

FOLLOW-UP REPORT: EPA CONSIDERATION OF CAAAC RECOMMENDATIONS ON AIR TOXICS

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CAAAC MEETING
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OVERVIEW

- EPA has been actively considering the 25 air toxics recommendations and additional comments provided in the Air Toxics Work Group report submitted to EPA in January 2016
 - These recommendations point toward important areas for investment to improve our understanding of air toxics risks and to design effective strategies to protect public health
- The CAAAC recommendations fall under nine themes:
 - Communications
 - Mobile Sources
 - Community and Urban Air Toxics
 - SEP Policy
 - Funding
 - Data Gaps
 - Best Practices
 - Recognition Programs
 - Next Steps
- EPA has developed responses for all recommendations;
 - For most recommendations, EPA already has work underway (or is planning to do work) that is responsive.
 - The remaining recommendations are highly complex or resource-intensive and will require additional discussion to inform future decision making. Others involve decision makers or actors beyond EPA.
- Overall, the CAAAC recommendations are helping to inform ongoing and planned EPA activities, and to prompt new activities.

TIMELINE

- November 18, 2015: Workgroup presentation of recommendations to full CAAAC
- January 22, 2016: Final workgroup recommendations delivered to EPA
- June 29, 2016: Initial EPA report on consideration of workgroup recommendations
- December 1, 2016: EPA report on consideration of workgroup recommendations
- 2017 (and beyond): Continued implementation of air toxics program and periodic status reports to CAAAC

GENERAL CONSIDERATIONS FOR EPA REVIEW OF CAAAC AIR TOXICS RECOMMENDATIONS

1. The CAAAC recommendations can inform and influence current and planned EPA activities that are responsive to the recommendations.
2. EPA plans to seek clarifications and feedback from the CAAAC, and to keep the committee informed about outcomes, as we continue to consider the recommendations.
3. To address the CAAAC recommendations, it makes sense to consider not only what EPA can do, but what can be done by other parties – such as state and local governments, industry, citizen groups, and academic institutions.
 - In many cases, the federal government’s role is to support community and local/state government actions to address localized air toxics issues. Community and local/state government are better positioned (e.g., existing relationships with affected stakeholders) and have more local knowledge to develop appropriate solutions.
4. Some recommendations would require substantial resource investments or programmatic changes. EPA must consider these investments carefully in the context of what efforts will be most useful to advance the goal of reducing toxic air pollution.
5. Many of the recommendations call for expanded or improved data; EPA recognizes the limits of existing data (e.g., toxics emissions data; health statistics for different socio-demographic groups) and encourages systematic efforts to collect additional information to improve air toxics programs.

RECOMMENDATIONS FOR WHICH EPA HAS WORK UNDERWAY (OR IS PLANNING TO DO WORK)

■ Communications

- #1 – best practices, #2 – training tools

■ Mobile Sources

- #4 – diesel retirements

■ Community and Urban Air Toxics

- #6 – partner with communities, #7 cumulative impacts policy, #8 – characterize variation in air toxics

■ SEP Policy

- #10 – use of SEPs for air toxics, #11 – SEP funds to state/tribes/communities

■ Funding

- #13 – community programs, #14 – tribal programs

■ Data Gaps

- #15 – emission inventories, #16 – NATA, #17 – Indian country, #18-20 - sensors

■ Next Steps

- #24 – standing committee

RECOMMENDATIONS STILL UNDER REVIEW

■ Mobile Sources

- #3 – carcinogenicity of diesel exhaust

■ Community and Urban Air Toxics

- #9 – CAA Section 112(b)

■ Best Practices

- #21 – platform for highlighting/sharing best practices

■ Recognition Programs

- #22 – recognition program for businesses, #23 – recognition program for states/tribes

■ Next Steps

- #25 – systematic review of federal programs

RECOMMENDATIONS NEEDING INVOLVEMENT BY OTHER PARTIES

■ Mobile Sources

- #5 – Executive Order to require clean diesel technology

■ Funding

- #12 – continue/sustain DERA funding

FUTURE INTERACTIONS WITH CAAAC

- Recommendation #24 calls for EPA promptly to “create a standing independent committee that reports to CAAAC consisting of members representing community groups, industry, state-local/tribal governments that evaluates and reviews the progress and shares information – at least annually – on the programs and processes related to urban air toxics.”
- EPA is providing the CAAAC with a chart that summarizes EPA’s response to each recommendation.
- The Federal Advisory Committee Act calls for advisory committees to provide advice to, rather than oversee, federal agencies. Also, such committees are not allowed to carry out governmental functions. As a result, EPA has concerns about creating a new standing committee of the CAAAC to play an oversight role or to co-author reports on air toxics.
- For now, the agency plans to use the Subcommittee on Permits, NSR and Air Toxics (and full committee as appropriate) on an ongoing basis to provide advice related to the CAAAC’s air toxics recommendations (subject to new direction by a future administration).