

July 3, 2020

Yakima Regional Clean Air Agency 186 Iron Horse Ct., Suite 101 Yakima, WA 98901-2303

Dear Yakima Regional Clean Air Agency,

Please accept these comments regarding revision and update of Yakima Regional Clean Air Agency (YRCAA) Regulation 1, from the Friends of Toppenish Creek.

On page 11/113 the draft document lists actions that the YRCAA will take to implement the Washington Clean Air Act (WCAA). This is an impressive list. But the YRCAA does not actually take these actions. The State Implementation Policy (SIP) should reflect what actually happens in the community, as opposed to what we would like to see happen.

On page 12/113 Regulation 1 cites RCW 70A.94. We do not find that number in the RCW's. We only find RCW 70.94.

Does YRCAA have authority on the Yakima Firing Center?

On page 14/113, Section 1.05E, we suggest a statement of criteria for people who serve on an advisory council so that a broad range of stakeholders is represented and a council is not unfairly constructed in favor of a special interest group.

General Provisions 1.07 (B) 1 & 2 of the federal clean air act (FCAA) cites violations and lists penalties. This information should be stated in the SIP.

There are other violations of federal law that could/should be cited:

- False Statements in CAA Documents, 42 U.S.C. 7413(1), 40 C.F.R. 50 97
- Tampering with a monitoring device of method, 42 U.S.C. 7413(1), 40 C.F.R. 50 97
- Knowing Failure to Notify or Report, 42 U.S.C. 7413(1), 40 C.F.R. 50 97.

- Knowing/Negligent Endangerment, 42 U.S.C. 7413(c)(4) & (5) [42 U.S.C. 7412(b)(1)],
  40 C.F.R. 61 63
- Violation of State Implementation Plan (SIP), 42 U.S.C. 7413(c)(1), 40 CFR 52
- Violation of a New Source Performance Standard, 42 U.S.C. 7413(c)(1), 40 CFR 60
- Violation of Operating Permits Provisions, 42 U.S.C. 7413(c)(1) [42 U.S.C. 7661(1)-(2),
  42 U.S.C. 7661a(a)], 40 CFR 70-71
- Violation of an Emergency Order, 42 U.S.C. 7413(c)(1), 40 CFR 50-95

On page 18/113 we suggest retaining Section 2.01 A – Powers and Duties, as written in the old Regulation 1. It is important to state that the APCO must be competent in the field of air pollution control. It might help to provide criteria that demonstrate competence.

On page 18/113 under section 2.01 B please change "The APCO may make" to "The APCO shall make".

On page 18/113 under section 2.01 E please change "The APCO may commence" to "The APCO shall commence".

On page 21/113 under section 2.03 B, please add 40 C.F.R. Part 98, Mandatory Greenhouse Gas Reporting.

There are references in the SIP to "endangering public health". In fact, the Yakima Regional Clean Air Agency has no process in place for making this evaluation. Please state the steps that YRCAA will take to evaluate danger to public health and make this action mandatory.

On page 26/113 under section 3.02 Standards for Sources of Hazardous Air Pollutants, please add a section for emissions from concentrated animal feeding operations (CAFOs) and manure spreading. Under section 3.08 B, Dust from cattle feeding operations, please add dairies to the section on applicability.

Please add ammonia to table 4.01-2 Toxic emission levels.

Please add a procedure for citizens to follow when the YRCAA does not investigate air quality complaints according to the agency protocols.

Thank you for this opportunity to comment on the Yakima Regional Clean Air Agency update of our State Implementation Plan.

Sincerely,

Jean Mendoza

Executive Director, The Friends of Toppenish Creek

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