially affect the state's most vulnerable communities. Redoubled efforts to address the air quality needs of every California resident have seen focused Community Air Protection programs targeting the stationary and mobile sources impacting these communities. The communities adjacent to railyards, ports, warehouses and freight corridors experience heavy truck traffic characterized by idling, driving slowly and frequent stops – conditions under which today's HD trucks do not control NO_x emissions effectively. California has spent \$8 billion to date on technology advancement and early market development of cleaner and zero emission vehicles (ZEVs). New vehicles sold in California are being brought under stringent near-term tailpipe and zero emission requirements while fleet rules like the Truck and Bus regulation are driving accelerated turnover of the oldest remaining trucks by the end of this year. Despite these aggressive and sustained efforts to achieve emission reductions, a similar amount of heavy-duty truck emissions in California comes from trucks initially sold under federal jurisdiction. The necessity of dealing with “both halves” of heavy-duty truck emissions (under California's jurisdiction and under federal jurisdiction) is paramount as outlined in California's EPA-approved State Implementation Plans and underlying the state Mobile Source Strategy and local Air Quality Management Plans. It is crucial that EPA's federal HD truck standards drastically cut truck emissions, including during low load conditions, to reduce adverse health impacts and improve air quality throughout the state, especially in those areas that are already disproportionately impacted by truck emissions.

In 2016, state and local air agencies from around the country joined together to petition EPA to adopt “ultra-low NO_x” emission standards for highway heavy-duty trucks and engines. Petitioners, who based their case on their need for the related NO_x reductions, included the South Coast (CA) Air Quality Management District; Pima County (AZ) Department of Environmental Quality; Bay Area (CA) Air Quality Management District; Connecticut Department of Energy and Environmental Protection; Delaware Department of Natural Resources and Environmental Control, Division of Air Quality; Washoe County (NV) Health District, Air Quality Management; New Hampshire Department of Environmental Services; New York City (NY) Department of Environmental Protection; Akron (OH) Regional Air Quality Management District; Washington State Department of Ecology; Puget Sound (WA) Clean Air Agency; Rhode Island Department of Environmental Management; Massachusetts Department of Environmental Protection; Vermont Department of Environmental Conservation; New York State Department of Environmental Conservation; and Sacramento (CA) Metropolitan Air Quality Management District.

NACAA's Recommendations Related to the NO_x Portion of the Proposed Rule

When EPA finalizes a HD truck rule it will mark the first time since 2001 that EPA has taken action to cut harmful NO_x emissions from these vehicles. There is a clear and compelling public health need for much tighter restrictions on HD truck NO_x emissions. In the past 20 years, technical capacity to reduce these emissions has flourished and tremendous experience has been gained; the opportunity to require and achieve deeper reductions in NO_x emissions across the many operations is enormous.

In August 24, 2020, written comments to CARB,¹⁶ NACAA supported the state's proposed Heavy-Duty Omnibus Regulation, which was adopted on August 27, 2020, and ultimately finalized in December 2021, after an extensive public process that was preceded by several years of informal stakeholder input.¹⁷ The research supporting CARB's Omnibus – including research jointly funded by EPA and the California Air

¹⁶ https://www.4cleanair.org/wp-content/uploads/Documents/NACAA_Comments-CARB_HD_NOx_Omnibus_Proposal-082420.pdf

¹⁷ <https://ww2.arb.ca.gov/rulemaking/2020/hdomnibuslownox>

Resources Board and conducted by the Southwest Research Institute (SwRI) – is rigorous and the data and findings solidly supportive of the Omnibus standards. Structurally, EPA’s Proposed Option 1 numeric standards are similar to the Omnibus. However, despite the affirmative data and the unyielding nationwide public health need, the agency’s Proposed Option 1 falls far short in some very critical ways, including by failing to align with the Omnibus’ on a number of key provisions, including, among others, on the heavy HD NO_x emission standard and interim useful life (IUL) in 2027, and by proposing important program elements that lack the stringency of the Omnibus and/or that severely erode the benefits of the numerical standards. Moreover, in some cases, which we discuss below, research and findings that have emerged since adoption of the Omnibus support even more stringent standards and approaches. EPA’s Proposed Option 2 conclusively misses the mark and leaves on the table critical tons necessary for attainment, maintenance and the protection of underserved communities while being, by EPA’s own analysis, less cost effective. Proposed Option 2 is inherently unacceptable in light of the CAA mandate for maximum feasible stringency in HD standard setting, as evidenced by EPA’s proposal of Option 1 as a viable option.

Finally, in his August 5, 2021, Executive Order (EO), “Strengthening American Leadership in Clean Cars and Trucks,”¹⁸ President Biden, in calling upon EPA to develop this heavy-duty truck rule, states, “Given the significant expertise and historical leadership demonstrated by the State of California with respect to establishing emissions standards for light-, medium-, and heavy-duty vehicles, the Administrator of the EPA shall coordinate the agency’s activities pursuant to sections 2 through 4 of this order [including establishing NO_x standards for heavy-duty engines and vehicles for 2027 and later] as appropriate and consistent with applicable law, with the State of California as well as other States that are leading the way in reducing vehicle emissions, including by adopting California’s standards.”

We urge EPA to pursue this EO-directed collaboration and coordination with the states, openly and in a manner that will meaningfully contribute to the agency’s ultimate decision on the final rule. In the Multi-State Medium- and Heavy-Duty Zero Emissions Vehicle Memorandum of Understanding (MOU) 17 states and the District of Columbia acknowledge the “introduction of low-NO_x heavy duty trucks” as essential for reducing harmful emissions of NO_x, PM and toxic air contaminants that adversely affect public health.¹⁹ This MOU establishes a ZEV sales goal under which at least 30 percent of all medium HD trucks sold in the MOU states by 2030 would be ZEVs. Five states have already individually exercised their right of self-determination under section 177 of the Clean Air Act and joined California with adoption of heavy-duty new vehicle policies.^{20,21,22,23,24,25} A sixth state has passed enabling legislation²⁶ and others are considering similar bills or have taken public process steps related to regulatory development. States are also demonstrating non-regulatory leadership by taking collaborative action through efforts such as the Regional Electric Vehicle Midwest MOU with five signatories.²⁷ We urge EPA to actively and collaboratively leverage

¹⁸ <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/08/05/executive-order-on-strengthening-american-leadership-in-clean-cars-and-trucks/>

¹⁹ <https://www.nescaum.org/documents/mhdv-zev-mou-20220329.pdf/>

²⁰ <https://www.mass.gov/guides/massachusetts-low-emission-vehicle-lev-program>

²¹ https://www.nj.gov/dep/rules/adoptions/adopt_20211220a.pdf

²² <https://www.dec.ny.gov/regulations/26402.html>

²³ <https://www.oregon.gov/deq/rulemaking/Pages/ctr2021.aspx>

²⁴ <https://ecology.wa.gov/Air-Climate/Climate-change/Reducing-greenhouse-gases/ZEV>

²⁵ <https://ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC173-423-400Jan18>

²⁶ <https://portal.ct.gov/Office-of-the-Governor/News/Press-Releases/2022/04-2022/Governor-Lamont-Applauds-Final-Passage-of-Climate-Legislation-That-Includes-New-Emissions-Standards>

²⁷ <https://www.michigan.gov/>

/media/Project/Websites/leo/REV_Midwest_MOU_master.pdf?rev=6dd781b5a4eb4551b3b3a5b875d67fb9

the tremendous expertise, interest and commitment of states toward the most effective final rule in line with these efforts.

HD Engine NO_x Standards, Useful Life Periods and Warranty Periods

EPA includes two options in the proposal, one more stringent than the other. The agency notes that Proposed Option 1, the more stringent of the two, would come with greater public health and environmental benefits; nonetheless, as proposed, this option is insufficient. Proposed Option 2 is wholly unacceptable. NACAA supports modifications that would strengthen the overall stringency of Proposed Option 1 by aligning it with the technology-forcing mandate of the CAA.

When setting federal NO_x emission standards for HD trucks, EPA is required, under CAA section 202(a)(3)(A), to reflect “the *greatest* degree of emission reduction achievable through the application of technology which the Administrator determines will be available for the model year to which such standards apply, giving appropriate consideration to cost, energy and safety factors associated with the application of such technology.” [emphasis added]

Just because a regulated entity is not already producing, or committing to produce, engines incorporating a particular technology does not mean that the technology does not exist or will not exist by 2027 or that standards based on that technology are not achievable by 2027 – which is over four years from today. EPA must fully comply with this statutory technology-forcing mandate. However, the agency utterly fails to do so in Proposed Option 2 and even in Proposed Option 1.

Although Proposed Option 1 comes closer to meeting this requirement than Proposed Option 2, Proposed Option 1 does not meet the statutory bar. Falling short is insupportable given that there are emission controls that are technologically feasible, commercially available and justified based on benefits relative to costs not only for meeting the Proposed Option 1 emission standards and deadlines, but also for meeting a cleaner 2027 standard – 20 mg/hp-hr – for heavy HD engines, and without the need for the excessive and indefensible flexibilities EPA proposes or on which the agency seeks comment (which NACAA discusses below) and which would seriously erode any emission standards finalized by EPA. Additionally, there has been more than adequate time to prepare for a substantially more rigorous federal standard; EPA and stakeholders have been aware for years that such a standard was necessary and forthcoming. Manufacturers must prepare for these MY 2027 standards across a growing number of states anyway. EPA should be leveraging the early experience with the already-final Omnibus 2024-2026 phase-in as well as the finalized 2027 Omnibus standards to the benefit of the final rule rather than ignoring the engineering and commercialization progress made in order to comply with the Omnibus in California and in other states that have adopted it.

EPA should revise Proposed Option 1 to pull forward to 2027 the 20 mg/hp-hr NO_x emission standard for all classes with an IUL standard of 435,000 miles for heavy HD engines.

Importantly, as EPA reports in the NPRM, Proposed Option 1 will result in substantially superior emission, health and monetized benefits than Proposed Option 2. The agency also states, “Given the analysis we present in this proposal, we currently believe that proposed Option 1 may be a more appropriate level of stringency as it would result in a greater level of achievable emission reduction for the model years proposed, which is consistent with EPA’s statutory authority under Clean Air Act section

202(a)(3).²⁸ While NACAA appreciates and agrees with EPA's recognition that the greater stringency of Proposed Option 1 would result in "a greater level of achievable emission reduction," we challenge the agency's statement that this "is consistent with EPA's statutory authority under Clean Air Act section 202(a)(3)." The CAA requires not a greater level of achievable emission reduction but "the *greatest* degree of emission reduction achievable." [emphasis added]

Proposed Option 2, or anything remotely similar, is entirely unacceptable and must be rejected. As discussed above, it has been demonstrated that significantly more rigorous NO_x emission standards and other program requirements are feasible and cost effective for 2027 and beyond. The standards in Proposed Option 2 require virtually no effort on the part of manufacturers beyond negligible calibration adjustments and minor hardware modification – nowhere near the technology-forcing standards required by CAA section 202(a)(3)(A). Further, EPA acknowledges in the proposal that Option 2 would deliver inferior emission, health and cost benefits, thus sacrificing emission reductions and health protections sorely needed in areas struggling to attain or maintain health-based NAAQS and overburdened communities. In addition, the flexibilities EPA proposes to offer, or on which it seeks comment, that are excessive and indefensible for Proposed Option 1 are even more unjustified for Proposed Option 2.

Standards for Low-Load and Idle Duty Cycles

NACAA supports inclusion in the final rule of performance requirements to ensure achievement of emission standards across all duty cycles, including idle and low load.

EPA seeks comment on whether to include an idle standard. In the Omnibus, California adopted a mandatory idle standard of 5 grams/hour (g/hr). Since then, SwRI and Achates Power have demonstrated that heavy-duty trucks can achieve and continuously sustain significantly lower idle standards – all below 1 g/hr – over an indefinite period of time. This is an important development for HD trucks, which routinely idle for long periods of times. Achates, for example, has field data from actual truck operation in 40° F weather showing 0.15 g/hr average NO_x at idle. EPA should finalize a mandatory idle NO_x standard for MY 2027-2030 engines in the range of 0.5 to 1 g/hr.

Due to the high level of heavy-duty engine NO_x emissions that come from operation at low load we support EPA's proposal to adopt a low-load test that would provide a procedure for assessing emissions at low loads and allow for better control of NO_x emissions in urban driving environments. For MY 2027-2030 engines, EPA has proposed a low-load cycle (LLC) standard of 90 mg/hp-hr, which is the same as that in the Omnibus. However, several recent research initiatives – including EPA's Low NO_x Stage 3 Research Program conducted by SwRI²⁹ and a program conducted by Achates – provide clear evidence that a tighter standard is feasible. Based on this research, EPA should evaluate how much lower the LLC standard can be and, in the final rule, improve upon the proposed standard.

SCR Inducement

NACAA does not support EPA's proposed changes to the in-use strategies designed to ensure that operators maintain their NO_x emission control equipment.

²⁸ *Supra* note 1, at 17,440

²⁹ <https://www.regulations.gov/document/EPA-HQ-OAR-2019-0055-1082>

EPA proposes changes that would significantly weaken “inducements” for maintaining Selective Catalytic Reduction (SCR). Since SCR is the most effective means of reducing NO_x emissions from diesel engines, when these devices are malfunctioning NO_x emissions soar. Such unacceptable NO_x increases can occur from a combination of vehicle neglect, part failures and malicious tampering with diesel exhaust fluid (DEF), hardware and software. While the longer warranties proposed and discussed below should provide motivation to resolve design defects and inferior parts, the issues of passive neglect or active tampering require an intentional and diligent approach in the inducement program to ensure adverse emissions impacts are minimized.

EPA states in the NPRM that it has received many complaints about inducements related to SCR and the use of DEF, the majority of which express concerns “that despite the use of high-quality DEF and in the absence of tampering, in-use vehicles are experiencing inducements for reasons outside of the operator’s control.” It is unclear how many of the experiences leading to these complaints are specifically related to SCR inducements versus general engine protection derating that operators can also experience. Among the cited reasons outside the operator’s control are faulty sensors and software “glitches.” Both of these would be warrantable issues that should receive increased manufacturer attention under the significantly longer warranty periods advocated here. Simply ignoring these design issues would be deeply problematic and fundamentally undermine the effectiveness of the NO_x program.

EPA reasons that relaxing inducements would more effectively result in truck operators properly maintaining SCR and proposes that for high-speed vehicles the initial inducement would be 65 miles per hour (mph) and the final inducement no lower than 50 mph (up from the current final inducement of 5 mph). For low-speed vehicles, the proposed initial inducement is 50 mph and the final inducement no lower than 35 mph. Such inducements are too lax to encourage a truck operator to act in a timely fashion to fix a problem and should not be finalized.

Further, the proposed derate schedules would allow up to 60 hours of operation before the final inducement takes effect. That would be 60 hours of driving, without emission controls, through vulnerable communities, past schools and recreational areas and near homes and small-business and community hubs. This should not be finalized either.

If EPA believes changes to the inducement strategies are technologically necessary, NACAA offers the following recommendations. First, EPA’s proposed inducements, which would dramatically increase maximum speeds allowed under the derate schedules, should be revised considerably downward. Second, EPA should amend the definition of a low-speed vehicle from a 20-mph threshold to a 30-mph threshold so that these vehicles would be subject to a more appropriate low-speed vehicle derate schedule. Third, EPA should finalize derate schedules with less time between stages to reduce the total allowed hours of operation before the final inducement occurs. Finally, rather than just relaxing inducements and potentially allowing a truck with improperly maintained SCR to continue operating with nominal constraint, EPA should put in place measures that will hold manufacturers accountable for addressing the durability and sensor issues about which the agency, dealerships and manufacturers have received complaints.

Durability Demonstration Program

NACAA does not support the proposed new option for durability demonstration.

EPA proposes a new option for determining a deterioration factor (DF) that would significantly weaken vehicle durability testing requirements. Under this new DF demonstration option, “to limit the burden of generating a DF over the proposed lengthened useful life periods,” EPA would allow manufacturers to conduct dynamometer testing of an engine and aftertreatment system to a mileage less than regulatory useful life. Manufacturers would then bench age only the aftertreatment system to regulatory useful life, put it back on an engine representing the engine family, run the combined engine and bench-aged aftertreatment system for at least 100 hours and then collect emissions data to determine the DF.

EPA should discard this proposed option, which does not adequately simulate engine aging and, because the focus is on aftertreatment bench aging without consideration of engine-related component durability, could allow the certification of engines that do not meet the engine standards. EPA should continue to include both significant engine operation and accelerated aftertreatment aging in the DF determination, as is required by the Omnibus, and work with California to align the programs.

Interim In-Use Emission Standards

NACAA does not support finalizing any interim in-use emission standards.

EPA requests comment on a flexibility to provide manufacturers with higher numeric interim in-use standards for verification testing for heavy HD trucks. In particular, when in-use testing is conducted to verify that an in-use heavy HD truck meets applicable duty cycle or off-cycle emission standards throughout useful life, the vehicle would be held to a much less stringent standard from MY 2027 through MY 2033 (the “interim period”). According to the scenario on which EPA seeks comment, the interim in-use standard could be up to 100 percent of (or double) the actual standard. EPA says the reason for this provision would be to allow manufacturers time to gain experience with the emission control technologies while they are operating in the field. EPA also says that depending on what it observes as part of its engine demonstration study it may consider adopting even more lenient interim in-use standards in the final rule.

Under this scheme, it appears EPA would also forfeit its own authority to verify manufacturer-provided data as even EPA’s testing of new Selective Enforcement Audit engines or the manufacturer’s certification engine itself could not be held to the regular emissions standard. Beyond the likely emissions consequences of not pursuing corrective action on engines emitting at up to twice the standard, such so-called in-use standards set up a perverse motivation for manufacturers, who would be on notice that their certification submissions effectively could not be audited. This is not theoretical as there is a recent incident of fraudulent certification submissions by a heavy-duty engine manufacturer, resulting in loss of engine customers, truck and construction equipment manufacturing jobs and even permanent plant closure.^{30,31,32,33}

³⁰ <https://wvmetronews.com/2020/12/28/hino-engine-certification-issues-the-reason-for-production-suspension-in-wood-county-through-much-of-2021/>

³¹ <https://www.equipmentworld.com/equipment/article/15065118/yanmar-isuzu-to-supply-kobelco-engines-in-the-us>

³² <https://www.kobelcocm-global.com/news/2022/220225.html>

³³ <https://www.reuters.com/world/asia-pacific/japan-revoke-hinos-engine-certification-over-false-emissions-data-2022-03-18/>

EPA should not finalize any interim in-use standards. Such “flexibility” is inappropriate and would weaken the rule’s effectiveness in reducing emissions and protecting public health. Gaining experience with emission control technologies should be addressed by manufacturers during product development, not after vehicles are sold.

Production Volume Allowances

NACAA does not support the inclusion of manufacturer production volume allowances for specialty vocational products or any other engine categories.

Another flexibility on which EPA seeks comment is production volume allowances for MY 2027 through 2029 medium HD engines and heavy HD engines. Based on EPA’s description of this option manufacturers would be allowed to continue to certify up to 5 percent of their total production volume of medium and heavy HD diesel engines in each of MYs 2027 through 2029 to “pre-MY 2027 engine provisions”; that is, these engines would be exempt from the new emission standards and allowed to continue to comply with the 21-year-old 200-mg NO_x standard.

EPA says this exemption from the new emission standards for the first three MYs “may” be necessary to allow manufacturers lead time and flexibility to redesign some low sales volume specialty vocational products to accommodate the technologies needed to meet the new emission standards. EPA offers as its only example fire trucks, for which, the agency contends, not being subject to the new emission standards during the first three MYs would be “appropriate” because of potential challenges to engine, chassis and body manufacturers of packaging new emission controls.

Not only is this flexibility unwarranted, it would undermine the effectiveness of the rule to reduce emissions and protect public health. Allowing 5 percent of a manufacturers’ total production volume of HD engines to meet a 200-mg/hp-hr NO_x standard means that one in every 20 engines would be allowed to emit NO_x at a level that is an order of magnitude higher than the standard NACAA recommends for MYs 2027-2029, with excess emissions of 180 mg/hp-hr, and to do so with no requirement for mitigating the increased emissions. The result would be an inventory increase of up to 45 percent for each applicable model year’s production from a manufacturer with products in a single useful life and power rating category. However the excess NO_x inventory could be even greater if a manufacturer elects to satisfy the 95 percent of production with low-rated power and short-useful-life engines while using the 5-percent allowance for engines with a much longer useful life and higher rated power output (such as the large engines that are typically used in EPA’s own example). Useful life can vary by a factor of three or four and power rating by a factor of two or three, depending on the details of the engine models involved, but could multiply the excess NO_x inventory beyond the 45-percent simplest case above.

The agency also asks whether an exemption from the new emission standards for an interim period should be “limited to specific vocational vehicle regulatory subcategories and the engines used in them” or allowed for others as well.

The only fair evaluation of the emissions impact of this “flexibility” is one based on the assumption that manufacturers will use their full 5-percent allowance and apply the allowance to an engine mix of the largest, longest-lived engines. Assuming actual sales will be less than the allowed 5 percent would be highly imprudent and imperil the NO_x reduction program.

EPA should not exempt any engines from complying with the adopted new emission standards for any amount of time and, therefore, should not adopt a production volume allowance option.

Emission Credits and Averaging, Banking and Trading

NACAA does not support the inclusion of a NO_x emission credit or Averaging, Banking and Trading (ABT) scheme.

EPA acknowledges in the NPRM that its proposed NO_x standards are feasible without the use of credits. Even so, the agency proposes a NO_x credit-generation scheme and ABT that would allow manufacturers to use credits generated from producing engines with emission levels below the standards to produce engines with emission levels above the standards. With areas all across the country seeking every possible ounce of NO_x reduction in order to protect the health of those who live and work in their jurisdictions, including those in overburdened communities where neighborhood truck traffic is disproportionately high, the concept of turning additional NO_x emission reductions beyond those required by the new standards into currency to be used to negate those reductions seems senseless.

This approach would also open the possibility of the federal program issuing to manufacturers large NO_x credits against the current 200-mg/hp-hr federal standard for engines sold in Omnibus jurisdictions at the 50-mg standard. This would allow manufacturers to continue making dirtier engines at the expense of the emission reductions intended to occur from the states' Omnibus programs and would effectively float the standard higher, increasing emissions across engines in all states.

Although NACAA supports efforts to encourage and expand the deployment of ZEVs, we do not support efforts that come at the expense of NO_x reductions in the rule. EPA should not include in the final rule provisions for generating NO_x credits or an ABT program that will, in any way, deplete or negate important NO_x emission reductions achieved through implementation of new emission standards, especially when the standards are feasible without the use of credits.

EPA should, however, finalize its proposal to end the ABT program for PM and hydrocarbons for MYs 2027 and later engines.

EPA also seeks comment on a proposed Family Emission Limit (FEL) cap of 150 mg/hp-hr in 2027, which the agency says is consistent with the average NO_x emission levels achieved by recently certified diesel engines. An FEL cap being achieved today is far too high for implementation more than four years from now and, at 150 mg, is inconsistent with the 50-mg/hp-hr standards applicable to engines that will be in production in 2026 to comply with the Omnibus.

Onboard Diagnostics

EPA's existing onboard diagnostics (OBD) requirements, adopted in 2009, allow manufacturers to demonstrate how the OBD system they designed to comply with California's OBD requirements also complies with the intent of EPA's OBD requirements. (EPA maintains separate OBD regulations but manufacturers currently seek approval from California for OBD systems in engine families applying for 50-state certification and then use that approval to demonstrate compliance with EPA's requirements.) In this rulemaking, EPA proposes to update its OBD regulations by incorporating by reference the California Air Resources Board's (CARB) 2019 OBD regulations "as the starting point for our updated OBD regulations"

and then “exclude or revise certain CARB provisions that we believe are not appropriate for a federal program” and “include additional elements to improve the usefulness of OBD systems for users.”

EPA should update its OBD requirements but should incorporate by reference CARB’s current program without omission so there is alignment between the federal and California programs.

Anti-Tampering

Effective provisions to detect and enforce against tampering with vehicle emission controls are key to ensuring long-term in-use emissions performance. Recognizing the complexity of engine control modules (ECM) and the sophistication of tampering methods, EPA’s proposal to prevent ECM tampering is designed to provide manufacturers with flexibility to quickly respond to new or emerging threats and vulnerabilities. Under the proposal, manufacturers would be required to include in their certification application a description of all adjustable parameters, including electronically controlled parameters, as well as the approach or industry technical standards used to prevent unauthorized access to a vehicle’s ECM; ensure that calibration values, software and diagnostic features cannot be modified or disabled; and respond to repeated unauthorized attempts to reprogram or tamper. Manufacturers would also be required to attest that they are using sufficient measures to secure the ECM, thereby limiting adjustment or alteration beyond those used in the certified configuration. EPA would retain the right to evaluate a manufacturer’s decisions regarding the measures used to prevent access to and tampering with the ECM.

EPA should finalize these proposed anti-tampering provisions.

PM Anti-Backsliding

NACAA also notes the potent toxicity and impact of diesel PM and welcomes EPA’s proposal of a PM anti-backsliding standard, based on use of a DPF, of 5 mg/hp-hr, down from the current level of 10 mg/hp-hr. EPA should finalize this standard.

NACAA’s Recommendations Related to the HD Truck Greenhouse Gas Emissions Portion of the Proposed Rule

In addition to the NO_x portion of this NPRM, EPA includes proposed “targeted updates” to the existing Heavy-Duty Greenhouse Gas Emissions Phase 2 program. The agency proposes to adjust the HD Phase 2 vehicle greenhouse gas (GHG) emission standards by sales-weighting the projected heavy-duty electric vehicle (EV) production levels of school buses, transit buses, commercial delivery trucks and short-haul tractors – four vehicle types EPA expects will have the highest EV sales of all HD vehicle types between now and 2030 – and by lowering the applicable emission standards in MY 2027 accordingly. EPA says that these updates are appropriate given the growing HD EV market and, considering other factors, including lead time and cost, would not fundamentally change the HD GHG Phase 2 program as a whole.

For the past seven years, NACAA has urged EPA to develop and adopt a strong, technology-forcing rule to reduce NO_x emissions from HD trucks. We welcomed President Biden’s August 5, 2021, EO calling upon EPA to propose in January 2022 and finalize in December 2022 NO_x standards for HD trucks for MYs 2027 through at least MY 2030 and begin work on a rule under the CAA, to be finalized by July

2024, to establish new GHG emission standards for HD engines to take effect as soon as MY 2030. In that same EO, the President called on EPA to consider the role zero-emission heavy-duty vehicles might have in reducing emissions from certain market segments and consider updating the existing GHG emissions standards for heavy-duty engines and vehicles beginning with model year 2027 and extending through and including at least model year 2029.

NACAA's expressed preference was for EPA to reserve action on reducing GHG emissions from HD trucks for the July 2024 final rule so that EPA could focus on the immediate need for overdue HD NO_x reductions and a final rule by not later than December 2022. While we support reducing HD truck GHG emissions, we do not want anything to impede the timely adoption of a final HD truck NO_x rule.

Although NACAA's highest priority with this rule continues to be NO_x reductions, we recognize that EPA's proposed updates can provide benefits in the form of increased fuel efficiency and reduced fuel consumption and pave the way for a more ambitious rule to be implemented as soon as MY 2030. Provided adopting EPA's proposed "targeted updates" to the Phase 2 truck provisions in no way slows the finalization of the NO_x portion of the rule, impedes adoption of the NO_x portion of the rule this year or undermines the rigor of the NO_x program that NACAA recommends, NACAA supports the proposed targeted GHG updates.

Conclusion

On behalf of NACAA, we appreciate the opportunity to comment on this important and long-awaited proposal. We urge EPA to work thoughtfully and quickly to issue a final rule this year – incorporating NACAA's recommendations – so that NO_x emission standards and related program requirements apply beginning with MY 2027.

The gravity of timely compliance with the NAAQS requires this federal action. The protection of public health and welfare, particularly in overburdened communities across the nation, demands it.

If you have questions, please contact either of us or Nancy Kruger, Deputy Director of NACAA.

Sincerely,



Eric C. White
(Placer County, CA)
Co-Chair
NACAA Mobile Sources and Fuels Committee



Tracy R. Babbidge
(Connecticut)
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Executive Memorandum

Date of Release: June 2, 2022
Date of Consideration: June 9, 2022
To: Honorable YRCAA Board of Directors and Alternates
From: Office of the Interim Executive Director / Air pollution Control Officer
Subject: Q & A to the Proposed FY 2023 Budget

Our agency has received some questions via email from FOTC on May 31, 2022. There was another email sent to the board members on May 16, 2022 which, I became aware of it on May 31, 2022. Nonetheless, the questions and Q and A as follows:

“Subsequently FOTC submitted a list of questions regarding the proposed budget. The agency has not answered our questions. Some of those questions are:”

Q: “If Ecology is taking over management of air monitors, should part of the \$21,050 income from PM 2.5 be removed from the proposed budget? And the expenditure for salaries and benefits as well?”

A: That would be true, if that were the case. What was discussed at the May 12, 2022 board meeting, the \$21,050 for the monitoring part will be prorated based on the period Ecology will take the monitoring back. In addition, YRCAA has been doing the work through June 1, 2022. YRCAA receives the \$21,050 money in arrear every three months. We have to bill Ecology first. In addition, the core grant will be reduced by some amount. Until everything is finalized, the budgets will be revised accordingly. YRCAA is not relinquishing the air monitoring part.

Q: “How long will it take to fill the compliance officer position? Who will train the new employee(s)? Is there a cost associated with training new hires?”

A: YRCAA did hire two staff and they will start working on June 6, 2022. The agency’s staff will train them. They will be sent to training to Ecology and any proper needed training. Yes, there will be cost to training.

Q: “What is the rationale for the increased expenditure for professional services?”

A: Due to increased legal fees rates, and software cost, inflation etc.

Q: "It appears that the number of staff assigned to wood stove change-out has more than doubled. Salaries and benefits went from \$60,000 to \$140,000. Explanation?"

A: That is because we received the grant late last year, it is the anticipated amount for the rest of the grant.

Q: "There is a \$38,000 decrease in salaries and benefits for base operations? Explanation?"

A: Some of the salaries will go to woodstove and other work.

Q "It appears that projected income from enterprise operations decreased by 25% from 2022 to 2023 but projected expenses increased by \$5,500. Explanation?"

A: It is anticipated that the number of people to be certified will be less due to the overall costs increased. In addition, increased in our expenses are due to increase in cost.

May 16, 2022 email questions:

"Questions re the 2023 YRCAA Budget"

Q: "1. What is the reason for a projected decrease in income from Title V sources? The final revenue from Title V Sources in 2022 was the highest in recent times."

A: Due to loss of one source.

Q: "2. What is the reason for expecting higher than normal revenues from minor sources?"

A: Due to increase in fees.

Q: "3. Why is YRCAA issuing fewer agricultural burn permits?"

A: We anticipate less burning and less orchard pullout!

Q: "4. If Ecology is taking over management of air monitors, should part of the \$21,050 income from PM 2.5 be removed from the proposed budget? And the expenditure for salaries and benefits as well?"

A: Answered above.

Q: "5. How long will it take to fill the compliance officer position? Who will train the new employee(s)? Is there a cost associated with training new hires?"

A: Answered above.

Q: "6. What is the rationale for the increased expenditure for professional services?"

A: Answered above

Q: 7. It appears that the number of staff assigned to wood stove change-out has more than doubled. Salaries and benefits went from \$60,000 to \$140,000. Explanation?

A: Answered above.

Q: "8. There is a \$38,000 decrease in salaries and benefits for base operations? Explanation?"

A: Answered above

Q: "9. It appears that projected income from enterprise operations decreased by 25% from 2022 to 2023 but projected expenses increased by \$5,500. Explanation?"

A: Answered above

Q: "10. Benefits for Wood Stove Ed. at \$910 are only 26% of the salary of \$3,500. This differs from benefits for other programs which lie around 34% to 35%. Explanation?"

A: Benefits are not the same for each employee. Benefit includes, health insurance and L&I etc. they are not the same for each employee.

Q: "11. There was a large, ≈ \$100,000, civil penalty in 2022. Explanation?"

A: The \$~100,00 the total projected for FY2022 not only one penalty. Some money from penalties are received several months after the issuance of the penalty.

Q: "12. Is it possible to calculate cost per public education event, cost per odor investigation, cost per dust investigation, and make comparisons by year?"

A: The answer is yes it is possible, everything is possible, but at what expense and what benefit.

Q: "13. At the May YRCAA board meeting I thought I heard that the contract to analyze YRCAA salaries was for \$23,000. The contract in the amended board packet says \$5,520. Would you please clarify?"

A: I am not sure what you heard during May's board meeting, but the contract was included in the packet which was \$5,520.

ACTION

ITEMS



Executive Memorandum

Date of Release: June 2, 2022
Date of Consideration: June 9, 2022
To: Honorable YRCAA Board of Directors and Alternates
From: Office of the Interim Executive Director / Air pollution Control Officer
Subject: Proposed FY 2023 Budget

Your Governing Board will hold a public hearing to consider adopting the proposed FY2023 Budget on June 9, 2022 at 2:00 P.M. at the Yakima Regional Clean Air Agency's conference room. Your Interim Executive Director respectfully submits, and recommends your Board's favorable consideration of, the proposed FY2023 Budget in the amount of **\$1,756,400**. The FY2023 budget is a continuation of FY 2022 programs and based on 10 FTE.

Summary

The proposed budget includes a planned appropriation of:

- \$739,611 for staff salaries and benefits;
- \$17,696 for supplies; and
- \$614,150 for services;

Approach

The proposed budget is prepared based on three distinct operations: Base Operations; Enterprise Operations; and Grant Operations. Two organizational divisions conduct work in programs under each operation. Specific work in each program is funded by the specific revenue sources.

Format

The proposed budget is prepared in two-part format:

- Part 1: An itemized, revenue and expenditures with estimated projected through FY 2022 and the proposed FY 2023 amounts; and
- Part 2: Proposed resolutions which incorporate the necessary authority and Board direction to implement the adopted Budget;

Yakima Regional Clean Air Agency Proposed FY2023 Budget		Adopted/Revised Budget FY2022	Projected Final FY2022	Proposed Budget FY2023
REVENUE		PROPOSED FY2023 BUDGET		
REVENUE 614 YRCAA Base Operations				
Stationary Source Permit Fees				
614-32190001	Minor Sources	\$ 151,000	\$ 160,789	\$ 163,880
614-32190008	Synthetic Minor Sources	\$ 18,620	\$ 22,576	\$ 22,576
614-32190006	Complex Sources	\$ 29,555	\$ 30,074	\$ 32,808
614-32290001	Title V Sources	\$ 113,000	\$ 131,510	\$ 92,000
614-32190002	New Source Review	\$ 37,500	\$ 38,588	\$ 38,000
<i>Subtotal, Stationary Source Permit Fees</i>		\$ 349,675	\$ 383,537	\$ 349,264
Burn Permit Fees				
614-32290005	Residential Burn Permits	\$ 60,500	\$ 49,407	\$ 55,000
614-32290007	Agricultural Burn Permits	\$ 32,250	\$ 17,357	\$ 25,000
614-32290011	Conditional Use Burn Permits	\$ 1,800	\$ 2,139	\$ 1,936
<i>Subtotal, Burn Permit Fees</i>		\$ 94,550	\$ 68,903	\$ 81,936
Compliance Fees				
614-32190005	Asbestos Removal Fees	\$ 30,000	\$ 22,610	\$ 25,000
614-32190009	Construction Dust Control Fees	\$ 5,000	\$ 5,679	\$ 5,800
<i>Subtotal, Compliance Fees</i>		\$ 35,000	\$ 28,289	\$ 30,800
<i>Subtotal, All Permit Fee Revenue</i>		\$ 479,225	\$ 480,729	\$ 462,000
Base Grants				
614-33366001	EPA, Core Grant	\$ 106,322	\$ 106,322	\$ 106,545
614-33403101	DOE, Core Grant	\$ 76,800	\$ 76,800	\$ 76,800
<i>Subtotal, Base Grants</i>		\$ 183,122	\$ 183,123	\$ 183,345
Fines & Penalties				
614-35990001	Civil Penalty	\$ 2,500	\$ 104,522	\$ 2,500
614-35990001	Other Fines	\$ -	\$ -	\$ -
<i>Subtotal, Fines & Penalties</i>		\$ 2,500	\$ 104,522	\$ 2,500
Supplemental Income				
614-33831001	Supplemental Income	\$ 102,830	\$ 102,830	\$ 102,830
<i>Subtotal, Supplemental Income</i>		\$ 102,830	\$ 102,830	\$ 102,830
Other Income				
614-36111001	Interest	\$ 2,000	\$ 3,275	\$ 3,500
614-36990014	Miscellaneous Income	\$ 50	\$ 9,673	\$ 100
<i>Subtotal, Other Income</i>		\$ 2,050	\$ 12,948	\$ 3,600
<i>Total Base Operations Revenue</i>		\$ 769,727	\$ 884,151	\$ 754,275
REVENUE 614 YRCAA Grant Operations				
614-33403105	Wood Stove Ed	\$ 4,588	\$ 4,906	\$ 4,906
614-33403108	PM 2.5	\$ 21,050	\$ 21,050	\$ 21,050
614-33403107	Woodstove Change-out	\$ 608,009	\$ 636,974	\$ 579,000
<i>Total Grant Operations Revenue</i>		\$ 633,647	\$ 662,930	\$ 604,956
REVENUE Enterprise Operations				
614-34317001	VE Certification Fees	\$ 80,000	\$ 58,337	\$ 60,000
614-34317002	Other Enterprise Revenue	\$ -	\$ -	\$ -
<i>Subtotal, Enterprise Revenue</i>		\$ 80,000	\$ 58,337	\$ 60,000
<i>Total Base, Grant and Enterprise Revenue</i>		\$ 1,483,374	\$ 1,605,418	\$ 1,419,231

Yakima Regional Clean Air Agency Proposed FY2023 Budget		Adopted/Revised Budget FY2022	Projected Final FY2022	Proposed Budget FY2023
EXPENSES		PROPOSED FY2023 BUDGET		
EXPENSES	614 YRCAA Base Operations			
Salaries				
614-1001	Salaries	\$ 441,546	\$ 349,569	\$ 412,802
614-2002	Benefits	\$ 152,717	\$ 122,822	\$ 143,349
614-1003	Overtime	\$ -	\$ -	\$ -
	<i>Subtotal, Salaries</i>	\$ 594,263	\$ 472,391	\$ 556,151
Supplies				
614-3101	Office Supplies	\$ 6,500	\$ 5,521	\$ 6,000
614-3101	Safety Equipment	\$ 300	\$ 300	\$ 200
614-3201	Vehicles, Gas	\$ 1,500	\$ 1,498	\$ 6,000
614-3501	Small Tools/Equipment	\$ 200	\$ 1,059	\$ 1,000
614-3502	Computer Network	\$ 3,000	\$ 1,813	\$ 3,000
	<i>Subtotal, Supplies</i>	\$ 11,500	\$ 10,192	\$ 16,200
Services				
614-4101	Professional Services	\$ 55,000	\$ 68,845	\$ 80,000
614-4101	Laboratory Analyses	\$ 500	\$ 100	\$ 200
614-4192	Yakima County Services	\$ 1,473	\$ 1,200	\$ 1,000
614-4201	Communications, Phones/Internet	\$ 12,350	\$ 7,078	\$ 7,000
614-4202	Postage	\$ 2,000	\$ 1,652	\$ 1,800
614-4301	Travel & Transportation	\$ 3,200	\$ -	\$ 5,000
614-4401	Public Education	\$ 2,000	\$ 1,250	\$ 6,000
614-4401	Publications, Legal Notices	\$ 1,000	\$ 1,537	\$ 2,000
614-4501	Rents & Leases, Equipment	\$ 2,988	\$ 5,748	\$ 5,750
614-4501	Rents & Leases, Space	\$ 57,532	\$ 52,749	\$ 58,000
614-4601	Insurance	\$ 14,613	\$ 15,720	\$ 16,000
614-4701	Utilities	\$ 4,622	\$ 4,424	\$ 4,500
614-4801	Maintenance, Motor Vehicles	\$ 1,200	\$ 1,412	\$ 1,400
614-4801	Maintenance, Equipment	\$ 5,000	\$ 5,860	\$ 5,000
614-4801	Maintenance, Computers	\$ 750	\$ 316	\$ 4,000
614-4801	Maintenance, Building	\$ 500	\$ 2,905	\$ 4,500
614-4901	Memberships	\$ 650	\$ 682	\$ 700
614-4901	Training	\$ 2,500	\$ 954	\$ 6,000
614-4901	Service Charge & Interest	\$ 6,950	\$ 7,015	\$ 7,500
614-4901	Miscellaneous Services	\$ 4,000	\$ 65	\$ 1,000
614-4901	DOE Oversight Fees	\$ 4,600	\$ 3,531	\$ 3,600
	<i>Subtotal, Services</i>	\$ 183,428	\$ 183,041	\$ 220,950
Capital Out-Lay & Fixed Assets				
614-6401	Capital Out-Lay/Fixed Assets	\$ -	\$ -	\$ -
	<i>Total Base Operations Expenses</i>	\$ 789,191	\$ 665,624	\$ 793,301
EXPENSES	614 YRCAA Grant Operations			
	614-33403105 Wood Stove Ed			
Salaries				
614-1001	Salaries	\$ 3,399	\$ 3,347	\$ 3,500
614-2002	Benefits	\$ 1,189	\$ 881	\$ 910
614-1003	Overtime	\$ -	\$ -	\$ -
	<i>Subtotal, Salaries</i>	\$ 4,588	\$ 4,228	\$ 4,410
Supplies				
614-3101	Office Supplies		\$ 200	\$ 346
	<i>Subtotal, Supplies</i>	\$ -	\$ 200	\$ 346

Yakima Regional Clean Air Agency Proposed FY2023 Budget		Adopted/Revised Budget FY2022	Projected Final FY2022	Proposed Budget FY2023
Services		PROPOSED FY2023 BUDGET		
614-4139	Professional Services	\$ -	\$ 465	\$ 150
614-4202	Postage	\$ -	\$ -	\$ -
<i>Subtotal, Services</i>		<u>\$ -</u>	<u>\$ 465</u>	<u>\$ 150</u>
<i>Subtotal, Woodstove Grant Expenses</i>		<u>\$ 4,588</u>	<u>\$ 4,893</u>	<u>\$ 4,906</u>
614-33403108 PM2.5				
Salaries				
614-1001	Salaries	\$ 15,270	\$ 15,577	\$ 15,577
614-2002	Benefits	\$ 5,780	\$ 5,473	\$ 5,473
614-1003	Overtime	\$ -	\$ -	\$ -
<i>Subtotal, Salaries</i>		<u>\$ 21,050</u>	<u>\$ 21,050</u>	<u>\$ 21,050</u>
Supplies				
614-3101	Office Supplies	\$ -	\$ -	\$ -
<i>Subtotal, Supplies</i>		<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Services				
614-4101	Professional Services	\$ -	\$ -	\$ -
<i>Subtotal, Services</i>		<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Capital Out-Lay & Fixed Assets				
614-6401	Capital Out-Lay/Fixed Assets	\$ -	\$ -	\$ -
<i>Subtotal, PM 2.5 Grant Expenses</i>		<u>\$ 21,050</u>	<u>\$ 21,050</u>	<u>\$ 21,050</u>
614-33403107 Woodstove Change-out				
Salaries				
614-1001	Salaries	\$ 44,550	\$ 63,913	\$ 103,600
614-2002	Benefits	\$ 15,450	\$ 22,456	\$ 36,400
614-1003	Overtime	\$ -	\$ -	\$ -
<i>Subtotal, Salaries</i>		<u>\$ 60,000</u>	<u>\$ 86,369</u>	<u>\$ 140,000</u>
Supplies				
614-3101	Office Supplies	\$ -	\$ -	\$ -
<i>Subtotal, Supplies</i>		<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Services				
614-4101	Professional Services	\$ 548,009	\$ 611,623	\$ 379,000
<i>Subtotal, Services</i>		<u>\$ 548,009</u>	<u>\$ 611,623</u>	<u>\$ 379,000</u>
Capital Out-Lay & Fixed Assets				
614-6401	Capital Out-Lay/Fixed Assets	\$ -	\$ -	\$ -
<i>Subtotal, Woodstove Change-out Grant Expenses</i>		<u>\$ 608,009</u>	<u>\$ 697,992</u>	<u>\$ 519,000</u>
<i>Total, Grant Operations Expenses</i>		<u>\$ 633,647</u>	<u>\$ 723,935</u>	<u>\$ 544,956</u>
EXPENSES 141 Enterprise Operations				
Salaries				
141-1001	Salaries	\$ 12,481	\$ 13,216	\$ 13,320
141-2002	Benefits	\$ 4,275	\$ 4,643	\$ 4,680
141-1003	Overtime	\$ -	\$ -	\$ -
<i>Subtotal, Salaries</i>		<u>\$ 16,756</u>	<u>\$ 17,859</u>	<u>\$ 18,000</u>

Yakima Regional Clean Air Agency Proposed FY2023 Budget		Adopted/Revised Budget FY2022	Projected Final FY2022	Proposed Budget FY2023
		PROPOSED FY2023 BUDGET		
Supplies				
141-3101	Office Supplies	\$ 250	\$ 78	\$ 100
141-3201	Vehicles, Gas	\$ 1,000	\$ 872	\$ 1,000
141-3501	Small Tools/Equipment	\$ 100	\$ 50	\$ 50
<i>Subtotal, Supplies</i>		\$ 1,350	\$ 1,000	\$ 1,150
Services				
141-4101	Professional Services	\$ 350	\$ 950	\$ 2,500
141-4202	Postage	\$ 200	\$ 173	\$ 250
141-4301	Travel & Transportation	\$ 5,150	\$ 7,786	\$ 7,500
141-4501	Rents & Leases, Space	\$ 3,230	\$ 2,436	\$ 2,500
141-4801	Maintenance, Motor Vehicles	\$ 200	\$ 168	\$ 200
141-4801	Maintenance, Equipment	\$ 500	\$ 493	\$ 1,000
141-4901	Miscellaneous Services	\$ -	\$ -	\$ 100
<i>Subtotal, Services</i>		\$ 9,630	\$ 12,005	\$ 14,050
Capital Out-Lay & Fixed Assets				
141-4500	Capital Out-Lay/Fixed Assets	\$ -	\$ -	\$ -
<i>Total Enterprise Operations Expenses</i>		\$ 27,736	\$ 30,863	\$ 33,200
Summary of Revenue vs Expenses:				
Prior-Year Carry Over Funds		\$ 119,374	\$ 152,174	\$ 337,170
Total Revenue, Base, Grants & Enterprise		\$ 1,602,748	\$ 1,757,592	\$ 1,756,400
Total Expenses, Base, Grants & Enterprise		\$ 1,450,574	\$ 1,420,422	\$ 1,371,457
Fund Balance		\$ 152,174	\$ 337,170	\$ 384,943
Operating and Capital Reserves		\$ 32,800	\$ 184,996	\$ 47,774
Estimated Available Fund Balance		\$ 119,374	\$ 152,174	\$ 337,170



*Yakima Regional Clean Air Agency
186 Iron Horse Court, Suite 101
Yakima WA 98901
(509) 834-2050, Fax (509) 834-2060
yakimacleanair.org*

Executive Memorandum

Date of Release: June 2, 2022
Date of Consideration: June 9, 2022
To: Honorable YRCAA Board of Directors and Alternates
From: Office of the Interim Executive Director / Air pollution Control Officer
Subject: Proposed Increase annual 5% to the current Employees until December 31, 2022

ISSUE

Proposed 5% annual increase from July 1, 2022 to December 31, 2022

DISCUSSION

Employee's retention is becoming a real issue for our agency mainly due to low wages in comparison to other wages across the county and the state. Our agency is taking the proper steps to resolve this issue as you all know. Until the issue is resolved, the issue continues to linger. Moreover, employees for the past 6 years had only a total of 6% increase, which really means 1% a year. Health insurance and other increases i.e., L&I, PFML for the past 6 years have really been cutting deep through employee paycheck. In fact, the employees have shouldered most increases since 2016. Adding the inflation rates, which we have not seen in the past 40 years, employees are hurting. The paychecks are stagnant and continue to decline. We lost 30% of our employees within a year's time. Two of them moved mainly because of our pay, and they, indeed, did double their salary. The agency can afford this increase due to saving from the salaries of the employees who left the agency.

RECOMMENDATION

Following the footsteps of the county and the Department of Health, and because of the saving from employees who left the agency, I recommend that your Board approve Resolution 2022-05 to give 5% increase in the employee's annual salary for six months from July 1, 2022 until December 31, 2022. The increased amount may be disbursed or given to employees at one time, or monthly for the six months period (July 1, 2022 through December 31, 2022). The reasoning for one time is so that employees will not see any decrease in their paycheck come January 1, 2023.

**RESOLUTION NO. 2022-05
BEFORE THE GOVERNING BOARD OF THE
YAKIMA REGIONAL CLEAN AIR AGENCY (YRCAA)**

Approving five percent Annual Employee Salaries increase from July 1, 2022 until December 31, 2022....)

WHEREAS, RCW 70A.15.230 authorizes the Governing Board of Directors (Board) to approve employee “salaries and pay same, together with any other proper indebtedness, from authority funds”; and

WHEREAS, the Board desires to approve five percent (5%) annual increase in the salaries for the current employees’ from July 1st through December 31, 2022 ; and

WHEREAS, the Board desires to approve the five percent (5%) annual increase as employees had only 6% increase in the past 6 years; and


WHEREAS, the Board desires to approve the five percent (5%) annual increase as an incentive to increase staff retention, compete with other entities for employees and due to very high inflations; and

WHEREAS, the Board desires to approve the five percent (5%) annual increase due to the agency’s saving from three vacant positions (since October 2021) for a total of \$101,057.40. The cost of the five percent 5% annual increase for six months period to current employees will be \$24,945.49 including the benefits;

NOW THEREFORE, BE IT RESOLVED, that the Board hereby adopts’ the employee annual increase of 5% through December 31, 2022 to compensate for the increase in the inflation, compete with other entities for employees and increase staff retention.


BE IT FURTHER RESOLVED that the Interim Executive Director and Fiscal Programs Manager shall implement the payment of employee annual 5% salaries increase through December 31, 2022 as a one-time increase and shall end on January 1, 2023.

On motion of Amanda McKinney, seconded by Janice Deccio, the foregoing resolution is hereby PASSED AND ADOPTED by the Yakima Regional Clean Air Agency Board of Directors on this 9th day of June, 2022.

DocuSigned by:



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Jon DeVaney, Chair

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Amanda McKinney, Director

DocuSigned by:



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Janice Deccio, Director

DocuSigned by:



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Jose A. Trevino, Director

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Steven Jones, Ph.D., Director

DocuSigned by:


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Christa Owen, Clerk of the Board

**RESOLUTION NO.: 2022-03
BEFORE THE GOVERNING BOARD OF THE
YAKIMA REGIONAL CLEAN AIR AGENCY (YRCAA)**

Adopting the FY 2023 Budget.....)

WHEREAS, the YRCAA Governing Board of Directors (Board) held a public meeting on May 12, 2022 for the purpose of reviewing the Draft FY 2022 Budget and has provided the public with the 30-day opportunity to comment from May 2, 2022 through June 2, 2022; and

WHEREAS, the Board held a Public Hearing on this the 9th day of June, 2022 to consider adopting the Proposed FY 2023 Budget;

NOW THEREFORE BE IT RESOLVED, the Board has reviewed and hereby adopts the Proposed FY 2023 Budget in the amount of \$1,756,400; and

BE IT FURTHER RESOLVED, the YRCAA Interim/Executive Director shall implement said budget according to the FY 2023 Budget.

On motion of McKinney, seconded by Jones, the foregoing resolution is hereby PASSED AND ADOPTED by the Yakima Regional Clean Air Agency Board of Directors on this 9th day of June, 2022.

Jon DeVaney
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Jon DeVaney, Chair

Amanda McKinney
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Amanda McKinney, Director

Janice Deccio
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Janice Deccio, Director

Jose A. Trevino, Director
DocuSigned by:

Steven O. Jones
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Steven Jones, PhD, Director

Christa Owen
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Christa Owen, Clerk of the Board

**RESOLUTION NO. 2022-04
BEFORE THE GOVERNING BOARD OF THE
YAKIMA REGIONAL CLEAN AIR AGENCY (YRCAA)**

Approving Calendar Year 2023 Proportional Shares of Supplemental Income Assessment.....)

WHEREAS, Sections 70A.15.1590 and 70A.15.1600(1)(c) and (2)(c) RCW provide for an activated local authority to adopt, as supplemental income, assessments to each component city, town, and county; and


WHEREAS, the YRCAA Governing Board of Directors (Board) finds that certain program costs are not otherwise funded as described in Section 70A.15.1590 RCW; and

WHEREAS, the Board accepts the 2020 Census, updated and estimated April 1, 2021, for purposes of assessing proportional shares of supplemental income to the component cities, towns, and county;

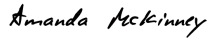
NOW THEREFORE, BE IT RESOLVED, the Board hereby approves and adopts the assessment of \$.40 per capita to each component city, town and county, "YRCAA 2023 Supplemental Income Assessments" for the calendar year 2023; and

BE IT FURTHER RESOLVED, the Interim / Executive Director is instructed to certify to each city, town and county, per RCW 70A.15.1600(3), that their proportional share of supplemental income shall be as expressed in the FY 2023 Budget, "YRCAA 2023 Supplemental Income Assessments," for the calendar year 2023.

On motion of Deccio, seconded by McKinney, the foregoing resolution is hereby PASSED AND ADOPTED by the Yakima Regional Clean Air Agency Board of Directors on this 9th day of June, 2022.

DocuSigned by:


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Jon DeVaney, Chair

DocuSigned by:



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Amanda McKinney, Director

DocuSigned by:


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Janice Deccio, Director

DocuSigned by:


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Steven Jones, PhD, Director

DocuSigned by:


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Christa Owen, Clerk of the Board



*Yakima Regional Clean Air Agency
186 Iron Horse Court, Suite 101
Yakima, WA 98901
(509) 834-2050, Fax (509) 834-2060
yakimacleanair.org*

Executive Memorandum

Date of Release: June 2, 2022
Date of Consideration: June 9, 2022
To: The YRCAA Board of Directors
From: Office of the Executive Director
Subject: Primary and Alternate Auditing & Investing Officers

ISSUE

Appoint a primary and alternate Auditing and Investing Officers, as resolution 2020-08 is valid through June 30, 2022.

DISCUSSION

The Yakima County Treasurer requires the agency to appoint a primary and alternate Auditing and Investing Officers. In accordance with chapter 42.24 of the Revised Code of Washington (RCW), the agency Board must appoint by resolution an Auditing Officer for any claims presented against the agency by persons furnishing materials, rendering services or performing labor, or for any other contractual purposes. The appointments will run concurrently from July 1, 2022 through June 30, 2024, or until revised as needed.

RECOMMENDATION

Approve Resolution 2022-02 by appointing Hasan M. Tahat as the agency's Primary Auditing and Investing Officer and re-appointing Christa Owen as the agency's Alternate Auditing and Investing Officer for the period defined.

**RESOLUTION NO.: 2022-02
BEFORE THE GOVERNING BOARD OF THE
YAKIMA REGIONAL CLEAN AIR AGENCY (YRCAA)**

Appointing Hasan M. Tahat as Primary Auditing and Investing Officer;
Appointing Christa Owen as Alternate Auditing and Investing Officer:

WHEREAS, the YRCAA is a statutorily created municipal corporation in accordance with section 70A.15.1560 of the Revised Code of Washington; and

WHEREAS, the Yakima County Treasurer requires the YRCAA to appoint the positions of Primary and Alternate Auditing and Investing Officer; and

WHEREAS, RCW 42.24.080 requires that the Board of Directors of the YRCAA appoint by resolution the agency Auditing Officer;

NOW THEREFORE BE IT RESOLVED that:


1. Hasan M. Tahat, Interim Executive Director and Air Pollution Control Officer of the YRCAA, shall be appointed as the agency’s Primary Auditing and Investing Officer; and
2. Christa Owen, Fiscal Programs Manager, shall be appointed as the agency’s Alternate Auditing and Investing Officer; and
3. Such officers shall be authorized to:
 - a. Receive monies and sign warrants to disburse funds;
 - b. Audit claims against the agency;
 - c. Sign authorizations to transfer funds within the agency’s investment, general checking, and payroll accounts; and
 - d. Sign warrant registers and void warrant agreements; and
4. That these appointments shall apply from July 1, 2022 through June 30, 2024, unless revised.

BE IT FURTHER RESOLVED, that the Board of Directors authorizes and directs Hasan M. Tahat, YRCAA Interim Executive Director to advise the Yakima County Treasurer of these appointments;


On motion of Jones, seconded by McKinney, the foregoing resolution is hereby PASSED AND ADOPTED by the Yakima Regional Clean Air Agency Board of Directors on this 9th day of June, 2022.

DocuSigned by:


Jon DeVaney, Chair


DocuSigned by:


Amanda McKinney, Director

DocuSigned by:


Janice Deccio, Director

DocuSigned by:
Jose A. Trevino, Director



DocuSigned by:
Steven Jones, PhD, Director

DocuSigned by:


DocuSigned by:
Christa Owen, Clerk of the Board



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Executive Memorandum

Date of Release: June 2, 2022
Date of Consideration: June 9, 2022
To: Honorable YRCAA Board of Directors and Alternates
From: Office of the Executive Director / Air pollution Control Officer
Subject: Fiscal Program Report

Issue:
Fiscal Reports

Discussion:
May 2022 Accounts Payable (AP) and Payroll Authorizations are enclosed for your approval. The Budget Verification Analysis (BVA) and Supplemental Income documents are included as informational items.

Recommendation:
Accept and approve by minute action the April 2022 AP Fiscal Vouchers, totaling \$65,659.56, and the April 2022 Payroll Authorization, totaling \$42,437.62.

Encl. 4



May 27, 2022

Fund 614-6140 YRCAA
Fund 614-1410 Enterprise

<u>Name</u>	<u>Warrant/MICR #</u>	<u>GL #</u>	<u>Amount</u>	<u>Date</u>
Air & Waste Management Association	35174	4901	\$ 195.00	5/31/2022
Raymond Alexander*	35175	4105	\$ 2,000.00	5/31/2022
Alliant Communications	35176	4101	\$ 319.14	5/31/2022
Armstrong's Stove & Spa Yakima*	35177	4105	\$ 6,000.00	5/31/2022
Charter Communications	35178	4201	\$ 444.73	5/31/2022
Coastal*	35179	4105	\$ 7,637.29	5/31/2022
Tripp Drum*	35180	4105	\$ 2,000.00	5/31/2022
Victor Gabbard*	35181	4105	\$ 2,000.00	5/31/2022
Douglas Guerin*	35182	4105	\$ 250.00	5/31/2022
Intermountain Cleaning Services	35183	4802	\$ 370.00	5/31/2022
KIMA-TV*	35184	4105	\$ 4,590.00	5/31/2022
KUNW-TV*	35185	4105	\$ 3,910.00	5/31/2022
Katie Noble*	35186	4105	\$ 500.00	5/31/2022
Pacific Power	35187	4701	\$ 167.32	5/31/2022
Kenneth Sellers*	35188	4105	\$ 2,000.00	5/31/2022
Travis Trudell*	35189	4105	\$ 4,354.75	5/31/2022
William R. Trudell*	35190	4105	\$ 500.00	5/31/2022

\$ 37,238.23

*Reimbursement from Grant **NOC/Enterprise

This is to certify that the invoices and warrants above for the Yakima Regional Clean Air Agency have been examined, audited and approved by the Alternate Auditing Officer for payment.

Total Amount: **\$ 37,238.23**

Christa Owen, Alternate Auditing Officer 5/31/2022

DocuSigned by:

6/9/2022

Jon DeVaney, Board Chairman

5/31/2022

Hasan M. Tahat, Interim Auditing Officer



April 28, 2022

Fund 614-6140 YRCAA
Fund 614-1410 Enterprise

<u>Name</u>	<u>Warrant/MICR #</u>	<u>GL #</u>	<u>Amount</u>	<u>Date</u>
Cascade Natural Gas Corporation	35155	4701	\$ 102.19	5/16/2022
Charter Communications	35156	4201	\$ 444.82	5/16/2022
Coleman Oil Company	35157	3201	\$ 134.27	5/16/2022
Cuillier Law Office	35158	4101	\$ 4,267.00	5/16/2022
Mark Edler	35159	4901	\$ 120.00	5/16/2022
Iron Horse Real Estate & Property Mgt	35160	4501	\$ 4,776.83	5/16/2022
KIMA-TV	35161	4401	\$ 250.00	5/16/2022
KUNW-TV	35162	4401	\$ 500.00	5/16/2022
KeyBank	35163	Various	\$ 554.83	5/16/2022
Menke Jackson Law Firm	35164	4101	\$ 282.60	5/16/2022
Pitney Bowes Reserve Account**	35165	4202	\$ 500.00	5/16/2022
Springbrook Holding Company LLC	35166	4101	\$ 3,944.93	5/16/2022
Sunnyside Sun	35167	Various	\$ 76.50	5/16/2022
Terrace Heights Sewer District	35168	4701	\$ 107.00	5/16/2022
Kimberley Wilcox*	35169	4105	\$ 2,000.00	5/16/2022
YRCAA	35170	4901	\$ 1,065.09	5/16/2022
Yakima County Public Services	35171	4701	\$ 21.23	5/16/2022
Yakima County Sheriff's Department	35172	4101	\$ 110.00	5/16/2022
Yakima Herald Republic	35173	4401	\$ 89.60	5/16/2022

\$ 19,346.89

***Reimbursement from Grant **NOC/Enterprise**

This is to certify that the invoices and warrants above for the Yakima Regional Clean Air Agency have been examined, audited and approved by the Alternate Auditing Officer for payment.

Total Amount: **\$ 19,346.89**

Christa Owen

Christa Owen, Alternate Auditing Officer 5/16/2022

DocuSigned by:

Jon DeVaney

6/9/2022

Jon DeVaney, Board Chairman

Hasan M. Tahat

5/16/2022

Hasan M. Tahat, Interim Auditing Officer

FY 2022 Monthly BVA

May 2022						
Report Date: June 9, 2022		Budget	Actual Current	Actual Year to Date	Year to Date % of Budget	
REVENUE 614 YRCAA Base Operations						
REVENUE 614 YRCAA Base Operations						
Stationary Source Permit Fees						
614-32190001	Minor Sources	\$ 151,000	\$ 13,388	\$ 141,568	93.8%	
614-32190008	Synthetic Minor Sources	\$ 18,620	\$ -	\$ 19,754	106.1%	
614-32190006	Complex Sources	\$ 29,555	\$ 2,734	\$ 27,340	92.5%	
614-32290001	Title V Sources	\$ 113,000	\$ -	\$ 131,510	116.4%	
614-32190002	New Source Review	\$ 37,500	\$ 400	\$ 35,820	95.5%	
<i>Subtotal, Stationary Source Permit Fees</i>		\$ 349,675	\$ 16,522	\$ 355,992	101.8%	
Burn Permit Fees						
614-32290005	Residential Burn Permits	\$ 60,500	\$ 3,927	\$ 39,417	65.2%	
614-32290007	Agricultural Burn Permits	\$ 32,250	\$ 728	\$ 16,251	50.4%	
614-32290011	Conditional Use Burn Permits	\$ 1,800	\$ 484	\$ 2,381	132.3%	
<i>Subtotal, Burn Permit Fees</i>		\$ 93,000	\$ 5,139	\$ 58,049	62.4%	
Compliance Fees						
614-32190005	Asbestos Removal Fees	\$ 30,000	\$ 2,061	\$ 21,536	71.8%	
614-32190009	Construction Dust Control Fees	\$ 5,000	\$ 495	\$ 5,674	113.5%	
<i>Subtotal, Compliance Fees</i>		\$ 35,000	\$ 2,556	\$ 27,210	77.7%	
<i>Subtotal, All Permit Fee Revenue</i>		\$ 479,225	\$ 24,217	\$ 441,251	92.1%	
Base Grants						
614-33366001	EPA, Core Grant	\$ 106,322	\$ 26,636	\$ 107,294	100.9%	
614-33403101	DOE, Core Grant	\$ 76,800	\$ 19,288	\$ 77,155	100.5%	
<i>Subtotal, Base Grants</i>		\$ 183,122	\$ 45,924	\$ 184,449	100.7%	
Fines & Penalties						
614-35990001	Civil Penalty	\$ 2,500	\$ 374	\$ 103,277		
614-35990001	Other Fines	\$ -	\$ -	\$ -		
<i>Subtotal, Fines & Penalties</i>		\$ 2,500	\$ 374	\$ 103,277		
Supplemental Income						
614-33831001	Supplemental Income	\$ 102,830	\$ -	\$ 101,600	98.8%	
<i>Subtotal, Supplemental Income</i>		\$ 102,830	\$ -	\$ 101,600	98.8%	
Other Income						
614-36111001	Interest	\$ 2,000	\$ 359	\$ 3,430	171.5%	
614-36990014	Miscellaneous Income	\$ 50	\$ 32	\$ 9,562	19123.8%	
<i>Subtotal, Other Income</i>		\$ 2,050	\$ 391	\$ 12,991	633.7%	
<i>Total YRCAA Base Operations Revenue</i>		\$ 769,727	\$ 70,906	\$ 843,567	109.6%	
REVENUE 614 YRCAA Grant Operations						
614-33403105	Wood Stove Ed	\$ 4,588	\$ 1,188	\$ 5,538	120.7%	
614-33403108	PM 2.5	\$ 21,050	\$ 5,263	\$ 21,050	100.0%	
614-33403107	Woodstove Change-out	\$ 300,000	\$ 211	\$ 337,185	112.4%	
<i>Total YRCAA Grant Operations Revenue</i>		\$ 325,638	\$ 6,662	\$ 363,773	111.7%	
REVENUE Enterprise Operations						
614-34317001	VE Certification Fees	\$ 80,000	\$ 17,098	\$ 61,028	76.3%	
614-34317002	Other Enterprise Revenue	\$ -	\$ -	\$ -	#DIV/0!	
<i>Subtotal, Enterprise Revenue</i>		\$ 80,000	\$ 17,098	\$ 61,028	76.3%	
<i>Total Base, Grant and Enterprise Revenue</i>		\$ 1,175,365	\$ 94,666	\$ 1,268,368	107.9%	

FY 2022 Monthly BVA

May 2022 Report Date: June 9, 2022	Budget	Actual Current	Actual Year to Date	Year to Date % of Budget
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EXPENSES					
EXPENSES	614	YRCAA Base Operations			
Salaries					
614-1001	Salaries	\$ 441,546	\$ 26,531	\$ 339,058	76.8%
614-2002	Benefits	\$ 152,717	\$ 9,322	\$ 119,129	78.0%
614-1003	Overtime	\$ -	\$ -	\$ -	0.0%
	<i>Subtotal, Salaries</i>	<i>\$ 594,263</i>	<i>\$ 35,853</i>	<i>\$ 458,187</i>	<i>77.1%</i>

Supplies					
614-3101	Office Supplies	\$ 6,500	\$ 435	\$ 4,842	74.5%
614-3101	Safety Equipment	\$ 300	\$ -	\$ -	0.0%
614-3201	Vehicles, Gas	\$ 1,500	\$ 134	\$ 1,200	80.0%
614-3501	Small Tools/Equipment	\$ 200	\$ -	\$ 1,059	529.5%
614-3502	Computer Network	\$ 3,000	\$ 53	\$ 1,403	46.8%
	<i>Subtotal, Supplies</i>	<i>\$ 11,500</i>	<i>\$ 623</i>	<i>\$ 8,504</i>	<i>73.9%</i>

Services					
614-4101	Professional Services	\$ 55,000	\$ 8,925	\$ 73,831	134.2%
614-4101	Laboratory Analyses	\$ 500	\$ -	\$ -	0.0%
614-4125	Treasurer, Yakima County	\$ 1,473	\$ -	\$ 737	50.0%
614-4201	Communications, Phones/Internet	\$ 12,350	\$ 928	\$ 6,982	56.5%
614-4202	Postage	\$ 2,000	\$ 477	\$ 1,555	77.8%
614-4301	Travel & Transportation	\$ 3,200	\$ -	\$ -	0.0%
614-4401	Public Education Services	\$ 2,000	\$ 750	\$ 3,102	155.1%
614-4401	Publications, Legal Notices	\$ 1,000	\$ 121	\$ 156	15.6%
614-4501	Rents & Leases, Equipment	\$ 2,988	\$ -	\$ 728	24.4%
614-4501	Rents & Leases, Space	\$ 57,532	\$ 4,777	\$ 52,749	91.7%
614-4601	Insurance	\$ 14,613	\$ -	\$ 15,720	107.6%
614-4701	Utilities	\$ 4,622	\$ 398	\$ 4,233	0.0%
614-4801	Maintenance, Motor Vehicles	\$ 1,200	\$ 14	\$ 1,546	128.8%
614-4801	Maintenance, Equipment	\$ 5,000	\$ -	\$ 5,923	118.5%
614-4801	Maintenance, Computers	\$ 750	\$ -	\$ 316	42.2%
614-4801	Maintenance, Building	\$ 500	\$ 370	\$ 3,571	714.1%
614-4901	Memberships	\$ 650	\$ 374	\$ 920	141.6%
614-4901	Training	\$ 2,500	\$ -	\$ 938	37.5%
614-4901	Service Chgs & Interest	\$ 6,950	\$ 1,064	\$ 7,133	102.6%
614-4901	Miscellaneous Services	\$ 4,000	\$ -	\$ 15	0.4%
614-4901	DOE Oversight Fees	\$ 4,600	\$ -	\$ 3,531	76.8%
	<i>Subtotal, Services</i>	<i>\$ 183,428</i>	<i>\$ 18,198</i>	<i>\$ 183,685</i>	<i>100.1%</i>

Capital Out-Lay & Fixed Assets					
614-6401	Capital Out-Lay/Fixed Assets	\$ -	\$ -	\$ -	0.0%
	<i>Total YRCAA Base Operations Expenses</i>	<i>\$ 789,191</i>	<i>\$ 54,673</i>	<i>\$ 650,376</i>	<i>82.4%</i>

EXPENSES 614 YRCAA Grant Operations					
614-33403105 Wood Stove Ed and Enforcement					
Salaries					
614-1001	Salaries	\$ 3,399	\$ -	\$ 2,486	73.1%
614-2002	Benefits	\$ 1,189	\$ -	\$ 873	73.5%
614-1003	Overtime	\$ -	\$ -	\$ -	0.0%
	<i>Subtotal, Salaries</i>	<i>\$ 4,588</i>	<i>\$ -</i>	<i>\$ 3,359</i>	<i>73.2%</i>

Supplies					
614-3101	Office Supplies	\$ -	\$ -	\$ -	0.0%
	<i>Subtotal, Supplies</i>	<i>\$ -</i>	<i>\$ -</i>	<i>\$ -</i>	<i>0.0%</i>

FY 2022 Monthly BVA									
May 2022		Budget		Actual Current		Actual Year to Date		Year to Date % of Budget	
Report Date: June 9, 2022									
Services									
614-4139	Professional Services	\$	-	\$	-	\$	470	#DIV/0!	
614-4202	Postage	\$	-	\$	-	\$	-		0.0%
<i>Subtotal, Services</i>		\$	-	\$	-	\$	470	#DIV/0!	
<i>Subtotal, Woodstove Grant Expenses</i>		\$	4,588	\$	-	\$	3,829		83.5%
614-33403108 PM2.5									
Salaries									
614-1001	Salaries	\$	15,270	\$	1,559	\$	14,226		93.2%
614-2002	Benefits	\$	5,780	\$	548	\$	4,998		86.5%
614-1003	Overtime	\$	-	\$	-	\$	-		0.0%
<i>Subtotal, Salaries</i>		\$	21,050	\$	2,107	\$	19,224		91.3%
Supplies									
614-3101	Office Supplies	\$	-	\$	-	\$	-		0.0%
<i>Subtotal, Supplies</i>		\$	-	\$	-	\$	-		0.0%
Services									
614-4101	Professional Services	\$	-	\$	-	\$	-		0.0%
<i>Subtotal, Services</i>		\$	-	\$	-	\$	-		0.0%
Capital Out-Lay & Fixed Assets									
614-6401	Capital Out-Lay/Fixed Assets	\$	-	\$	-	\$	-		0.0%
<i>Subtotal, PM 2.5 Grant Expenses</i>		\$	21,050	\$	2,107	\$	19,224		91.3%
614-33403107 Woodstove Change-out									
Salaries									
614-1001	Salaries	\$	44,550	\$	6,902	\$	52,453		117.7%
614-2002	Benefits	\$	15,450	\$	2,425	\$	18,429		119.3%
614-1003	Overtime	\$	-	\$	-	\$	-		0.0%
<i>Subtotal, Salaries</i>		\$	60,000	\$	9,327	\$	70,883		118.1%
Supplies									
614-3101	Office Supplies	\$	100	\$	-	\$	-		0.0%
<i>Subtotal, Supplies</i>		\$	100	\$	-	\$	-		0.0%
Services									
614-4101	Professional Services	\$	240,000	\$	37,742	\$	634,993		264.6%
<i>Subtotal, Services</i>		\$	240,000	\$	37,742	\$	634,993		264.6%
Capital Out-Lay & Fixed Assets									
614-6401	Capital Out-Lay/Fixed Assets	\$	-	\$	-	\$	-		0.0%
<i>Subtotal, Woodstove Change-out Grant Expenses</i>		\$	300,100	\$	47,070	\$	705,876		235.2%
<i>Total, Grant Operations Expenses</i>		\$	325,738	\$	49,177	\$	728,929		223.8%
EXPENSES 141 Enterprise Operations									
Salaries									
141-1001	Salaries	\$	12,481	\$	-	\$	9,387		75.2%
141-2002	Benefits	\$	4,275	\$	-	\$	3,298		77.1%
141-1003	Overtime	\$	-	\$	-	\$	-		0.0%
<i>Subtotal, Salaries</i>		\$	16,756	\$	-	\$	12,685		75.7%

FY 2022 Monthly BVA

May 2022		Budget	Actual Current	Actual Year to Date	Year to Date % of Budget
Report Date: June 9, 2022					
Supplies					
141-3101	Office Supplies	\$ 250	\$ -	\$ 96	38.6%
141-3201	Vehicles, Gas	\$ 1,000	\$ -	\$ 1,179	117.9%
141-3501	Small Tools/Equipment	\$ 100	\$ -	\$ -	0.0%
	<i>Subtotal, Supplies</i>	<i>\$ 1,350</i>	<i>\$ -</i>	<i>\$ 1,275</i>	<i>94.5%</i>
Services					
141-4101	Professional Services	\$ 350	\$ -	\$ 475	0.0%
141-4202	Postage	\$ 200	\$ 23	\$ 70	0.0%
141-4301	Travel & Transportation	\$ 5,150	\$ -	\$ 7,134	138.5%
141-4501	Rents & Leases, Space	\$ 3,230	\$ -	\$ 1,936	59.9%
141-4801	Maintenance, Motor Vehicles	\$ 200	\$ -	\$ 144	71.9%
141-4801	Maintenance, Equipment	\$ 500	\$ -	\$ 293	58.6%
141-4901	Miscellaneous Services	\$ -	\$ -	\$ -	0.0%
	<i>Subtotal, Services</i>	<i>\$ 9,630</i>	<i>\$ 23</i>	<i>\$ 10,051</i>	<i>104.4%</i>
Capital Out-Lay & Fixed Assets					
141-4500	Capital Out-Lay/Fixed Assets	\$ -	\$ -	\$ -	0.0%
	<i>Total Enterprise Operations Expenses</i>	<i>\$ 27,736</i>	<i>\$ 23</i>	<i>\$ 24,011</i>	<i>86.6%</i>
Summary of Revenue vs Expenses:					
	<i>Prior-Year Carry Over Funds</i>	<i>\$ 125,000</i>	<i>\$ -</i>	<i>\$ 125,000</i>	
	<i>Total Revenue, Base, Grants & Enterprise</i>	<i>\$ 1,300,365</i>	<i>\$ 94,666</i>	<i>\$ 1,393,368</i>	<i>107.2%</i>
	<i>Total Expenses, Base, Grants & Enterprise</i>	<i>\$ 1,142,665</i>	<i>\$ 103,872</i>	<i>\$ 1,403,316</i>	<i>122.8%</i>
	<i>Fund Balance</i>	<i>\$ 157,700</i>	<i>\$ (9,206)</i>	<i>\$ (9,948)</i>	
	<i>Operating Reserves</i>	<i>\$ 32,700</i>			
	<i>Estimated Available Fund Balance</i>	<i>\$ 125,000</i>			

YAKIMA REGIONAL CLEAN AIR AGENCY
SUPPLEMENTAL INCOME STATUS for CY 2022 on May 31, 2022
CY 2022 \$.40 PER CAPITA (Rounded Amounts)

City/Town	Past Due	Assessment Amount	Total Amt Due	Date Received	Amount Received	Balance Due	Responses
Grandview	\$ -	\$ 4,492	\$ 4,492	2/15/2022	\$ 4,492	\$ -	Pd in full
Granger	\$ -	\$ 1,662	\$ 1,662	2/15/2022; 3/31/2022	\$ 831	\$ 831	Pd 1/2
Harrah	\$ -	\$ 272	\$ 272	2/15/2022	\$ 272	\$ -	Pd in full
Mabton	\$ -	\$ 932	\$ 932	2/25/2022	\$ 932	\$ -	Pd in full
Moxee	\$ -	\$ 1,728	\$ 1,728	2/23/2022	\$ 1,728	\$ -	Pd in full
Naches	\$ -	\$ 398	\$ 398	2/24/2022	\$ 398	\$ -	Pd in full
Selah	\$ -	\$ 3,214	\$ 3,214	2/15/2022	\$ 3,214	\$ -	Pd in full
Sunnyside	\$ -	\$ 6,900	\$ 6,900	2/24/2022; 4/21/2022	\$ 3,450	\$ 3,450	Pd 1/2
Tieton	\$ -	\$ 522	\$ 522	2/15/2022	\$ 522	\$ -	Pd in full
Toppenish	\$ -	\$ 3,652	\$ 3,652	3/23/2022	\$ 3,652	\$ -	Pd in full
Union Gap	\$ -	\$ 2,542	\$ 2,542	2/24/2022	\$ 2,542	\$ -	Pd in full
Wapato	\$ -	\$ 2,022	\$ 2,022	2/11/2022; 4/13/2022	\$ 1,011	\$ 1,011	Pd 1/2
City of Yakima	\$ -	\$ 38,196	\$ 38,196	1/20/2022; 3/7/2022	\$ 19,098	\$ 19,098	Pd 1/2
Zillah	\$ -	\$ 1,280	\$ 1,280	2/15/2022	\$ 1,280	\$ -	Pd in full
Yakima Co.	\$ -	\$ 35,468	\$ 35,468	2/24/2022	\$ 35,468	\$ -	Pd in full
Totals:	\$ -	\$ 103,280	\$ 103,280		\$ 78,890	\$ 24,390	