

Keweenaw Bay Indian Community's Request for Eligibility for Clean Air Act (CAA) Sections 105 and 505(a)(2) under the CAA Tribal Authority Rule

Summary of Tribe's Grants Management and Air Programmatic Capacity

As required by 40 CFR 79.7(a)(4)(v), the Keweenaw Bay Indian Community (KBIC) provided documentation describing the technical and administrative capabilities of its environmental staff to administer and manage an effective air quality program including a plan that proposes how the tribe will acquire administrative and technical expertise.

Section III of KBIC's March 29, 2018 supplemental submittal contains a training plan and schedule of completion designed to bolster the Air Quality Specialist's (AQS) capacity in the air quality management realm. Specifically, the AQS will be completing training offered by Northern Arizona University's Institute for Tribal Environmental Professionals and EPA's Air Pollution Training Institute on reviewing and commenting on Title V air operating permits for purposes of CAA Section 505(a)(2), management of EPA air grants, and developing a tribal air program among other coursework.

Additionally, in the KBIC's quarterly and final reports to the Air and Radiation Division (ARD) Project Officer (PO) managing its CAA Section 103 project grant, the KBIC AQS documented completing the following training to build programmatic capacity since its March 29, 2018 supplemental application for CAA authority was received:

- Introduction to Tribal Air Quality
- Management of Tribal Air Programs and Grants
- Clean Air Act and Permitting
- Air Quality Computations
- Introduction to Air Pollution Control
- Quality Assurance Fundamentals
- Air Quality Conservation Planner
- Radon Fundamentals
- Building Performance: Improving IAQ in Cold Climates
- Residential Building Science Review
- Roof to Curb IAQ Management, EPA
- Fire, Smoke, and Air Quality Management
- Indoor Air Quality and Tribal Communities-Asthma and Healthy Homes

Furthermore, the ARD PO on KBIC's CAA Section 103 grant reports that the tribe has successfully managed \$336,648 in federal air grant funds since April 1, 2012 to present, and has achieved positive environmental results such as hiring and training an AQS, completion of a baseline assessment project with a source and air emissions inventory, developing an indoor air quality assessment program, and completing the requisite quality assurance project plans (QAPP). In addition, the AQS is providing information to the tribe on how to reduce air pollution from wood smoke and will provide training to develop awareness of ambient and indoor air quality issues to members of the tribal community, with a focus on children's health. The tribe's daycare and pre-school staff are being trained on maintaining healthy air quality in the classroom. Utilizing the tribe's Indoor Air Quality Assessment QAPP, the AQS will complete home assessments of threats to citizens' health.

Finally, the KBIC currently receives notification from the Michigan Department of Environmental Quality's (MDEQ) air permits listserv and EPA regarding permitting actions near its reservation to get acquainted with the permitting process and the contents of air operating permits. KBIC has begun to utilize its air programmatic capacity to provide comments to MDEQ on the draft permits to install (PTI) for the L'Anse Warden Electric Company (Application No. 128-18) and Copperwood Resources Inc. (Application No. 180-118A).

In short, the completed coursework and ongoing scheduled training in the air quality management realm, combined with experience acquired on the job, has provided the incumbent AQS with adequate capacity to implement CAA Sections 105 and 505(a)(2) in a manner consistent with all applicable regulations.

REFERENCES

1. March 29, 2018 supplemental submittal from KBIC to EPA Region 5 requesting Treatment as a State under Section 301(d) of the CAA for Section 105 program grant funding and notification of Title V permits under Section 505(a)(2).
2. June 21, 2018 email from KBIC to EPA PO transmitting the 8th quarterly (1/1/2018 - 3/31/2018) and final report from 4/1/2016-3/31/18 for the KBIC's CAA Section 103 project grant (TX01E01009). Report documents training and workshops tribal AQS completed to build CAA programmatic capacity.
3. September 17, 2018 email from KBIC AQS updating EPA PO regarding air programmatic training completed during previous reporting cycle.
4. November 12, 2018 email correspondence from KBIC AQS to EPA project officer and EPA technical contacts documenting workplan progress under CAA 103 grant (02E01009) during period from 9/1/18-11/30/18.
5. November 21, 2018 letter from KBIC to MDEQ Air Quality Division (AQD) Permit Section Manager providing tribe's comments on Copperwood Resources Inc-Permit to Install (PTI) Application No. 180-118A.
6. February 5, 2019 letter from KBIC to MDEQ AQD Permit Section Manager transmitting tribe's comments on L'Anse Warden Electric Company-PTI Application No. 120-18A.
7. February 11, 2019 email correspondence from KBIC AQS to EPA project officer regarding additional air programmatic training completed and second quarter progress report for KBIC CAA 103 grant (02E01009) from 10/1/18-12/31/18. Transmittal also included comment letters KBIC submitted to MDEQ on Copperwood Resources Inc and L'Anse Warden Electric PTIs.
8. March 20, 2019 email from EPA PO to ARD Tribal Program Manager and Tribal Air Coordinator regarding tribe's CAA 103 grant funding history and capacity building activities.