Environmental Protection Agency
Region 6

PROTECTING TRIBAL AIR QUALITY

OPTIONS AND OPPORTUNITIES

FINAL
(Revised November, 2019)

Environmental Protection Agency, Region 6

PROTECTING TRIBAL AIR QUALITY OPTIONS AND OPPORTUNITIES

Revised November, 2019

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The November 2019 draft revision of the above document replaces the December 2015 revision to the original document approved on October 2, 2012 "Protecting Tribal Air: Options and Opportunities" to update vital information.

Contents

INTRODUCTION

a. The EPA Disclaimer
b. Funding Background
c. Statutory/Regulatory Framework for Tribal Air Programs
d. Clean Air Act Amendments
e. Tribal Authority Rule (40 CFR Part 49, Subpart A)
f. Environmental Program Grants for Tribes (40 CFR Part 35, Subpart B)

EPA CLEAN AIR ACT FUNDING MECHANISMS

a. Clean Air Act Statutory Authorities
b. Solicitation Information
c. Grant Process Timeline
d. Proposal and Submission Information
e. Evaluation Criteria
f. Selection Process
g. Award Notification
h. Application Package for Approved Proposals

AIR PROGRAM ACTIVITIES

a. Air Quality Assessments for Monitoring
b. Emissions Inventory
c. Air Permitting
d. Air Enforcement and Compliance
e. Regional Planning Organizations
f. Air Toxics

RESOURCES AND TRAINING OPTIONS

a. Training Options
b. The EPA Region 6 Air Contacts

APPENDICES

a. Tribal Authority Rule (Fact Sheet)
b. 40 CFR Parts 31 and 35
c. Tribal Air Grants Framework (A Menu of Options)
d. Environmental Results Policy (EPA Order 5700.7A1)
e. Checklist of Key Questions for Proposal Development
f. Air Quality Acronyms
g. Frequently Asked Questions (FAQ)

INTRODUCTION

Introduction

EPA Disclaimer

While the Environmental Protection Agency (EPA) has made every effort to ensure the accuracy of the content in this document, the obligations of tribes and the regulated communities are determined by statues, regulations, or other legally binding requirements. In the event of a conflict concerning the context of this document and any statute or regulations, this document would not be controlling.

Please note that the general descriptions provided may not apply to all situations. Interested parties are free to raise questions and objections about the substance and implementation of this guidance. The EPA decisions makers retain the discretion to adopt approaches on a case-by-case basis that differ from those described in this document where appropriate.

This is a living document and may be revised periodically without public notice. The EPA welcomes public input on this document at any time.

Funding Background

Federally recognized tribes seeking to establish an environmental presence on their reservation(s) have been provided the ability and resources to do so through several funding mechanisms administered by the EPA. The General Assistance Program (GAP) (General Assistance Program Act, 42 U.S.C. § 43686), which is maintained through the Region 6 Office of Environmental Justice and Tribal Affairs, is used to support infrastructure and capacity building efforts. When a tribe's focus shifts more specifically to air related concerns, an alternative funding mechanism provided through Section 103 of the Clean Air Act (CAA) is available to support tribal interests in conducting various projects to develop initial determinations regarding air quality. Finally, the CAA Section 105 provides for grants to support the implementation of long-term activities and programs to address air quality management. Additional Information can be found at https://www.epa.gov/laws-regulations/summary-clean-air-act.

Statutory/Regulatory Framework for Tribal Air Programs

The air quality in Indian country has important implications for human health and quality of life, culture and religion, economic development, jurisdictional considerations, and other significant areas of concern to the tribes. The CAA authorizes EPA to treat a tribe in the manner similar to a state for the regulation of "air resources within the exterior boundaries of the reservation or other areas within the tribe's jurisdiction.'' CAA section 301(d)(2)(B). The EPA believes that this statutory provision, viewed within the overall framework of the CAA, establishes a territorial view of tribal jurisdiction and authorizes a tribal role for all air resources within the exterior boundaries of Indian reservations without distinguishing among various categories of on-reservation land. 63 FR 7254; *see also* CAA sections 110(o), 164(c). The CAA includes provisions that further promote tribal air quality and management through the following goals and objectives:

- To assist the tribes in developing and administering (in whole or part) effective air quality management programs authorized under the CAA.

- To establish model air programs that are responsive to tribal concerns and facilitate the participation and involvement of the tribes to the maximum extent possible.

- To assist the tribes in developing air quality assessments including monitoring of air quality and/or emissions inventory development of stationary, area, and mobile sources located on tribal lands.

- To assist the tribes in developing comprehensive implementation strategies for attaining and maintaining air quality standards on tribal lands.

- To facilitate the development of air quality management programs that are responsive to problems and concerns of the tribes generally and each tribe specifically.

- To develop and support tribal consortia and other cooperative partnerships among the tribes that are designed to provide management skills, technical expertise, and resources necessary for administering specific the CAA administrative functions.

- To provide the tribes with information to apply for and obtain financial assistance, including grants for assessing tribal air quality conditions (CAA Section 103(b)(3)) and grants for implementing the CAA control programs or attaining air quality standards (CAA Section 105).

- To educate the tribes on pollution prevention and market-based environmental programs.

Clean Air Act Amendments

In the 1990 CAA Amendments, Congress provided for tribal authority to implement the CAA programs. This action recognized the inherent sovereignty of the tribes and the federal trust responsibility to protect the rights of the tribes to continue to exist as self-governing communities. Congress permitted the EPA to treat the Indian tribes in a similar manner to states and instructed the EPA promulgate regulations specifying those provisions of the CAA for which it is appropriate to treat the tribes as states.

Tribal Authority Rule (40 CFR Part 49, Subpart A)

In response to the directive of Section 301(d)(2) of the CAA Amendments, the EPA promulgated the Tribal Authority Rule (TAR) in April 1998. This rule specifies the particular provisions for which a tribe may develop and implement one or more of its own air quality programs under the Act and for which the EPA may treat a tribe in a similar manner to a state, establishes the requirements that the Indian tribes must meet if they choose to be found eligible, and modifies the regulatory and administrative limitations on the manner in which tribes qualify for and obtain awards of federal financial assistance to address their air quality problems.

The rule provides that the tribes may be treated in the same manner as a state for all the CAA programs, except for those identified in 40 CFR § 49.4. The rule notes that Congress provided for a grant of authority over all resources within the exterior boundaries of a reservation (including non-Indian owned fee lands) to tribes that have programs approved under the CAA. For non-reservation areas, the tribes must demonstrate the basis for jurisdiction. See 40 CFR 49.7(a)(3).

Pursuant to CAA Sections 301(d)(2) and 302(r), to be eligible for treatment as a state (TAS), a tribe must demonstrate:

(1) The applicant is an Indian tribe recognized by the Secretary of the Interior;

(2) The Indian tribe has a governing body carrying out substantial governmental duties and functions;

(3) The functions to be exercised by the Indian tribe pertain to the management and protection of air resources within the exterior boundaries of the reservation or other areas within the tribe's jurisdiction; and

(4) The Indian tribe is reasonably expected to be capable, in the EPA Regional Administrator's judgment, of carrying out the functions to be exercised in a manner consistent with the terms and purposes of the CAA and all applicable regulations.

CAA Sections for which the tribes may obtain TAS status:

- **Grants for support of air pollution planning and control programs**
  [CAA Section 105; 42 USC § 7405]
- **Interstate Air Quality agencies; program cost limitations**
  [CAA Section 106; 42 USC § 7406]
- **Air quality control regions**
  [CAA Section 107; 42 USC § 7407]
- **State implementation plans for national primary and secondary ambient air quality standards**
  [CAA Section 110; 42 USC § 7410]
- **Hazardous air pollutants**
  [CAA Section 112 42 USC § 7412]
- **Interstate pollution abatement**
  [CAA Section 126; 42 USC § 7426]
- **Non-attainment plan provisions in general**
  [CAA Section 172]
- **Notification to Administrator and contiguous states**
  [CAA Section 505(a)(2)]

The EPA Regulations CAA Regulatory Development:

- **40 CFR Part 70 – State Operating Permit Program**
  [Title V]

General information on treatment in the same manner as a state may be found at:
https://www.epa.gov/tribal-air/tribal-authority-rule-tar-under-clean-air-act

Environmental Program Grants for the Tribes (40 CFR Part 35, Subpart B)

The regulations regarding grants to the Indian tribes and Intertribal consortia are located in 40 CFR Part 35, Subpart B. This subpart supplements the requirements of specific grants and programs which contains sections relating to environmental program grants for the tribes.

General information on 40 CFR Part 35, Subpart B may be found at:
https://www.govinfo.gov/content/pkg/CFR-1999-title40-vol1/pdf/CFR-1999-title40-vol1-part35.pdf

Uniform Requirements for Managing Grants that Apply to all Federal Executive Agencies (2 CFR 200)

The EPA has adopted the Office of Management and Budget (OMB) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards to Non-Federal Entities guidance, which is commonly known as the Uniform Grant Guidance (UGG) (2 CFR 200). The UGG provides a government-wide framework for grants management that reduces administrative burden for non-federal entities receiving federal awards while reducing the risk of waste, fraud and abuse. The UGG supersedes requirements that were previously specified in OMB Circulars A-21, A-87, A-102, A-110, A-122, and A-133.

The EPA supplements its adoption of the UGG as specified under **2 CFR 1500**.

Additional information may be found at:
https://www.epa.gov/grants/uniform-requirements-managing-grants-apply-all-federal-executive-agencies

EPA CLEAN AIR ACT FUNDING MECHANISMS

EPA Clean Air Act
Funding Mechanisms

CLEAN AIR ACT STATUTORY AUTHORITIES

The EPA awards State and Tribal Air Grants (STAG) to help tribal governments carry out their air quality related activities and responsibilities. STAG grants are comprised of grants issued pursuant to CAA Sections 103 and Section 105.

Section 103(b)(3) of the CAA authorizes the Administrator to issue grants for conducting and promoting the coordination and acceleration of research, investigation, experiments, demonstrations, surveys, and studies relating to the causes, effects (including health and welfare effects), extent, prevention, and control of air pollution. These grants known as "Section 103 grants" serve as the tools used to support *short term* projects aimed at accomplishing these goals on tribal lands. Activities supported by these funds have included emissions inventory of air pollution sources, air quality monitoring baseline studies, training and community education and outreach projects.

** Please note that Section 103 does not provide authority to award grants for "implementing" air pollution control programs. The Office of General Counsel (OGC) has interpreted the demonstration grant authority to involve only new or experimental technologies, methods, or approaches, where the results of the project will be disseminated so that others can benefit from the knowledge gained in the demonstration project.*

Section 105 of the CAA provides authority to award grants to air pollution control agencies for developing and implementing programs for the prevention and control of air pollution or the implementation of national primary and secondary ambient air quality standards. The CAA defines "air pollution control agency" to include an agency of a federally-recognized Indian tribe. See CAA § 302(b)(5). Further, "implementing" means any activity related to the planning, developing, establishing, carrying-out, improving, or maintaining of such programs. Please see CAA § 105(a)(1)(A).

The tribes approved for awards under Section 105 are required to provide a minimum 40% match unless approved for treatment in a manner similar to a state, in which case a reduced match of 5% is required for the first two years of funding. If funding continues after two years, then the required match may be raised to 10%. The required match may be waived (0%) if a tribe successfully demonstrates financial hardship [40 CFR Part 35.220].

Additional information may be found at:
https://www.govinfo.gov/content/pkg/CFR-1999-title40-vol1/pdf/CFR-1999-title40-vol1-part35.pdf

SOLICITATION INFORMATION

The EPA Region 6 estimates that $1,000,000 - $1,300,000 annually will be available regionally for the award of air quality related projects. The number of awards will depend on the individual proposal costs, the final aggregate amount of federal funding for all proposals, and the total amount of federal funding available.

GRANT PROCESS TIMELINE

Funding Announcement ..... December XXXX
Proposals (Work Plan & Budget Narrative) to the EPA by .....February XXXX
The EPA will begin Internal Review ..... March XXXX
The EPA will notify selected applications and begin negotiations ..... April XXXX
Final Application package to the EPA no later than ..... June XXXX

Proposal Submission Date

The closing date for applicants to submit proposals is February, XXXX.

The estimated project period for awards resulting in a solicitation is October 1, through September 30**.**

Proposals evaluated but not selected may be retained for a period of 3 months from date of selections for future awards if additional funds become available.

The EPA reserves the right to partially fund submissions by funding discrete activities, portions, or phases of the proposed project. If the EPA decides to partially fund the proposed project, it will do so in a manner that does not prejudice any applicants or affect the basis upon which the proposed project, or portion thereof, was evaluated and selected, and that maintains the integrity of the selection/evaluation process.

PROPOSAL AND SUBMISSION INFORMATION

Eligibility Information

All federally-recognized tribes and tribal consortia in Region 6 are eligible to receive funding under this grant opportunity. A Tribal Consortia is defined as a partnership between two or more tribes authorized by the governing bodies of those tribes to apply for and receive assistance under the particular EPA grant program.

Eligibility Activities

Section 103 of the CAA serves as the tool used to support *short-term* projects aimed at conducting and promoting the coordination and acceleration of research, investigation, experiments, demonstrations, surveys, and studies relating to the causes, effects (including health and welfare effects), extent, prevention, and control of air pollution. In the past, these activities have included emissions inventory of air pollution sources, air quality monitoring baseline studies, training, and community education and outreach projects. The tribes are not required to match any funds for a 103 grant.

Applicable Code of Federal Domestic Assistance (CFDA) number is: 66.038

Section 105 of the CAA serves as the tool for implementing programs for the prevention and control of air pollution or implementation of national primary and secondary air quality standards. A partial match of funds may be required for a 105 grant.

Applicable Code of Federal Domestic Assistance (CFDA) number is: ***66.001***

Proposal Requirements

Applicants are required to submit proposals containing:

1. Cover Page
2. Narrative Workplan
3. Budget Narrative
4. Position Descriptions

Workplan Elements

Each project narrative proposal should include the following components to demonstrate that a successful project or program will be achieved:

1. **Cover Page:** Include the following information:

   a. ***Project Title.*** Identify title of your project.

   b. ***Project Manager:*** Identify who will serve as the principal party responsible for accomplishing the activities outlined in the workplan.

   c. ***Total Project Cost:*** Specify total cost of the project (U.S. EPA funding and cost share). Also, identify funding from any other source that may be contributing financial support.

   d. ***Project Period:*** Provide beginning and ending dates. Funds will only be available to begin project/program activities on or after, October XX, 20XX and end no later than, September XX, 20XX.

   e. ***Type of Grant:*** Indicate which authority (Section 105 or 103) your tribe/organization is applying for.

2. **Narrative Workplan:**

   The narrative workplan must explicitly describe how the proposed project meets the Evaluation Criteria as describe in this document. Do not make assumptions that reviewers are familiar with your situation or expectation. Refer to the Tribal Menu of Options (https://www.epa.gov/tribal-air/tribal-air-grants-framework-menu-options) for further information on developing workplans involving air components.

a. **Project Description:** Illustrate the need for the project/program. Please include the following elements in the Project Description:

i. **Problem Statement:**
Provide a well supported statement or needs assessment of the problem to be addressed which demonstrates the reason your tribe should receive funding support.

ii. **Objectives:**
Identify the project/program objectives. Objectives should be specific, measurable, and clearly describe how they are related to and lead to the project/program goals and expected environmental results or show a link to the health benefit of the tribal community.

iii. **Project Activities (Tasks and Methods):**
Outline **in detail** the necessary tasks that will be conducted to accomplish the objectives. Describe why you have chosen these activities to obtain the desired environmental results. The tasks and methods should be realistic and achievable within the budget and project period of the grant.

iv. **Specific Environmental Outputs:**
Identify the specific outputs; Deliverables of an environmental activity, effort, and/or associated work product related to an environmental goal or objective, which will be developed over a period of time or by a specified date. Outputs may be quantitative or qualitative but must be measurable during an assistance agreement funding period. For example, an emissions inventory and raw and summarized air monitoring data.

v. **Desired Environmental Outcomes:**
Articulate the desired environmental outcomes; the result, effect or consequence that will occur from carrying out an environmental program or an activity that is related to an environmental or programmatic goal or objective. Outcomes may be environmental, behavioral, health related or programmatic in nature, must be quantitative, and may not necessarily be achievable within an assistance agreement funding period. For example, "Significant number of community members with increased awareness of Indoor Air Quality issues," or "Increased number of tribal residents breathing cleaner air."

vi. **Target Dates & Milestones:**
Include an estimated time-line or schedule of expected target dates and milestones to achieve specific tasks and accomplishments during the budget and project period.

vii. **Performance Measures:**
Provide a detailed explanation of how the project/program shall be evaluated (through quantitative means, if possible). Applicants should develop criteria to evaluate progress and results. Evaluation should occur during as well as after the project/program activities are conducted to make sure appropriate adjustments can be made along the way, if necessary. For example, if you are conducting inspections for mold, provide a target number of residences/community buildings that you plan to perform each quarter.

viii. **<u>Program Manager/Contact(s)</u>:**
Identify all individuals or parties who will be involved in the project/program activities, and a description of their respective roles/responsibilities.

b. **Funding Requested:** Specify the type of statutory authority (Section 103 or Section 105) and amount you are requesting from the EPA. Also include any recipient cost shares/matching as is required with Section 105 funding; 40% match for applicants without TAS eligibility and 5% (or 10%, when the Regional Administrator assesses and determines the Tribe is financially capable) match for those who have been approved for TAS prior to solicitation deadline. For Section 105 (programmatic) workplans, include a description of how the project activities may be sustained beyond the life of funding.

c. **Quality Assurance:** If the project/program involves environmentally related measurements or data generation, a Quality Assurance Project Plan (QAPP) is required. If the grantee has an EPA approved QAPP, reference this, or assert that the plan will be developed before any data is generated and/or analyzed.

d. **Reporting Requirements:** Discuss your commitment to provide quarterly reports, and a detailed follow-up final report. Applicants are further required to make Commitment to share all data collected with the EPA for assessment on a regional level.

i. **<u>Quarterly Reports</u>:**
Include a description of the progress status in meeting environmental outputs and outcomes on a quarterly reporting basis, project/program assessment, and submission of short data summaries. Region 6 will establish a reporting schedule upon approval for funding.

ii. **<u>Final Report</u>:**
The final report should include a summary of the project, advances achieved applicable to environmental outputs and outcomes, and costs of the project. In addition, the final success, lessons learned from the demonstration project that could help overcome structural, organizational or technical obstacles to implementing a similar project elsewhere.

Additional information on Progress Reorting [under 2 CFR §200.328(2)(d)(1)] may be found at: https://www.ecfr.gov/cgi-bin/text-idx?SID=9753a50d824a942cb367a62721b97431&mc=true&node=pt2.1.200&rgn=div5#se2.1.200_1328

NOTE: All ambient, emissions, and compliance data obtained through the use of these funds shall be entered in the corresponding national data base (i.e. National Emissions Inventory and Air Quality System). This data is available to the general public. Tribal Emission Inventory Software Solution (TEISS) is available to the tribes from the Institute for Tribal Environmental Professionals (ITEP) http://www.nau.edu/itep or http://www7.nau.edu/itep/main/tams/Tools/tools_ei

3. **Budget Narrative:**
Provide a detail itemized budget proposal, including a narrative statement justifying the expenses for each of the following categories being performed within the grant/project period.

a. **Personnel:**
Indicate salaries and wages, by job title of all individuals who will be supplemented with these funds.

For Example – 1 FTE (100%)

Air Quality Specialist @ $XXX/wk (x) 52 weeks =	$ XX,XXX
or	
Air Quality Specialist @ $XX/hr (x) 40 hrs/wk (x) 52/wks =	$ XX,XXX
TOTAL =	**$ XX,XXX**

b. **Fringe Benefits:**
Indicate all mandated and voluntary benefits to be supplemented with these funds.

For Example –

Health Insurance – (1 FTE) @ $35/month (x) 12/months =	$ XXX
Dental – (1 FTE) @ $40/month (x) 12/months =	$ XXX
TOTAL =	**$ XXX**

c. **Travel:**
Indicate the number of trips to be taken, number of individuals travelling (per trip), destination, and reason for travel.

For Example –

Trip #1 – ITEP Air Quality Computations Training (Tulsa, Oklahoma)	
Air Fare – 1 FTE (x) $750 =	$ XXX
Per Diem – 1 FTE (x) $43 (x) 3 days =	$ XXX
Hotel – 1 (FTE) (x) $100/night (x) 2 nights =	$ XXX
Trip #2 – Air Monitoring Conference (Dallas, Texas)	
Local Travel Mileage – 200 miles (x) $0.55 =	$ XXX
TOTAL =	**$ X,XXX**

d. **Equipment:**
The EPA regulations defines "equipment" as items costing $5,000 or greater. Identify items to be purchased such as air quality related instruments used in support of workplan objectives and provide an estimated cost for each.

For Example –

(1) Ozone Monitor –	$ X,XXX
(1) PM 2.5 Monitor ($5,000 or more per unit) –	$ X,XXX
TOTAL =	**$ XX,XXX**

e. **Supplies:**
Indicate any items to be purchased and used in support of air project/program workplan objectives.

For Example –

(1) General Office Supplies (pens, notebooks, paper-clips, computer printer ink, and paper) – $ XXX

TOTAL = $ XXX

f. **Contractual:**
Indicate any proposed contractual items that are reasonable and necessary to carry out the workplan objectives. Examples of contractual items include sample analysis, and rental or lease of property being utilized in support of workplan objectives.

For Example –

(1) ABC Lab – PM Filter Weighing (52 samples @ $100) = $ XXXX

TOTAL = $ XXXX

g. **Other:**
Indicate general (miscellaneous) expenses necessary to carry out the objectives stated in the workplan.

For Example –

(1) Outreach Materials (brochures/pamphlets, etc.) – $ XXX
(2) Office needs (postage, phone, fax, etc.) – $ XXX

TOTAL = $ XXX

h. Total Direct Costs:
Summary of all costs associated with each object-class category.

TOTAL = $ XX,XXX

i. Total Indirect Costs:
The tribe/organization must provide documentation of a federally approved indirect cost rate (percentage) reflective of proposed project/grant period. Applicant should indicate if the tribe/organization is in negotiations with appropriate federal agency to obtain a new rate.

For Example –

(IDC Rate – 16% of Total Direct Costs) = $ X,XXX

TOTAL = $ X,XXX

j. Total Costs:
Indicate overall figure of all direct and indirect costs.

For Example –

TOTAL BUDGET = $ XX,XXX

k. Position Descriptions:
Provide a description of the role/responsibilities required for each of the position(s) to be supplemented with these grant funds.

Confidential Business Information (CBI): In accordance with 40 CFR 2.203, applicants may claim all or a portion of their application/proposal as confidential business information. The EPA will evaluate confidential claims in accordance with 40 CFR Part 2. Applicants must clearly mark applications/ proposals or portions of applications/proposals they claim as confidential. If no claim of confidentiality is made, the EPA is not required to make the inquiry to the applicant otherwise required by 40 CFR 2.204 (c) (2) prior to disclosure. Note that under Public Law No. 105-277, data produced under a grant award are routinely available under the Freedom of Information Act.

Evaluation Criteria

Region 6 recognizes that each tribe/consortium is unique and is at a different stage in developing an air program. The funding priorities listed below, therefore, are meant to allow for the varied projects and priorities that individual tribes have, while still emphasizing overall regional goals throughout Indian country. For example, refer to the *Tribal Menu of Options* at: https://www.epa.gov/tribal-air/tribal-air-grants-framework-menu-options for further guidance on developing workplans involving air components.

1. **Project Overview (Various Types of Programmatic/Project Opportunities):**

   Each proposal will be evaluated to determine if it meets one of the following:

   a. Proposal identifies a significant air pollution problem relating to a specific source of pollutant such as:
      - Recorded health related complaints to a tribal office,
      - Suspected or documented pollution problem from a specific source,
      - Lack of air emissions inventories,
      - Demonstrated high levels of air pollution relative to national standards and/or regional and local levels, or
      - Need for monitoring or other method of air quality assessment,

      If the project described has already achieved 3 years of monitoring or has generated sufficient data, Region 6 will re-evaluate the project to determine if further monitoring is warranted.

   b. Proposal demonstrates that the tribal government has a long-term commitment to development and implementation of an air program. This may be demonstrated by:
      - Developed or developing air code or regulations for tribal lands,
      - CAA program delegations or authorizations,
      - Plans to submit a partial or whole Tribal Implementation Plan for approval,
      - Developed or developing pollution prevention strategies, or
      - Fostering government to government relationships through partnering and outreach activities.

   c. The proposal demonstrates that the tribal government/consortium participates in environmental policy and planning through National/Regional/Tribal workgroups or organizations (i.e., the National Tribal Air Association, TECO, IRAC, RTOC, CAAAC, RPOs) and disseminates relevant information to other Region 6 tribes. Additionally, the

proposal demonstrates a commitment to providing assistance to the tribal government members of their consortium.

2. **Workplan Review:**

Proposals will be evaluated based on applicant's ability to demonstrate reasonable and achievable goals and objectives, including specific outputs (deliverables) and outcomes (overall environmental impact). All grant work plans must include well defined outputs and, to the extent practicable, well-defined outcomes (reference the EPA Order 5700.7A1 - Environmental Results Policy at: http://www.epa.gov/grants/epa-order-environmental-results-under-epa-assistance-agreements). Applicants must discuss anticipated environmental outcomes and outputs in proposed work plan objectives and performance measures.

Expected environmental ***outcomes*** mean the result, effect or consequence that will occur from carrying out an environmental program or activity that is related to an environmental or programmatic goal or objective. Outcomes may be environmental, behavioral, health related or programmatic in nature, must be quantitative, and may not necessarily be achievable within an assistance agreement funding period. For example, outcomes may include, but are not limited to, "significant number of community members with increased awareness of Indoor Air Quality issues" and/or "increased number of tribal residents breathing cleaner air."

Expected environmental ***outputs*** (or deliverables) refer to an environmental activity, effort, and/or associated work products related to an environmental goal or objectives, that will be produced or provided over a period of time or by a specified date. Outputs may be quantitative or qualitative but must be measurable during an assistance agreement funding period. Examples of environmental outputs may include, but are not limited to, an emissions inventory, air monitoring data, or identification of a particular number of residences/community buildings that will receive indoor air quality inspections.

Evaluators will determine the proposal's ability to illustrate the need for the project or program through the following:

a. Problem Statement(s) identifying the needs assessment to be addressed through project or programs grant assistance agreement.

b. Objectives which are specific, measurable, and clearly describe how they are related to and lead to the project or program's goals and expected environmental results, as well as "public" benefit applicants are seeking to obtain.

c. Project Methods, outlining in detailed, the specific tasks and activities necessary to accomplish the objectives as outlined in the proposed workplan.

d. Environmental outputs identifying the work products and deliverables resulting from the activities to be accomplished during the grant's project period.

e. Environmental outcomes identifying the overall environmental impact resulting from the activities to be accomplished in relation to this grant in conjunction with previous and future efforts.

f. Timeline indicating estimated target dates and milestones anticipated to be accomplished during the budget and project period.

g. Performance measures explaining how the project or program will be evaluated during and after the project.

h. Cost effectiveness for funding the greatest environmental benefit to improve or sustain tribal culture. (i.e. why fiscal resources should be awarded in support of this tribe's project or program.)

To aid your tribe/consortium in the development of a thorough proposal, you may utilize the checklist provided in Appendix E. This checklist is a nonexclusive list of key questions for your tribe/consortium to consider when developing an air quality proposal and is not meant to serve as a funding decision matrix or document.

3. **EPA Strategic Plan Linkage and Anticipated Outcomes/Outputs:**

   Evaluators will determine the proposal's ability to illustrate the effectiveness of applicant's plan for tracking and measuring progress toward achieving expected outputs and outcomes.

   In keeping with the mission of protecting human health and the environment, the EPA requires that proposed grant activities be linked to the goals and objectives in the EPA's Strategic Plan (https://www.epa.gov/sites/production/files/2019-09/documents/fy-2018-2022-epa-strategic-plan.pdf). For example, proposed activities related to ambient air (outdoor) projects and programmatic activities fit within ***Goal 1*** *– A Cleaner, Healthier Environment –* ***Objective 1.1*** *– Improve Air Quality*.

4. **Programmatic Capability:**

   The EPA will evaluate the applicant's programmatic capability to perform the work in the proposal. This evaluation includes consideration of applicant's:

   a. Past performance in successfully completing federally and/or non-federally funded projects similar in size, scope, and relevance to the proposed project or program activities; and

   b. Tribe/Consortium's history of meeting reporting requirements on prior or current assistance agreements with federal and/or non-federal organizations and submitting acceptable final (technical/programmatic) reports.

NOTE: Region 6 will make determinations based on previous working relationships, as well as consider information from other sources including agency files. If your tribe/consortium has no history of administering a grant assistance agreement with the EPA, you may provide a short narrative indicating your ability to achieve the objectives of your workplan.

SELECTION PROCESS

Region 6 project officers and technical staff with knowledge of air quality management elements, located in the Air and Radiation Division, Air Permits, Monitoring, and Grants Branch, will review proposals

submitted and provide recommendations to senior management acknowledging whether an applicant's proposal should be considered for approval or denial of available funding.

AWARD NOTIFICATION

Region 6 will notify both successful and unsuccessful applicants in writing. Applicants selected for approval will have an opportunity to negotiate (minor) elements of their workplan and budget narrative after final applications are submitted.

APPLICATION PACKAGE FOR APPROVED PROPOSALS

Applicants whose proposals are selected for funding will need to submit one original completed and signed federal grant application package, which may be downloaded from the EPA's Office of Grants and Debarment website at: http://www.epa.gov/grants/how-apply-grants.
A complete application for selected proposals must contain the following forms and documentation:

1. SF-424 Application for Federal Assistance, with original signature;
2. SF-424 A (Budget by Categories and Indirect Cost Rate);
3. SF-424 B (Assurances for Non-Construction Programs);
4. EPA Form 4700-4 (Pre-award Compliance Review Report);
5. Certification Regarding Lobbying;
6. Copy of Negotiated Indirect Cost Rate Agreement, if applicable;
7. Standard Form LLL (Lobbying), if applicable;
8. Key Contacts Form;
9. Workplan (including a Cover Page, Narrative Workplan, and Budget Narrative); and
10. Quality Assurance Narrative Statement, if applicable.

NOTE: The EPA reserves the right to negotiate appropriate changes in workplans after the selection process and before final award of assistance agreement. The notification, which advises that the applicant's proposal has been selected and is being recommended for award, is not an authorization to begin performance. The assistance agreement signed by the EPA award official is the authorizing document and will be provided by postal mail. At a minimum, this process can take 60 days from the date the final application is received by the EPA.

Application Submission: Final Applications, if selected, should be submitted through www.grants.gov by the date specified in the notification of proposal status correspondence (which will be sent via an email from the project officer to the applicant.

The electronic submission of your application must be made by an official representative of your institution who is registered with Grants.gov and is authorized to sign applications for Federal assistance. For more information on the registration requirements that must be completed in order to submit an application through grants.gov, go to www.grants.gov and click on "Applicants" on the top of the page and then go to the "Get Registered" link on the page. **If your organization is not currently registered with Grants.gov, please encourage your Tribal leader to designate an Authorized Organization Representative (AOR) and ask that individual to begin the registration process as soon as possible.**

Please note, the registration process also requires that your organization have a DUNS number and a current registration with the System for Award Management (SAM) and the process of obtaining both could take a month or more. Applicants must ensure that all registration requirements are met in order to apply for this opportunity through grants.gov and should ensure that all such requirements have been met well in advance of the submission deadline. Registration on grants.gov, SAM.gov, and DUNS number is FREE.

Region 6 Contacts:

Aunjaneé Gautreaux
Project Officer
(214) 665-7127
gautreaux.aunjanee@epa.gov

Donnett Patterson
Project Officer
(214) 665-7418
patterson.donnett@epa.gov

Additional information on Tribal Air Coordinators (TACs) or other Regional Tribal Air office contacts may be found at: https://www.epa.gov/tribal-air/tribal-air-coordinators

AIR
PROGRAM ACTIVITIES

Air Program Activities

Air Quality Assessments for Monitoring

It is important to be aware of EPA's general environmental data quality assurance (QA) requirements set forth in the EPA quality policy (https://www.epa.gov/quality) as well as additional quality assurance requirements set forth in ambient air monitoring regulations by the Office of Air and Radiation in order to compare ambient air monitoring data to the National Ambient Air Quality Standards (NAAQS) (40 Code Federal Regulations Part 58 and its associated appendices). This will assist the tribes with compliance of the grant's technical requirements once a program begins. Before data collection can occur, the following activities must be performed to ensure that the data meets applicable Quality Assurance (QA) requirements and is reported to the EPA Air Quality System (AQS) database within the required timeframe.

- ✓ **Selection of Monitoring Site:** Possible sites should be identified and proposed. There should be coordination with the EPA Region 6 to select the final monitoring site that satisfies the site location requirements of 40 CFR Part 58, Appendix E and that will provide the data needed for the desired purpose.

- ✓ **Types of Pollutants:** Ambient air monitoring is a specific data collection activity that collects data for NAAQS, Hazardous Air Pollutants (HAPs), air toxics, etc. Most of the tribal air monitoring projects in Region 6 to date have focused on tribal needs associated with targeted ozone, particulate matter, and lead issues. For relevant NAAQS or criteria pollutant information, see URL: https://www.epa.gov/criteria-air-pollutants/naaqs-table. HAPs or air toxics are more complex, not only in environmental assessment, but in air monitoring methods (see URL: http://www3.epa.gov/ttnamti1/airtoxpg.html). The goal, purpose, and technical feasibility of the air monitoring project are critical considerations in determining the needed support.

- ✓ **Timing of Monitoring:** Upon grant approval, monitoring and data reporting is expected to commence within an appropriate and agreed upon time period.

- ✓ **Quality Assurance:** Appropriate quality assurance systems should be developed and implemented for any air monitoring prior to commencement of the collection of data. The development of a Quality Assurance Project Plan (QAPP) is defined and required by the EPA's quality policy, see associated https://www.epa.gov/quality/managing-quality-environmental-data-epa-region-6 or https://www.epa.gov/quality. You may also visit https://www3.epa.gov/ttnamti1/qalist.html. The QAPP describes how the organization intends to control measurement uncertainty to an appropriate level in order to achieve the objectives for which the data are collected. If the objective of the monitoring site is to determine compliance with the NAAQS, the QAPP must include all QA requirements identified in 40 CFR Part 58, Appendix A, including monitoring performance audits, checks, third party audits, data processing documentation, data verification, data validation etc. Courses and other assistance on a QAPP development are available through the Institute for Tribal Environmental Professionals (ITEP) (http://www.nau.edu/itep).

- ✓ **Data:** Monitoring results as well as the required monitoring systems performance audits and checks should be reported to the EPA's Air Quality System (AQS: http://www2.epa.gov/aqs) or the appropriate national database. Data should be reported within 90 days of generation. Annual data certifications are required to be submitted on May 1 of each calendar year. Data reported to the EPA's AQS should meet 75% data completeness for each calendar quarter.

- ✓ **<u>Quarterly Monitoring Reports</u>:** Quarterly reports should be prepared and submitted to the grant project officer at EPA Region 6 and should:

  a) Identify all days where air monitoring concentrations exceeded the regulatory comparison levels and any potential sources associated with that event.
  ***Note*:** Comparison concentrations vary by criteria pollutant so refer to its respective regulation;

  b) Identify all days where the concentrations exceeded the respective standard, and potential sources associated with that event; and

  c.) Report on the completion of all routine calibrations, QA checks, and third-party audits of the monitor, as specified in the QAPP.

- ✓ **<u>Annual Monitoring Reports</u>**: The annual report should:

  a) Identify all days where the concentrations exceeded the respective comparison levels and the potential sources associated with that event;

  b.) Identify all days where the comparison standard was exceeded, and the potential sources associated with that event; and

  c.) Determine the relevant concentrations based on the data analysis for the full year of collected data.

  ***Note*:** Issues and problems in monitoring operations that may have caused the loss of data should to be reported to the EPA Region 6 in a timely manner. Such losses should be reported if there was a loss of 120 hours of data of it the loss will affect the goal of 75% data completeness for the full year of monitoring.

- ✓ **<u>Monitoring Completion</u>:** Expectations regarding the length of the monitoring project should be agreed upon by the tribe and the EPA. The length should be based on the objective of the monitoring activity and subsequent data evaluation and should be articulated in the annual grant workplan. Any tribal monitoring should be assessed annually to determine the need of continuation.

- ✓ **<u>Technical Support</u>:** Technical assistance is available from the following sources:
  General information concerning the availability of air program grant support or request for a technical contact can be obtained from a Region 6 Tribal Air Coordinator at:
  https://www.epa.gov/tribal-air/tribal-air-coordinators

  Technology Transfer Website with updated technical information at:
  https://www.epa.gov/ftta/federal-technology-transfer-act-and-related-legislation or
  https://www.epa.gov/ftta or https://www.epa.gov/amtic

  Institute for Tribal Environmental Professionals (ITEP) (http://www.nau.edu/itep);
  Tribal Air Monitoring Support Centers (TAMS) (http://www7.nau.edu/itep/main/tams/); tribal consortia such as the Inter-Tribal Environmental Council http://www.itecmembers.org/), and private contractors.

Additional Resources

Examples of Types of Ambient Air Monitoring Projects

Evaluation of Ambient Air Quality in Airshed:

- Considers Ambient Air Quality status in the Airshed/Area
- Uses Criteria Pollutant Regulatory Requirements/Guidelines
- May include Air Toxics and other Air Pollutants in Targeted Areas of Concern

National Ambient Air Monitoring Programs: CASTNet, NCore, mercury monitoring etc. These projects are typically collaborations between OAQPS, Tribes and Regions with resources leveraged between OAQPS and the Tribe.

In all cases the technical strength, i.e., connection with sources, potential population exposure, and applicable ambient air monitoring requirements/regulations of the proposed monitoring project is critical.

For a list of approved air monitoring methods for criteria pollutants see:
https://www.epa.gov/tribal-air/tribal-air-quality-monitoring

- *Technical Guidance for the Development of Tribal Air Monitoring Programs*; EPA-456/B-07-002, August, 2007: https://www.epa.gov/sites/production/files/2016-08/documents/techguidancetribalattch_0.pdf

- EPA Air Program Resources Website: https://www.epa.gov/tribal-air

- URL for the EPA's The Tribal Air Grants Framework: A Menu of Options for Developing Tribal Air Grant Work Plans and Managing Grants for Environmental Results, revised 2015: https://www.epa.gov/tribal-air/tribal-air-grants-framework-menu-options

- URL for the EPA's Office of Air Quality and Planning Standards Website: http://www3.epa.gov/airquality/montring.html

- URL for the EPA's Technology Transfer Network Website: https://www3.epa.gov/ttn/atw/

- URL for the Technical Air Pollution Resources Website: https://www.epa.gov/technical-air-pollution-resources

- URL for the EPA's Tribal Air: Tools and Resources Webpage: https://www.epa.gov/tribal-air/tribal-air-programs-epas-regional-offices

- URLs for EPA's QAPP Guidance: https://www.epa.gov/quality/managing-quality-environmental-data-epa-region-6 and http://www2.epa.gov/quality and http://www3.epa.gov/ttnamti1/qalist.html

Conducting a Air Quality Assessment for Monitoring

***Background*:** Description of the major characteristics of tribal lands including geographical features, boundaries, area, types of vegetation, and land use. Include a map of the lands showing these features.

Airshed Characterization: Description of the airshed covering tribal lands. This should include the topography, seasonal weather patterns, population distribution, source distribution, and any other factors affecting air quality in the airshed.

***Identification of Air Pollution Sources*:** Identification of major (Title V) point sources on tribal lands and their emission inventories. If information is available, identify and estimate emissions of area sources, residential sources (woodstove, fire places), agricultural burning sources, and mobile sources. Identify major sources of air pollution outside of tribal lands and describe how these sources may be impacting air quality within tribal lands.

***Data Summary*:** Summary of any past air monitoring data collected on tribal lands using EPA approved methods, and/or data collected adjacent to tribal lands by a state or local air agency.

***Conclusions*:** If needed, propose next steps for further characterizing the air quality in each airshed. If it appears that monitoring data is needed, explain how the data collected will be used to either : (a) further characterize the air quality, (b) answer additional questions about air quality, or (c) help to implement a control strategy.

Summary Report: *A summary* report covering the above elements as well as any further justification for conducting monitoring, the type of monitor considered most appropriate for the purpose identified, and the probable location for siting of such monitor to be able to best serve its intended purpose(s). If possible, attach a map with points relevant to the assessment idendified.

Technical Guidance for the Development of Tribal Air Monitoring Programs; https://www.epa.gov/tribal-air/tribal-air-quality-monitoring

Creating an emissions inventory is a process in which air quality managers collect information on the estimated emissions for particular pollution sources within a specific area, such as a reservation or tribal boundaries, to use in making planning and policy decisions.

It is important to note that an emissions inventory serves a different purpose than air quality monitoring but may inform monitoring. An *emissions inventory* tells a tribe what sources are emitting which pollutants into the air. *Air quality monitoring* samples the air to measure which pollutants are present and in what amounts but does not tell where the pollutants are coming from. Emissions inventories and air quality monitoring are both valuable tools for identifying and addressing air quality concerns on tribal lands, and the EPA Regional contacts and/or the Regional Tribal Operations Ccommittee (RTOC) subcommittee members can help the tribes decide where to start.

An Emissions Inventory Helps the Tribes Evaluate Air Quality

An emissions inventory can help a tribe understand air quality on its lands and whether an air pollution control program is needed. A tribal emissions inventory can include information about criteria air pollutants, hazardous air pollutants, greenhouse gases, major and minor point sources, area sources, and mobile sources. The tribes may choose to complete an emissions inventories to help:

- Identify sources of air pollution and problem areas,
- Track trends in air quality on tribal lands,
- Measure progress toward air quality goals,
- Establish a baseline for future planning for air quality management,
- Determine the need for ambient air monitoring and to site monitors,
- Take an active and constructive role in regional and national air quality planning processes,
- Demonstrate jurisdiction and capacity of the tribes to address air quality on tribal lands,
- Establish a basis for developing on-reservation permitting programs,
- Provide input for human health risk assessment studies, and
- Improve the EPA's and the tribe's knowledge about air quality nationwide and potentially be included in the National Emissions Inventory (NEI).

A tribal emissions inventory would include one year of emissions data for sources associated with tribal lands. Sources of emissions could include:

- **point sources**: large stationary sources of emissions that are identified individually in the inventory, such as power plants and factories;
- **nonpoint (area) sources**: smaller facilities or activities whose individual emissions do not qualify them as point sources, such as dry cleaners, open burning, wood stoves, residential hot water heaters, etc.;
- **off-road mobile sources**: airplanes, trains, farm and construction equipment, marine engines, and lawn mowers; and
- **on-road mobile sources**: automobiles, trucks, buses, and motorcycles.

Emissions inventories are the fundamental building block of an air program. They indicate what is the baseline or starting point for assessing the status of a source's or area's air quality programs. A high-quality emissions inventory provides the information needed to determine the type and extent of controls that may be required. The inventory assists in the formulation of control and maintenance strategies. Inventories are also indirect indicators of overall air quality changes. Inventories also give perspective on the nature of air quality problems, i.e., whether the problems are the result of emissions from point, area, or

mobile sources, and what specific sources may need to be targeted. It is difficult to plan and implement a meaningful and successful air quality program without the benefit of a good emissions inventory.

Pollutants of Concern

The pollutants that are addressed in tribal emissions inventories usually fall into two general categories: criteria air pollutants (CAPs) and hazardous air pollutants (HAPs).

The Clean Air Act (CAA) requires the EPA to set National Ambient Air Quality Standards for six common air pollutants. These commonly found air pollutants (also known as "criteria pollutants") are found all over the United States. The criteria pollutants include: particle pollution (often referred to as particulate matter or PM), ground-level ozone (O_3), carbon monoxide (CO), sulfur oxides (SOx or SO_2), nitrogen oxides (NOx), and lead (Pb). These pollutants can harm human health and the environment, and cause property damage including damage to agricultural crops and livestock. The EPA calls these pollutants "criteria" air pollutants because it regulates them by first developing human health-based and/or environmentally-based criteria (science-based guidelines) for setting permissible levels, and then by setting standards for the maximum concentration of the criteria pollutants in the ambient air. Those standards are known as National Ambient Air Quality Standards (NAAQS). The set of limits based on human health are called Primary NAAQS. Another set of limits intended to prevent environmental and property damage are called Secondary NAAQS.

Of the six criteria pollutants, particle pollution and ground-level ozone present the most widespread human health threats. The EPA has established different NAAQS for particulate matter of different sizes –one set of NAAQS for particulate matter less than 10 microns in diameter (PM_{10}) and another set of NAAQS for particulate matter that is less than 2.5 microns in diameter ($PM_{2.5}$).

In preparing tribal emissions inventories for criteria pollutants, it is important to note that not all fine particle pollution ($PM_{2.5}$) and very little ozone is emitted by sources. These pollutants, especially ozone, are generally formed in the atmosphere by photochemical reactions of other, precursor pollutants that are emitted by sources. For example, the precursor pollutants that react in the atmosphere to form ozone are nitrogen oxides and volatile organic compounds (VOCs). Precursor pollutants for fine particulate matter can include nitrogen oxides, sulfur oxides, VOCs, and ammonia. For this reason, emissions of ammonia and VOCs are often included in emissions inventories of criteria pollutants.

Hazardous Air Pollutants (HAPs), also known as toxic air pollutants or air toxics, are those pollutants that cause or may cause cancer or other serious health effects, such as reproductive effects or birth defects, or adverse environmental and ecological effects. The 1990 amendments to the CAA identified 189 specific chemicals or classes of chemicals as HAPs and required the EPA to identify primary sources of these pollutants and develop regulations to reduce their emissions. The EPA has the authority to modify the list of HAPs by adding or deleting specific chemicals; currently there are 187 listed HAPs. Examples of HAPs include benzene, which is found in gasoline; perchlorethlyene, which is emitted from some dry-cleaning facilities; and methylene chloride, which is used as a solvent and paint stripper by a number of industries. One of the criteria pollutants, lead (and compounds of lead), is also a hazardous air pollutant.

More information on CAPs is available at the following websites: https://www.epa.gov/naaqs and https://www.epa.gov/criteria-air-pollutants. More information on HAPs is available at the EPA's Air Toxics Website: https://www.epa.gov/haps.

Each tribal emissions inventory should be tailored to the needs of the tribe that creates it. A tribal emissions inventory could include only major sources and criteria pollutants, or a tribe might choose to

inventory just hazardous air pollutants or area sources. The tribes can also use an emissions inventory to collect information about sources of greenhouse gas emissions. Each tribe should determine the best scope for its inventory.

National Emissions Inventory (NEI)
The EPA Office of Air Quality Planning and Standards (EPA OAQPS) uses the data from individual emissions inventories submitted by state, local, and tribal governments to compile the National Emissions Inventory (NEI).

Features of the NEI

- Lists sources and what was emitted for one year.
- Covers the entire United States.
- Includes criteria air pollutants and hazardous air pollutants.
- Compiled every third year (2005, 2008, 2011, etc).
- Created from data submitted through the Emissions Inventory System (EIS).

Under the Tribal Authority Rule the tribes are not required to develop an emissions inventory or submit it to the EPA OAQPS for the NEI, but the EPA strongly encourages the tribes to do so. The tribes also are not required to meet a due date for submitting an emissions inventory, so they may miss the deadline for inclusion in the NEI. However, the EPA OAQPS will accept and store all data submitted since the data is useful as a starting point for local planning, more refined air quality analysis, and future versions of the NEI.

How Complex Should a Tribal Emissions Inventory Be?

The level of complexity for a tribal emissions inventory should be based on the purpose for conducting the EI. Volume 6, Chapter 2, of the Technical Report Series prepared for the EPA's Emissions Inventory Improvement Program (https://www.epa.gov/air-emissions-inventories/volume-6-quality-assurance-procedures-and-dars-software) discusses four levels of complexity for emissions inventories (see pages 2.1-5). The emissions inventory levels and purposes, increasing order of complexity, are:

- **Level 4:** developed from existing data sources for informational purposes. Level 4 inventories are usually compiled from previously published emissions data;

- **Level 3:** used for general assessments or research. Level 3 inventories may include data gathered from specific sites but generally are not detailed enough to directly support rulemaking activities;

- **Level 2:** used for strategic decision making. Level 2 inventories are usually detailed enough to directly support decision-making and setting of standards, such as development of State Implementation Plans (SIPs) and air quality standards. Site- or region-specific information is generally required; and

- **Level 1:** supports enforcement, compliance, or litigation activities. Level 1 inventories require the highest degree of defensibility and are based on very detailed, site-specific data. The results of Level 1 inventories can be used directly in enforcement actions or litigation support if sufficient in scope.

Steps to Create an Emissions Inventory

The **Tribal Emissions Inventory Software Solution (TEISS)** is free to all federally recognized tribes and was designed specifically to help the tribes develop emissions inventories. The TEISS is a software program that helps tribal air professionals calculate, organize, store, and report on air pollution emissions on tribal lands. The TEISS provides guidance on what type of data to enter, conducts calculations and unit conversions, and creates clear reports and maps for analysis. The TEISS was developed by Lakes Environmental, Inc. for the Institute for Tribal Environmental Professionals (ITEP) at Northern Arizona University, in partnership with the tribes, the EPA, and the Western Regional Air Partnership (WRAP).

There are 5 basic steps for the tribes to create an emissions inventory using the TEISS.

Step 1: Plan the Inventory

- Use the TEISS to complete an Inventory Preparation Plan (IPP). If the tribe received an EPA grant for the emissions inventory, the tribe is required to complete a Quality Assurance Project Plan (QAPP). A Quality Assurance Project Plan (QAPP) describes the activities of an environmental data operations project involved with the gathering of environmental information whether generated from direct measurements activities, collected from other sources, or compiled from computerized databases and information systems. The QAPP documents results of a project's technical planning process, providing in one place a clear, concise, and completed plan for the environmental data operation and its quality objectives and identifying key project personnel.

  It is the EPA policy that all work funded by the EPA in which environmental data will be collected, evaluated, used, or reported (including the use of existing data and modeling), or which involves the design, construction, and operation of environmental technology, have approved the QAPP, or equivalent documents as defined by the EPA's Guidance for Quality Assurance Plans (EPA QA/G-5) or similar quality description. For further information, please reference https://www.epa.gov/quality or you may reference ITEP's website at: http://www.nau.edu/itep

- The tribe can use the IPP as the basis of the QAPP, which the EPA requires to ensure that data collected is valid and can be relied upon for its intended purpose. The tribe should work on developing an EPA-approved QAPP with the EPA Tribal Air Coordinator.

- Identify the purpose, geographic boundary, and time period of the inventory.

- Identify the sources and pollutants of interest to the tribe. Previous emissions inventories, the NEI, the TRI, and other sources of information on emissions from industrial sources can be used to develop a list of emissions sources.

Step 2: Collect data to estimate emissions

- Gather detailed information about sources and what they emit. Sources of data can include reports from the sources, data from other inventories such as the NEI or a state inventory, air permits, TRI reports, questionnaires, etc.

Step 3: Enter data into the TEISS

- Use the TEISS to calculate emissions estimates for each source and organize the results.
- Analyze what the results show about air pollution and its impact on the tribal community.

Step 4: Apply quality assurance/quality control (QA/QC) procedures

- Document all data collection efforts and calculations.
- Use the TEISS to document the emissions estimating methods.

Step 5: Write a summary report on the results organized in the TEISS

- Submit the report to the EPA Regional Office (if this was a requirement under a grant) and/or the Institute for Tribal Environmental Professionals (ITEP) for review.
- Receive feedback from the EPA Regional Office and/or the ITEP so the report can be finalized.
- Provide the final report to tribal leaders for use in setting tribal environmental priorities.
- Publish the emissions inventory results for the community to access.
- File the report internally so the tribe can use it as a starting point when the emissions inventory needs to be updated.

*** EPA encourages the tribes to add Step 6.**

Step 6: Submit the emissions inventory to the EPA OAQPS for the NEI.

- Transmit data to the EPA OAQPS through the Emissions Inventory System (EIS).

Some tribes may have agreed to submit an emissions inventory to an EPA Regional Office under the terms of a grant, but Regions do not submit tribal emissions inventories to OAQPS for the NEI. A tribe can submit an emissions inventory to the OAQPS for the NEI on its own, or the ITEP can submit the emissions inventory on the tribe's behalf. All submissions for the NEI must be formatted in the Consolidated Emissions Reporting Schema (CERS) and submitted to the OAQPS through the new Emissions Inventory System (EIS). The TEISS will be updated to be compatible with the EIS.

The tribes should set a schedule for updating and maintaining the emissions inventory in the TEISS as a reference for future air quality management planning. The EPA also encourages the tribes that have an older, paper-only emissions inventory on file to enter the data into the TEISS. Having the older data in the TEISS will give the tribe a headstart on updating future inventories.

Help is Available

The ITEP can provide technical assistance, including QA and TEISS help. Most EPA Regions also have technical resources available to the tribes for review and QA of emissions inventories. The ITEP contact is Angelique Luedeker (Angelique.Luedeker@nau.edu); phone number: (928) 282-8101. For technical assistance from the EPA's Region 6 Office, contact Carl Young (Young.Carl@epa.gov); phone number (214) 665-6645.

Learn More with Online Training

The EPA recommends two online courses to tribal air professionals interested in completing an emissions inventory.

Beginner course
This session is designed for individuals with no knowledge or limited knowledge of completing an emissions inventory. This course is hosted on the EPA's Air Pollution Training Institute website at http://www.apti-learn.net.

Intermediate course

This session is for tribal air professionals and others interested in learning how to use the TEISS to complete an emissions inventory. The TEISS is available at no cost to all federally recognized U.S. Indian Tribes. The training helps a tribe choose the type of emissions inventory that best suits its needs. This course is hosted on the ITEP website at http://www.nau.edu/itep

Note: This training remains the best resource for learning to use the TEISS during the EPA's transition to the Emissions Inventory System (EIS) in 2009. The EIS is the system that state, local, and tribal governments will use to report data to the EPA OAQPS for the NEI.

Other Resources

The tribes can consult these resources for additional information on emissions inventories.

For technical information

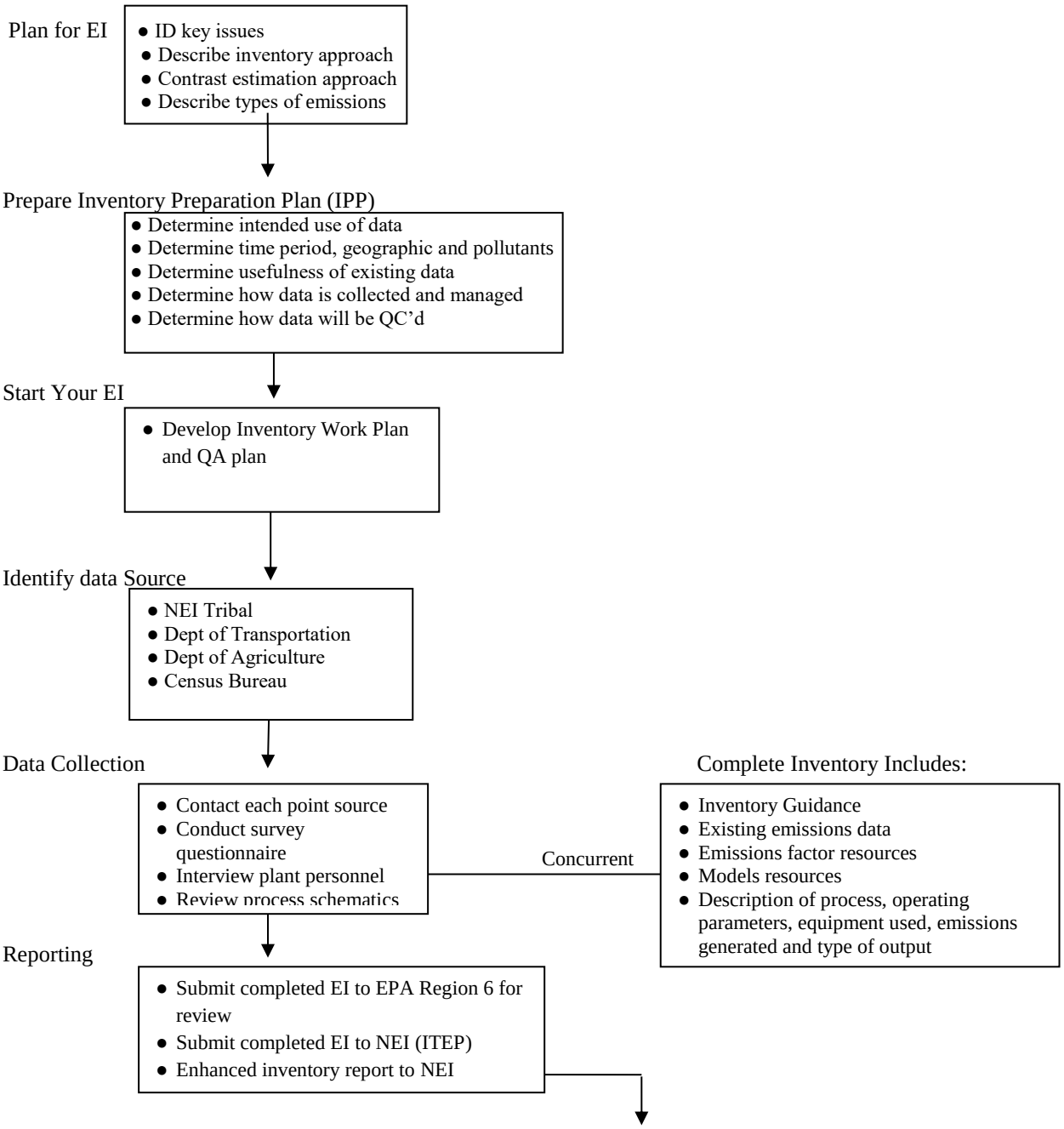
- EPA's Clearinghouse for Inventories and Emissions Factors (CHIEF) https://www.epa.gov/chief

- ITEP resource page (includes information on how to get the TEISS) http://www.nau.edu/itep

For grant information

- Tribal Air Grants: A Menu of Options at: https://www.epa.gov/tribal-air/tribal-air-grants-framework-menu-options

EI Flowchart



Helpful Links:

http://www.nau.edu/itep
http://www.apti-learn.net
https://www.epa.gov/chief
http://www3.epa.gov/ttnchie1/conference/ei12/tribal/richards.pdf
https://www.epa.gov/tribal-air/tribal-air-grants-framework-menu-options

Title V Permits

A Title V permit consolidates all air pollution control requirements into a single, comprehensive "operating permit." The regulations for Title V permits issued by states and tribes with approved programs are found at 40 CFR Part 70, and the regulations for federally-issued permits and permits issued by tribes that take delegation of the federal permits program are at 40 CFR Part 71. The permit covers all aspects of a source's year-to-year air pollution activities which include monitoring, recordkeeping and reporting requirements for compliance with all emissions limits and standards [40 CFR 70.6(a)(3)]. The program is designed to make it easier for sources to understand and comply with control requirements by putting all applicable requirements in one document, and results in improved air quality. Generally, operating permits must be renewed every five years or earlier if there are any changes to the facility or for incorporation of new applicable requirements. A Title V permit is required by:

- Sources that have a Potential to emit (PTE) of 100 TPY or more of any regulated air pollutant, [See https://www.epa.gov/title-v-operating-permits for additional information];
- Sources that have a major source permit under (PSD or NA NSR);
- Sources in nonattainment areas with the PTE at or above certain TPY;
- Sources that are major for HAP (CAA Section 112) that have >10 TPY or more of any given HAP pollutant (40 CFR Part 63), cumulative >25 TPY or more HAP, or a lesser quantity of a given pollutant, if the Administrator so specifies;
- Any other source, including an area source, subject to HAP standard under Section 112;
- Sources that have an applicable (CAA Section 111) New Source Performance Standard (NSPS);
- Affected sources under the acid rain provisions of Title IV; and
- Any other stationary source in a category the EPA designates, in whole or in part by regulation, after notice and comment.

The Title V Operating Permit Program gives the public an opportunity to review and comment on the proposed operating permit, the ability to petition the EPA, and the ability to track compliance by reviewing reports and certifications.

For further information, please reference the following websites:

The Clean Air Act Amendments (CAAA) website: http://www.epa.gov/air/caa/

Title V Operating Permits can be found on the EPA Website at:
http://www.epa.gov/title-v-operating-permits

Guidance documents:
http://www.epa.gov/title-v-operating-permits/title-v-operating-permit-policy-and-guidance-document-index

Under the Tribal Authority Rule (TAR) [40 CFR Part 49], Subpart A, the tribes may develop and submit for approval their own Title V Air operating permitting program. At present no tribe in Region 6 has applied for nor received authorization for Title V Program. As a result, the EPA implements the program in Indian country.

The EPA encourages any tribe that is interested in applying for a Title V program to contact the Region 6 Tribal Air Coordinator early to discuss the requirements and feasibility of obtaining program authorization. In the early stages the EPA will assist a tribe with determining whether or not such authorization is feasible and will work with the tribe to determine the best way to achieve its desired goals.

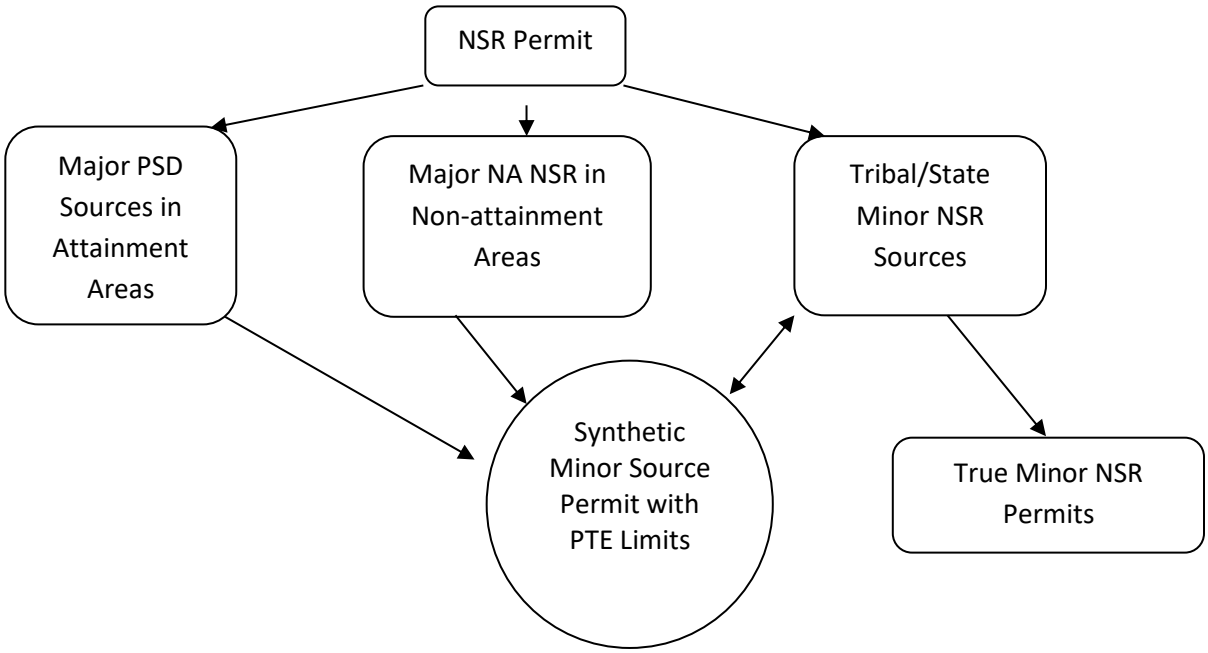
For the Title V program, for example, feasibility will depend on a number of factors such as location of the tribe (i.e. Oklahoma must comply with the Cooperative Agreement of the SAFETEA-LU), and whether or not a tribe can develop a program that meets all requirements the CAA.

New Source Review

The New Source Review (NSR) program requires new major sources, existing sources with major modifications in both nonattainment areas and attainment areas, and new or modified minor sources to obtain preconstruction permits. The definition of major stationary source and major modification varies with the air quality status of the area and the type of pollutant. In general, major sources are sources that emit over a certain amount of a pollutant (the "major source threshold for that pollutant); minor sources are sources that emit less than that amount. A major modification means any physical change in or change in the method of operation of a major stationary source that would result in a significant net emissions increase of any pollutant subject to regulation under the CAA. See Table I below for more information on major source thresholds.

As an example, in attainment and unclassifiable areas a major stationary source is defined as any source that emits, or has the potential to emit, 250 tons per year (or, for specific types of sources, 100 tons per year) of any pollutant subject to regulation under the CAA. See Table II below for more information. Serious particulate matter nonattainment areas and moderate, serious, severe, and extreme ozone nonattainment areas have lower thresholds for determining a major source. The NSR permit requirements are determined on a case-by-case basis. The permits specify emissions limits and control requirements for each emissions point at a source, as well as the monitoring, record keeping, and reporting requirements.

Types of Preconstrucation Permits



Implementation of the federal NSR programs can be delegated to a tribe or approved under a Tribal Implementation Plan (TIP). If a tribe does not adopt a NSR program, the EPA will implement NSR for new and changing sources in non-reservation Indian Country. Both the major and minor NSR programs focus primarily on the criteria pollutants regulated by the NAAQS. The Tribal Minor NSR program cover additional pollutants, including many toxic air pollutants.

The core procedures in the major NSR programs are:

(a) evaluating the consequences of allowing facilities to construct or to modify;
(b) requiring the most appropriate emissions control measures for these facilities, and
(c) including informed public participation in the evaluation of consequences and selection of emissions control measures.

The above procedures must occur before the construction or modification of a facility begins. There may be additional requirements if emissions from a new PSD source or major PSD of modification may affect a national park or wilderness area such as the evaluation the impact of emissions on visibility and natural and cultural resources in the park or wilderness area.

Table below list the major source thresholds and the net emissions increases for modifications at a source that would require a construction permit.

Table I
Major and Minor Thresholds for NSR

POLLUTANT	ATTAINMENT		NONATTAINMENT	
	MAJOR SOURCE (tpy)	MINOR SOURCE (tpy)	MAJOR SOURCE (tpy)	MINOR SOURCE (tpy)
Carbon Monoxide (CO)	250 tpy or 100 tpy if source is one of 28 source categories listed in 40 CRF 52.21(b)(1)	10	100 (moderate) 50 (serious)	5
Nitrogen Oxide (NO,J		10	100 (marginaVmoderate) 50 (serious) 25 (severe) 10 (extreme)	5
Sulfur Dioxide (502)		10	100	5
Volatile Organic Compounds (VOC)		5	100 (marginaVmoderate) 50 (serious) 25 (severe) 10 (extreme)	2
Total Particulate Matter		10	100 (moderate) 70 (serious)	5
Particulate Matter-10 microns or less diameter (PM lO)		5	100 (moderate) 70 (serious)	1
Particulate Matter - 2.5 microns or less diameter (PM2.5)		3	100 (moderate) 70 (serious)	0.6
Lead (Pb)		0.1	100	0.1
Fluorides		1	*Not Applicable*	
Sulfuric Acid Mist		2		
Hydrogen Sulfide		2		
Total Reduced Sulfur (including H2S)		2		
Reduced Sulfur Compounds (including H2S)		2		
Municipal Waste Combustor Emissions		2		
Municipal Solid Waste Landfills Emissions		10		

Nonattainment NSR Program (40 CFR § 49.166-49.175)

Numerous requirements in the CAA apply to new major sources and major modifications at existing sources in nonattainment areas. For example, a facility must install control equipment ensuring the Lowest Achievable Emissions Rate (LAER). The economic costs are not considered when defining the applicable control technology to obtain LAER. The LAER is defined as the more stringent of the following limitations:

(a) The most stringent emissions limitation contained in a Federal, tribal or state implementation Plan for any permit for the same class or category of source (unless it is demonstrated that this limitation is unachievable), or
(b) The most stringent emissions limitation achieved in practice.

Another requirement of the nonattainment NSR program is that increases in emissions from new major sources and major modifications must be matched by equal or greater emissions eductions from other sources (called "offsets"), thus ensuring that progress is made toward decreasing the total emissions for the area and meeting the NAAQS. Nonattainment NSR programs must meet all the requirements established in the Code of Federal Regulations (CFR) at 40 C.F.R. § 51.160-165, and Title 1, Part D of the CAA. State air regulators have developed nonattainment NSR programs which the tribes can use as models when developing their programs. Officials at the EPA Region 6 can also provide assistance and guidance. The NSR guidance documents are available at the EPA at http://www.epa.gov/nsr/new-source-review-policy-and-guidance-document-index

PSD Permitting Program

The purpose of the Prevention of Signification Deterioration (PSD) permitting program is to prevent air quality that is better or cleaner than the NAAQS from deteriorating and getting close to or exceeding the NAAQS. If the air quality over tribal lands is currently better than the NAAQS, a tribe may want to adopt a PSD permitting program which would allow for air quality goals more protective than the NAAQS. The PSD permitting program applies to all new major sources or major modifications of existing major sources in attainment and unclassifiable areas. A major PSD source is a source that has a PTE of 100 TPY or more of a regulated NSR pollutant for the 28 named categories or 250 TPY for all other sources. A major modification is defined as a net increase in actual emissions that equal or are greater than the Significant Emissions Rate (SER) in table III below.

Table II
28 Named Category of Sources for PSD

1. Coal cleaning plants (with thermal dryers)	15. Coke oven batteries
2. Kraft pulp mills	16. Sulfur recovery plants
3. Portland cement plants	17. Carbon black plants (furnace process)
4. Primary zinc smelters	18. Primary lead smelters
5. Iron and steel mills	19. Fuel conversion plants
6. Primary aluminum ore reduction plants	20. Sintering plants
7. Primary copper smelters	21. Secondary metal production plants
8. Municipal incinerators capable of charging more than 250 tons of refuse per day	22. Chemical process plants
9. Hydrofluoric acid plants	23. Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels
10. Sulfuric acid plants	24. Taconite ore processing plants
11. Nitric acid plants	25. Glass fiber processing plants
12. Petroleum refineries	26. Charcoal production plants
13. Lime plants	27. Fossil fuel-fired steam electric plants of more than 250 million British thermal units (BTU) per hour heat input
14. Phosphate rock processing plants	28. Fossil-fuel boilers (or combination thereof) totaling more than 250 million BTU/ hour heat input

With a PSD program, a tribe must require the Best Available Control Technology (BACT) to be installed when PSD sources are constructed or modified within its jurisdiction. In order to obtain a permit, a source and the permitting authority must:

(a) Evaluate the BACT, which is based on the most stringent control available for a similar type of source that is technically and economically feasible,
(b) Perform an ambient air impact study, and
(c) Conduct additional impact studies including visibility, soils, and vegetation.

Under the PSD permitting program, the "baseline" concentration of regulated pollutants must be determined. The baseline is the ambient concentration level of a pollutant that exists at the time of the first application for a PSD permit. The ambient concentration resulting from total emissions from all sources (both permitted and non permitted sources) is not allowed to exceed the baseline plus an increment set in the CAA. These increments are in 40 CFR 52.21(c).

Owners of new and growing facilities must show how much the increase in emissions will increase the concentrations of air pollutants on the tribe's lands. The total effect of the increased emissions from a new or modified source on pollutant concentrations may not exceed the baseline plus the increment, nor exceed the NAAQS. In most cases, the baseline plus the increment will result in an emissions ceiling more stringent than the NAAQS.

The increments are smallest for Class I areas and largest for Class III areas.

Class I areas were established by Congress and cannot be redesignated to any other classification. These areas include national parks, national wilderness areas, national monuments, national seashores, other areas of special natural, recreational, scenic, or historic value, and areas reclassified as Class I. Class I areas receive the greatest protection. Only very minor degradation of air quality is allowed in Class I areas. To permit a major new facility or major modification of an existing facility in a Class I area, an offset from another facility in the area may be necessary. All other areas of the country were initially determined by

Congress to be Class II areas. Class II areas can accommodate normal well managed industrial growth. Class III areas have the possibility of having the largest amount of development, but to date (2012) there have been no redesignations made to establish Class III areas. The CAA automatically classifies most attainment areas as Class II, but a federally recognized tribe may apply to change the classification of its lands to Class I or Class III. Reservations that have been reclassified from Class II to Class I include those of the Northern Cheyenne, Flathead, Fort Peck, Spokane, and Forest County Potawatomi Indians. The increments are smallest for Class I areas and largest for Class III areas.

Table III

SIGNIFICANT EMISSIONS RATES

Pollutant	SER (tpy)	Pollutant	SER (tpy)
Carbon Monoxide	100	Sulfuric Acid Mist	7
Nitrogen Oxides	40	Hydrogen Sulfide (H_2S)	10
Sulfur Dioxide	40	Total Reduced Sulfur (Includes H_2S)	10
Particulate Matter (PM10)	15	Reduced Sulfur Compounds (Includes H_2S)	10
Particulate Matter (PM2.5)	10; 40 for VOCs, NOx or SO_2	Municipal Waste Combustor Organics	$3.5*10^{-6}$
Ozone	40 VOCs or NOx	Municipal Waste Combustor Metals	15
Lead	0.6	Municipal Waste Combustor for Acid Gases	40
Fluorides	3	Municipal Solid Waste Landfills Emissions	50

Additional details on the major NSR program can be obtained at: http://www.epa.gov/nsr/learn-about-new-source-review

Minor NSR Program 40 CFR § 49.151-49.165

Minor NSR programs apply in both attainment and nonattainment areas and apply to smaller new facilities and modifying facilities that are not large enough to qualify as major new sources or major modifications. Examples of common minor sources include gasoline stations, automobile refinishing shops, dry cleaners, incinerators, and small industrial facilities. A minor NSR program allows EPA or a tribe to exercise oversight over the pollution from minor sources on its lands to ensure such sources will not cause or contribute to a violation of the NAAQS, while still allowing growth to occur. General permits designed for specific categories of sources such as dry cleaners, rock crushers, and gasoline dispensing stations, allow quicker permit review and implementation.

Also, in minor NSR, a source with a potential to emit above the major source threshold can agree to enforceable emissions limits below the major source threshold. The source would not be required to meet the more stringent major NSR requirements at the lower practically enforceable emissions limits. Such a source is called a "synthetic minor" source.

On July 1, 2011, the EPA finalized a Federal Implementation Plan (FIP) under the Clean Air Act (CAA or Act) for Indian country (76 FR 38748) [1]. The FIP includes two NSR regulations for the protection of air resources in Indian country. The first rule applies to new and modified minor stationary sources (minor sources) and to minor modifications at existing major stationary sources (major sources) throughout Indian country. EPA has also proposed a revised definition of Indian country in § 49.152(d) to comport with a court decision that addressed EPA's jurisdiction to implement the Federal Indian Country Minor NSR rule: *Oklahoma Dept. of Environmental Quality* v. *EPA*, 740 F.3d 185 [D.C. Cir. 2014]. For purposes of the NSR program EPA is authorized to issue permits only in reservation areas in Indian country and any other areas of Indian country for which a tribe or EPA has demonstrated that the tribe has jurisdiction. The second rule (nonattainment major NSR rule) applies to new and modified major sources in areas of Indian country that are designated as non attainment for any of National Ambient Air Quality Standards (NAAQS). These rules can be implemented by either the EPA or a tribe or both. The tribes may request, and the EPA may approve delegation of the program so that the tribes may assist the EPA with implementation on tribal lands (see 40 CFR 49.161(b) and 49. 173).[2] TAS approval is not required for such a delegation. However, should a tribe seek full responsibility for a program, it must do so through an approved TIP (40 CFR 49.161(a) and 49.173(a)). TAS approval is required for full tribal implementation prior to TIP approval. Additional information about the FIP and tribal implementation of the NSR programs may be found in the July 1, 2011, Federal Register notice (see http://www.gpo.gov/fdsys/pkg/FR-2011-07-01/pdf/2011-14981.pdf) or on the EPA's Tribal NSR permitting website located at: https://www.epa.gov/nsr.

The Region 6 website that indicates existing and potential facilities with a Title V permit or an NSR permit is: http://www.epa.gov/caa-permitting/tribal-nsr-implementation-epas-south-central-region

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[1] On January 17, 2014, the DC Circuit Court of Appeals vacated part of this FIP for non-reservation areas of Indian country. *Oklahoma Dept. of Environmental Quality* v. *EPA,* 740 F.3d 185 (D.C. Cir. 2014). As a result of this decision, EPA or a Tribe may no longer implement the program in non-reservation areas of Indian country including allottments and dependent Indian communities. As a result of this decision, the EPA has proposed a revised definition of Indian country in § 49.152(d) to comport with a court decision. Because of this decision, and for purposes of the NSR program, EPAmay only issue permits in reservation areas in Indian country and any other areas of Indian country for which a tribe or EPA has demonstrated that the tribe has jurisdiction.

[2] The Administrator's ability to object to the issuance of a permit and the Administrator's enforcement authority may not be delegated to a tribe. 40 CFR 49.161(c).

Creating a Preconstruction Permit Program

A tribe's emissions inventory of air emissions sources on its lands will help it identify those sources a preconstruction permit program will need to regulate. In addition, Region 6 can give guidance about any existing NSR or minor NSR programs that may be useful models for the tribe to consider using as a model when developing its preconstruction permit program. See https://www.epa.gov/nsr for additional information.

Air Enforcement and Compliance

Approved Programs and Tribal Implementation Plan

For facilities within its jurisdiction, a tribe may be able to obtain concurrent enforcement authority with the EPA under the CAA to ensure compliance with federally approved tribal regulations for air quality. In order for a tribe to get such tribal enforcement authority, the tribe must first request and receive TAS approval followed by federal approval of its air quality program. Enforcement authority under an approved program may include civil enforcement authority but may not necessarily include criminal enforcement authority beyond that included in 40 CFR 49.8. For program approval, the tribes must demonstrate that they have the necessary legal authority to initiate an enforcement action, as appropriate, for any CAA program violations found during inspections. Once it receives the approval for a particular program, the tribe is then the proper authority to conduct inspections of facilities, issue enforcement actions, and assess and collect penalties for that federal program. Although the tribes are the primary enforcement authority under an approved program, the EPA retains concurrent enforcement authority as it does with all approved programs – state or tribal. In addition to enforcement under a federally approved program, the tribes may enact more stringent or substantively different tribal laws, which it could enforce in tribal courts.

Delegated Programs

The tribes may assist the EPA with the CAA program implementation pursuant to a delegated program. Under such delegated programs, the EPA remains the sole enforcement authority under the the CAA. As with approved programs, however, the tribes may always pursue enforcement in tribal courts of parallel non-federal air quality requirements.

Permits/Enforcement Interface

For a tribal permitting program to be effective under a TIP the tribe must have an enforcement program in place to ensure facilities comply with their issued permits. If a facility is violating its permit, a tribe having enforcement authority can bring the facility back into compliance by issuing an enforcement action with injunctive relief requiring compliance and monetary penalty, including collecting any economic benefit from a violation.

Air Inspections

Air emissions inspections are a major tool for ensuring compliance with air regulations for facilities located within Indian country. An inspection is a tool for investigating citizen complaints about nuisances or air quality issues. An inspection program is a method to determine if facilities comply with their air permits. Trained inspectors can determine if a facility self-reports correctly and that it meets its permit requirements. Also, a regular inspection program helps ensure that all facilities regulated comply with air rules. Currently, the Region 6 Air Enforcement Program specifies that the State and Tribal Enforcement Programs follow the Compliance Monitoring Strategy issued by EPA's Office of Compliance in Washington, D.C., dated July 14, 2014. The inspector becomes familiar with the community and its industries that would likely require a permit and identify and document violations of air regulations.

Because of the importance of trained air program inspectors, the tribe should prepare individuals for this role by sending them to safety training and the EPA's inspector training course. They should also have a scientific or industrial background so they can readily understand how emission sources operate and the regulations concerning them. It is also preferable that inspectors take part in the EPA training on air pollution control equipment and processes.

Under the regulations, tribes must develop inspection plans and perform inspections of facilities within their jurisdiction to ensure compliance. The inspections should involve periodic visits to review a facility's operation and to ensure it complies with applicable permit and regulatory requirements.

Regional Planning Organizations

Air pollution can travel many miles from urban centers and affect visibility in rural areas. The CAA establishes special goals for visibility in many national parks and wilderness areas. In 1999, the EPA published the Regional Haze Rule, which requires states to establish goals for improving visibility in national parks and wilderness areas and to develop long- term strategies to reduce emissions of air pollutants that cause visibility impairment. The EPA strongly encourages states and tribes to work together on a regional level to develop and implement these strategies [https://www.epa.gov/visibility/visibility-regional-planning-organizations].

Today, there are five Regional Planning Organizations (RPOs) that span the-continenta1 United States:

- Mid-Atlantic/Northeast Visibility Union (MANE-VU) in the Northeast https://otcair.org/manevu/aboutus.asp;
- Southeastern Air Pollution Control Agencies (SESARM) in the Southeast https://www.metro4-sesarm.org/;
- Lake Michigan Air Directors Consortium (LADCO) https://www.ladco.org/;
- Central Staes Air Resource Agencies (CENSARA) in the Central United States http://www.censara.org/; and
- Western Regional Air Partnership (WRAP) in the West https://www.wrapair2.org/default.aspx

The Region 6 states and tribes are divided between two RPOs. New Mexico and the tribes located in New Mexico pertain to the Western Regional Air Partnership (WRAP), while the other Region 6 States (Arkansas, Louisiana, Oklahoma, and Texas) and all the tribes located in those states will work with the Central Regional Air Planning Association (CenRAP).

Western Regional Air Partnership (WRAP)

The Western Regional Air Partnership is an outgrowth of the Grand Canyon Visibility Transport Commission and covers approximately the western half of the continental United States. Because the WRAP has a longer history than the other four RPOs, it is significantly further along in its study of the Regional Haze problem and must respond to different timelines and requirements. The states and tribes are equally represented on the WRAP board. Stakeholders (industry, environmental groups, local governments, and the general public) are actively involved in both policy and technical committees, as well as the Initiatives Oversight Committee. The only body from which stakeholders are excluded is the WRAP Board itself, which is composed of states, tribes, Federal Land Managers (who do "vote" if a consensus decision cannot be reached), and the EPA (non-voting).

Central States Air Resources Agencies (CenSARA)

The Central States Air Resources Agencies (CenSARA) and the Central Regional Air Planning Association (CenRAP) are two distinct but related organizations. The CenSARA and CenRAP share the same staff and cover the same geographic area down the Central United States from Canada to Mexico. The CenSARA is a state-only organization funded directly by contributions from its member States: Minnesota, Iowa, Nebraska, Kansas, Missouri, Oklahoma, Arkansas, Texas, and Louisiana. The CenSARA was founded to promote cooperation among the member states to resolve ozone problems and to provide training for the states. When the EPA decided to fund five regional planning organizations, CenSARA was chosen as the funding agency to form the CenRAP. Historically, the tribes have participated in CenRAP discussions on Regional Haze and other tribal air quality issues.

Air Toxics

Toxic air pollutants, also known as hazardous air pollutants, are those pollutants that are known or suspected to cause health effects or adverse environmental effects. Most air toxics originate from human-made sources, including mobile sources (e.g., cars, trucks, buses) and stationary sources (e.g., factories, refineries, power plants), as well as indoor sources (e.g., some building materials and cleaning solvents). Some air toxics are also released from natural sources such as volcanic eruptions and forest fires. The EPA is working to assess and reduce air toxics releases of 188 pollutants to the environment (see https://www.epa.gov/haps).

- Controls for Industrial and Commercial Sources of Air Toxic

The EPA has issued rules covering over 96 categories of major industrial sources, such as chemical plants, oil refineries, aerospace manufacturers, and steel mills, as well as categories of smaller sources, such as dry cleaners, commercial sterilizers, secondary lead smelters, and chromium electroplating facilities. These standards are projected to reduce annual air toxics emissions by about 1.7 million tons. For more information about these rules, see the EPA's, website on Taking Toxics Out of the Air, which is found at: https://www.epa.gov/haps.

- Controls for Cars and Trucks

The EPA has reduced emissions of benzene, toluene, and other air toxics from mobile sources by requiring the use of reformulated gasoline and placing limits on tailpipe emissions. Important new controls for fuels and vehicles are expected to reduce selected motor vehicle air toxics from 1990 levels by more than 75% by 2020. For more information, on Mobile Source Air Toxics, see http://www3.epa.gov/otaq/toxics.htm

- Indoor Air

The EPA, in close cooperation with other Federal agencies and the private sector, is actively involved in efforts to better understand indoor air pollution and to reduce people's exposure to air pollutants in offices, homes, schools, and other indoor environments. For more information, see http://www.epa.gov/iaq/.

The EPA's Technology Transfer Network Air Toxics Website (http://www.epa.gov/ttn/atw/) includes more details about efforts underway to reduce air toxics. The EPA is in the process of moving from an air toxics program based on technical emissions source standards to a risk-based air toxics program.

To ensure that air toxics strategies used will protect public health in local communities the EPA has additional efforts underway to evaluate and address releases of air toxics. These efforts include collection and analysis of information on air toxics emissions, ambient air concentrations as well as the development of strategies, workplans and pilot projects to help local stakeholders reduce air toxics emissions and any potentially unacceptable risks they may pose.

Additional information on health effects from air toxics as well as risk estimation, exposure and assessment procedures are available from the following resources:

- The Health Effects Notebook for Hazardous Air Pollutants:
  https://www.epa.gov/haps/health-and-environmental-effects-hazardous-air-pollutants
  Detailed information about the health effects of hazardous air pollutants (HAPs) is available in separate fact sheets, for nearly every one of the 188 HAPs specified in the CAA Amendments of 1990.

- Air Pollution and Health Risk
  http://www.epa.gov/ttn/atw/3_90_022.html or https://www.epa.gov/risk
  Find out how we know when a risk from a hazardous substance is serious. Learn how researchers estimate risk, and how the government uses this information to develop regulations that limit our exposure to hazardous substances.

- Evaluating Exposures to Toxic Air Pollutants: A Citizen's Guide
  http://www.epa.gov/ttn/atw/3_90_023.html
  This publication explains the process that the EPA uses to determine how much of a toxic air pollutant people are exposed to and how many people are exposed.

- Risk Assessment for Toxic Air Pollutants: A Citizen's Guide
  https://www3.epa.gov/ttn/atw/3_90_024.html
  Find out more about risk assessment, which is the process used to estimate the risk of illness from a specific human exposure to a toxic air pollutant.

RESOURCES AND TRAINING OPTIONS

Training Options

The EPA provides free training for state, local, and tribal Air Pollution Control Agencies. This is accomplished by providing funds to various universities in the United States. The training centers for Region 6 are:

Air Pollution Training Institute (APTI)

Institute for Tribal Environmental Professionals (ITEP)

Tribal Air Monitoring Support Center (TAMS)

It is the goal of the APTI to present the latest course materials and training in various subject areas for air pollution control. These materials and courses are frequently updated by nationally recognized experts.

The APTI also has various types of self-instructional courses, which include both video courses and self-paced courses using manuals. Go to the APTI website (http://www.apti-learn.net) for a current catalog which contains a list of self-instructional courses.

Depending on availability, grant funds may be used to provide training locally for the states and tribes. This training is only available if the state or tribe can commit to having at least twenty people attend any given training course.

For APTI class enrollment questions contact Maryann Warner, APTI Registrar, at warner.maryann@epa.gov or at (919) 541-1192. Consult the APTI website for specific course dates and times.

Northern Arizona University (NAU) is another outstanding source of Tribal Air Training. The EPA and NAU formed a partnership in 1993, with the EPA providing grant funding to NAU for the creation of the Institute for Tribal Environmental Professionals and its American Indian Air Quality Training Program. The NAU courses are developed for audiences of specific levels, and emphasize tribal instructors/facilitators, along with the EPA participants and outside experts. Additionally, the courses and workshops are developed with sensitivity toward the Native American cultural heritage in providing knowledge and skills for prospective air quality program managers and technical personnel. See ITEP online at http://www.nau.edu/itep.

For NAU workshop and application information, contact Lydia Scheer at (928) 523-6887 or Lydia.Scheer@nau.edu.

The Institute for Tribal Environmental Professionals (ITEP) was created in 1992 to act as a catalyst among tribal governments, research and technical resources at Northern Arizona University (NAU), in support of environmental protection of Native American natural resources.

Mission: "To serve the tribes through outstanding, culturally-relevant education and training that increase environmental capacity and strengthen sovereignty." ITEP accomplishes its mission through several programs profiled on our website. ITEP is a national organization and to date has served over 500

federally recognized the tribes with environmental education, training courses, technical assistance and other resources. For further information regarding ITEP see http://www.nau.edu/itep

The Tribal Air Monitoring Support Center (TAMS) offers different training courses that focus on a variety of topics related to ambient and indoor air quality monitoring. TAMS Center courses have been designed to complement other American Indian Air Quality Training Program courses, and generally address more advanced air quality issues. Each course is designed with tribal audiences and issues in mind, integrating tribal case studies and tribal professionals as part of the instructional team in every course. Class size is kept a minimum to ensure a higher level of interaction and one-on-one training opportunities with the instructors. For further information regarding TAMS see http://www7.nau.edu/itep/main/tams/.

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APPENDICES

TRIBAL AUTHORITY RULE
FACT SHEET
CLEAN AIR ACT FINAL RULE
INDIAN TRIBES: AIR QUALITY PLANNING AND MANAGEMENT
(63FR 7271)

OVERVIEW

- The Clean Air Act (CAA) authorizes the EPA to issue regulations specifying the provisions of the CAA for which the Indian tribes may be treated in the same manner as states.

- This final rule implements the provisions of section 301(d) of the Act to authorize eligible the tribes to implement their own tribal air programs.

HIGHLIGHTS OF THE RULE

Applicable CAA Programs

- The rule provides that the tribes will be treated in the same manner as states for virtually all the CAA programs.

- The rule notes that Congress provided for a grant to the tribes - with approved the CAA programs - of authority over all air resources within the exterior boundaries of a reservation (including Non-Indian owned fee lands). For non-reservation areas, the tribes must demonstrate the basis for jurisdiction.

Eligibility for Treatment in a Manner Similar to States (TAS)

- Tribal eligibility requirements include demonstrating:

  (1) The applicant is an Indian tribe recognized by the Secretary of the Interior;

  (2) The Indian tribe has a governing body carrying out substantial governmental duties and functions;

  (3) The functions to be excercised by the Indian tribe pertain to the management and protection of air resources within the exterior boundaries of the reservation or other areas within the tribe's jurisdiction;

  (4) The Indian tribe is reasonably expected to be capable, in the EPA Regional Administrator's judgment, of carrying out the functions to be exercised in a manner consistent with the terms and purposes of the CAA and all applicable regulations

- The EPA generally will simultaneously review tribal applications for eligibility and CAA program submittals.

Flexibility

- The rule authorizes the tribes to submit CAA programs; however, it does not require the tribes to develop CAA programs.

- The tribes may implement those programs, or even portions of programs, that are most relevant to the air quality needs of the tribes.

Additional information can be found at: https://www.epa.gov/tribal-air/tribal-authority-rule-tar-under-clean-air-act.

Federal Register Notice

Part VI

Environmental Protection Agency

40 CFR Parts 31 and 35

Environmental Program Grants for Tribes; Final Rule

40 CFR Parts 31
http://www.gpo.gov/fdsys/pkg/CFR-1999-title40-vol1/pdf/CFR-1999-title40-vol1-part31.pdf

40 CFR Parts 35
http://www.gpo.gov/fdsys/pkg/CFR-1999-title40-vol1/pdf/CFR-1999-title40-vol1-part35.pdf

THE TRIBAL AIR GRANTS FRAMEWORK

A MENU OF OPTIONS

For
Developing Tribal Air Grant Work Plans and
Managing Grants for Environmental Results

Revised 2015

https://www.epa.gov/sites/production/files/2016-04/documents/thetribalairgrantsframework_menuofoptions09_29_15_0.pdf

THE TRIBAL AIR GRANTS FRAMEWORK:

A Menu of Options
For
Developing Tribal Air Grant Work Plans & Managing Grants for Environmental Results

Introduction 1

Menu Items:

Air Quality Administration and Infrastructure Development 3

Air Quality Monitoring Activities 6

Air Toxics Risk Reduction 9

Basic Air Quality Assessment 11

Diesel Emission Reduction Projects 14

Emissions Inventory 16

Energy Efficiency and Greenhouse Gas Reduction 19

FARR Implementation (*Region 10 Only*) 23

Indoor Air Quality Assessment and Training 26

Local or Unique Air Quality Issues 29

Participation in Policy Development Groups 32

Radon Risk Reduction 34

Residential Wood Smoke Reduction Program……...36

Road Dust Emissions …… 38

Rulemaking and Enforcement……41

Glossary of Terms and Acronyms 45

Sample Workplan Example………48

Sample Budget Template……50

TRIBAL AIR GRANTS FRAMEWORK: *A MENU OF OPTIONS*
for
Developing Tribal Air Grant Work Plans & Managing Grants for Environmental Results

INTRODUCTION:

The Environmental Protection Agency (EPA) is committed to working with tribes to develop and to implement Clean Air Act (CAA) programs in Indian country. One of EPA's primary tools in this effort is to award CAA grants in order to help build tribal knowledge and increase tribe's capacity to manage air quality issues. CAA §103 and §105 allow EPA to provide grant support to tribes for this purpose. To assist tribes in writing effective grant applications and work plans, we have developed this "*Tribal Air Grants Framework: A Menu of Options*." EPA revised and updated the Framework for the fourth time in 2015.

The purpose of this tool is to assist tribes that apply for CAA funding to draft more effective work plans for projects that will develop tribal knowledge of air quality issues and build tribal expertise to manage air quality on reservations and tribal trust land. The CAA envisions an approach to air quality management that includes:

- Goals and standards to protect public health and the environment;
- Assessing air quality through emissions inventories and monitoring;
- Determining necessary reductions in pollution;
- Federal, State or Tribal Implementation Plans;
- Education or outreach programs and other voluntary measures; and
- Implementing and enforcing control measures.

Tribal air programs, like their state counterparts, may include activities that involve different elements of this framework. However, unlike the states, the tribes often do not have resources available to build and run their own CAA programs. Instead, the CAA provides mechanisms to allow them to develop their capacity, authority, regulations, and other components on an incremental and as-needed basis. These menu options suggest some of the more common activities involved in achieving primary air quality objectives. Tribes can select the work that is most appropriate considering their individual circumstances and needs.

Approvable work plans need to have (1) one or more ***objectives,*** (2) ***activities*** that support the achievement of the ***objective***s, and (3) ***outcomes*** or ***deliverables*** that will produce ***environmental results*** within the objective. Therefore, each menu is structured to provide suggestions for all of these critical work plan elements. Some menus include ***performance measures*** that EPA uses to measure national progress on achieving environmental results in Indian country. Through the grant negotiation process, applicants produce work plans with supporting budgets to address both the needs of the particular reservation or tribal community, as well as EPA priorities.

While funding limitations and other considerations of the grant process prevent any

guarantee that a particular grant proposal will be selected for funding, it is hoped that these menus will help tribes efficiently develop proposals that can effectively address air quality issues in Indian country – from initial assessment of air pollution sources to advanced regulatory development and implementation. This guidance is intended to serve as a reference for both tribal and EPA staff during CAA grant and program development.

The menus do not represent the ***only*** categories of work that EPA will fund under the CAA authorities, nor are the activities the only ones that may produce the stated objectives. However, the framework is intended to provide options that will be useful to tribes in developing work plans both for assessing their air quality and in building the capacity to manage a reservation's air quality. It is also hoped that the use of this tool will streamline the EPA review of work plans and help us to better assist tribes in managing CAA grants

Before submitting an application, applicants are encouraged to contact their EPA Region for information on applicable procedures before developing a work plan and supporting budget around the air quality objectives for which they seek funding. Additionally, the tribe and Project Officer will normally negotiate final work plan deliverables and budget amounts prior to the tribe submitting a signed, formal application in response to a particular Region's grant announcement.

Note: Many of the activities and objectives included in these menu options may also be appropriate for work plans eligible for funding under other EPA grant programs, such as the Indian General Assistance Program (IGAP). Contact the EPA Tribal Office in your Region for further information.

Menu Item for **Air Quality Administration & Infrastructure Development**

TRIBAL AIR WORK PLAN OBJECTIVE: Develop and maintain the requisite staff, infrastructure and administrative capacity needed to accomplish effective air quality objectives and grant management activities of the proposed work plan.

Background: Air Quality Administration and Infrastructure needs will be based upon what resources already exist in a grant applicant's administrative structure or environmental program. Building the requisite infrastructure to support an air quality project would include ensuring that all equipment, training, office support and staff needs are in place so that compliance with applicable EPA grant terms and conditions can be met and identified program outputs produced.

Funding Mechanism: This objective and supporting activities may qualify for EPA financial support primarily through the authority of either the Indian General Assistance Program (IGAP) or Clean Air Act §103 grants. Contact your nearest Regional EPA Tribal or Program Office for further information.

ACTIVITIES / TASKS: The following ***tasks*** or ***activities*** are options for a grant applicant to consider in developing a work plan including administrative and infrastructure development. Adapting these needs to respond to the needs of a specific reservation or tribal community is encouraged, taking into consideration the existing infrastructure. EPA Regional Offices are available to provide assistance and advice on what a particular tribe may require to adequately support their proposed workplan activities. A ***timeline*** is then created by estimating the dates by which each task, and sub-task, will be completed in order to accomplish the objective by the planned date.

- Write job/position descriptions for staff that will be needed to accomplish work plan tasks and objectives.
- Identify and hire appropriate personnel, either from existing tribal staff or new hire, with background and/or potential to be able to handle activities in work plan.
- Arrange for office space and equipment sufficient to accomplish the work plan activities.
- Set up a record keeping system for grant and air related activities, including tracking of grant terms and conditions, fiscal data, equipment, timekeeping records, work plan performance, milestones, and deliverables.
- Identify training needs of staff and write a training plan; make necessary arrangements for registration and attending the appropriate classes.
- Attend training courses, workshops and conferences that will provide background and skills to accomplish the work plan.
- Make contacts with other tribes, state and local air professionals, through tribal, local, regional and national organizations and conferences that will provide sources of support and collaborative efforts that can help with air quality work on the reservation, particularly surrounding jurisdictions in the same or neighboring air sheds.

- Write quarterly reports, comparing activities and accomplishments with work plan milestones, timeline, and objectives, to ensure that work progresses at a rate that will allow completion of the deliverables within the project period. If problems are encountered that may prevent progress, promptly notify the grant project officer and discuss how the problems will be addressed.
- Communicate regularly with tribal grants and fiscal personnel involved with submitting the financial reports for the grant to ensure that all appropriate records are being maintained and reports, such as Reimbursement Requests and Financial Status Reports, are submitted appropriately and according to the terms of the grant.
- Draw down grant funds at regular intervals as soon as is appropriate.

WORK PLAN RESULTS: Results from EPA grant funded activities (also known as "deliverables") are characterized as either ***outputs*** or ***outcomes.*** Both are important means of documenting grant accomplishments. For explanation of *outputs* and *outcomes* see the information below.

An *output*:

- is an ***activity, effort***, and/or associated ***work products*** related to an environmental ***and/or programmatic*** goal or ***objective:***
- will be produced or provided over a ***period of time*** or by a ***specific date****;*
- may be ***quantitative*** or ***qualitative,*** but must be ***measurable*** during an assistance agreement funding period.

An *outcome*:

- is the ***result, effect*** or ***consequence*** that will occur from carrying out the funded activity or program that is related to an ***environmental and/or programmatic*** goal or objective;
- may be ***environmental, behavioral, health-related*** or ***programmatic*** in nature;
- must be ***quantitative***;
- may be intermediate in nature (i.e., may not be the desired end environmental result but will help lead to it); and may *not necessarily* be achievable within an assistance agreement funding period.

***Possible Outputs*:** [These are examples of *outputs* for this objective; there may be others.]

- Staff hired appropriate to the job description with the capabilities to complete the work plan activities by the end of the project period, given appropriate training.
- Training plan written that supports the work plan objectives.
- The training courses, identified as necessary for the staff to develop the capacity to carry out the work plan objectives, are satisfactorily completed.
- Office management and administrative procedures established and maintained that ensure that all needed records are kept, that grant terms and conditions are satisfied, such as submission of quarterly Progress Reports and annual Financial Status Reports, and agreed outputs provided to EPA.

***Possible Outcomes*:** [This is an example of an outcome for this objective; there may be others.]

Expressed as a result of an individual Tribal grant:

- Tribe demonstrates successful grant management and air project management capabilities through the timely compliance with all (100%) grant terms and conditions and completion of work plan deliverables.

Expressed as a measure of overall Tribal program performance (over a stated baseline or cumulative total):

- Increase in the number of tribes who have demonstrated successful grant management and air project management capabilities through the timely compliance with all grant terms and conditions and completion of work plan deliverables. [Or other indicator of the capacity demonstrated for successful environmental grant management for achieving the goals of the Clean Air Act in Indian country.]

EPA NATIONAL PERFORMANCE MEASURE(S):

The following is an example of how performance by EPA may be measured in this area:

- Number of tribes with currently employed staff that have received training on Clean Air Act grant management and/or are demonstrating compliance with terms and conditions of a current Clean Air Act grants.

Menu Item for Conducting **Air Quality Monitoring Activities**

TRIBAL AIR WORK PLAN OBJECTIVE: To identify, through collection of quality-assured monitoring data, the nature and level of air pollution on a reservation or in a tribal community over a particular period of time.

Background: Air Quality Monitoring is undertaken to establish a baseline of air quality data, as well as to collect targeted data when air pollution may be adversely impacting the reservation community. Either a *Basic Air Quality Assessment* or an *Emissions Inventory* (See Menu Items for each) can provide preliminary information from which it can be determined whether and what type of additional air quality data would best assist in managing air pollution concerns. Air quality monitoring data is one of several inputs into decisions about air quality management in a particular airshed.

Funding Mechanism: This objective and supporting activities may qualify for EPA financial support through the grant authority of either the Indian General Assistance Program (IGAP) or Clean Air Act §103 to the extent the activities involve assessment or baseline monitoring. They may qualify for funding under Clean Air Act §105 if they involve air quality management-related work. Contact your nearest Regional EPA Tribal or Program Office for further information.

ACTIVITIES / TASKS: Grant applicants should consider the following ***tasks*** or ***activities*** as options in developing a work plan that includes air monitoring. Applicants are encouraged to adapt these tasks and activities to respond to the needs of a specific reservation or tribal community, taking into consideration the purpose for which they will use the monitoring data. EPA Regional Offices are available to provide technical advice that a particular tribe may require to adequately support their proposed work plan activities. The applicant should create ***a timeline*** by estimating the dates by which each task, and sub-task, will be completed in order to accomplish the objective by the planned date.

- Identify the Need for and Type of Monitoring Data: Identify why air monitoring data is needed and how it will be used in making decisions about air quality management. Identify the most appropriate type of monitoring data to collect: Learn what other monitoring is being conducted by surrounding jurisdictions and what the data shows. Through information from basic air quality assessment activities, evaluate the possible options for additional air quality data that could assist the tribe in managing its air quality or assist other jurisdictions in managing air quality.
- Selecting less expensive and or simple technologies may be best for initial screening of pollutants. Research the applicability and suitability of the "Next Generation Air Monitoring Technologies", such as Air Sensors, to find information about air pollution in your community, supplement existing monitoring data (to fill a gap in coverage area) and/or to identify and characterize sources. Borrow equipment and/or consult with the TAMS center to conduct an initial, limited term, study before investing in more expensive technology.

- PM 10 or 2.5 can be monitored using either continuous, filter-based monitors or Air Sensors depending on how the data will be used. Compare Air Sensors, FRM and continuous FEM monitors to understand the advantages and disadvantages of the available monitoring methods.
- Assess the need for meteorological data when appropriate and based on an EPA-approved QAPP, install and operate a met station in conjunction with monitoring equipment to provide additional information about the sources of air pollution or to help assist in forestry or agriculture smoke management plans.
- Obtain training on topics related to Quality Assurance Project Plans (QAPPs) and appropriate monitoring technology, data logging, data transfer and AQS reporting.
- QAPP and Siting: Prepare a QAPP for the type of monitoring determined (with EPA assistance) to be appropriate and useful to the tribe, the air shed, or the region. The QAPP will provide basis for siting the monitor(s) and procedures to be followed to ensure quality of data collected. Note that an EPA approved QAPP is required before data can be collected using EPA grant funds.
- Monitor based upon the QAPP and EPA-approved siting, install and operate the monitor for appropriate period of time. As data is collected, provide written analysis of what the data indicates about air pollution levels.
- Continuous Monitoring for PM: Based upon types of sources identified on the reservation, continuous monitoring may be used to provide ongoing information about sources that produce peaks in air pollution, such as agricultural burning or forestry burning. Data can be provided on a real-time basis to reservation communities for decisions about residential burning, or health concerns. Linking to a tribal web page is an optional way of disseminating the data.
- Provide AQ Data to EPA: The quality assured and validated data should be uploaded into the EPA AQS system or provided to EPA in other applicable formats on a quarterly basis. Data submittal to AQS is an EPA grant requirement.
- Baseline Data: Once a baseline is established for the air pollution levels, assess need for ongoing monitoring in a written report.
- Interim Reports of Air Quality Data: Provide EPA and Tribe information on what levels of air pollution the monitors show on a regular basis.

WORK PLAN RESULTS: Results from EPA grant funded activities (also known as "deliverables") are characterized as either ***outputs*** or ***outcomes.*** Both are important means of documenting grant accomplishments. For an explanation of *outputs* and *outcomes* please see the Menu Item for *Air Quality Administration Infrastructure*.

Possible Outputs: [These are examples of *outputs* for this objective; there may be others]

- Quality assured data provided to EPA and uploaded into the AQS database (as required).
- A report analyzing the air quality data for EPA and the Tribe, providing information such as how the data compares to NAAQS limits, identification of the impacts of particular sources on or off the reservation.

Possible Outcomes: [These are examples of *outcomes* for this objective; there may be others]

Expressed as a result of an individual Tribal grant:

- Air quality within the Tribe's jurisdiction is accurately characterized, and its condition and threats to its condition are understood by the Tribe, EPA and others.

Expressed as a measure of overall Tribal program performance:

- Increase in the percentage of reservations (or communities in Indian country) with potential air quality problems that have been assessed or monitored.
- Increase in the number of tribes operating particular types of monitors on their reservations at locations that are potentially impacted by the pollutant, and providing the data to AQS.
- Increase in reports on how tribes have used assessment or monitoring data to better manage their air quality.
- Increase in the percentage of reservations for which air quality levels for particular NAAQS pollutants have been determined through monitoring, modeling, or other assessment activities.

NATIONAL EPA PERFORMANCE MEASURE(S):

EPA will use the following to measure performance in this area:

- Number of Tribes that are operating ambient monitors and submitting complete, quality-assured data to EPA's Air Quality System (AQS) database.

Menu Item for Implementing **Air Toxics Risk Reduction**

TRIBAL AIR WORK PLAN OBJECTIVE: To identify and address air toxics issues for the tribal community or reservation through activities that will reduce the risk to human health and the environment.

Background: Air Toxics Risk Reduction activities may relate to any of the 187 air toxics or hazardous air pollutants listed in the Clean Air Act. Many are gaseous, or particulates so they vary in their behavior in the environment. They also have varied health and environmental impacts so it will be important to determine what the pollutant(s) of concern are and how they affect the community. Based on this information control strategies may be determined for your area.

Funding Mechanism: This objective and supporting activities may qualify for EPA financial support through the grant authority of either the Indian General Assistance Program (IGAP) or Clean Air Act §103 to the extent the activities involve assessment or baseline monitoring. They may qualify for funding under Clean Air Act §105 if they involve air quality management-related work. Contact your nearest Regional EPA Tribal or Program Office for further information.

ACTIVITIES / TASKS: The following ***tasks*** or ***activities*** are options for a grant applicant to consider in developing a work plan that includes air toxics activities. Adapting these needs to respond to those of a specific reservation or tribal community is encouraged. EPA Regional Offices are available to provide technical advice on what a particular tribe may require to adequately support their proposed workplan activities. A ***timeline*** is then created by estimating the dates by which each task, and sub-task, will be completed in order to accomplish the objective by the planned date.

- Obtain training on air toxics risk characterization and control methodology.
- Conduct a risk characterization which might include: monitoring, inventory development, GIS, dispersion modeling or other analysis. (Guidance is available on EPA's community based projects website or the CARE website.)
- Identify potential areas for emissions reductions or controls or opportunities to work with States where sources impacting the community are located. [*NOTE* the Agency recommends that this effort be conducted with the community members involved as much as possible.]
- Develop a workplan to proceed with implementation of identified activities.
- Evaluate implementation efforts.
- Submit report to Regional Office.

WORK PLAN RESULTS: Results from EPA grant funded activities (also known as "deliverables") are characterized as either ***outputs*** or ***outcomes.*** Both are important means of documenting grant accomplishments. For explanation of *outputs* and *outcomes* see the Menu

Item for *Air Quality Administration Infrastructure*

Possible Outputs: [These are examples of *outputs* for this objective; there may be others]

- Risk characterization assessment conducted for the reservation.
- Air toxics report that identifies potential areas for emissions reductions or controls or opportunities to work with States where sources impacting the community are located.

Possible Outcomes: [These are examples of *outcomes* for this objective; there may be others]

Expressed as a result of an individual Tribal grant:

- EPA, the Tribe, and others are aware of the sources of air toxics impacting the Reservation, the overall air toxics risk to the Reservation's population, and the degree of risk to the individual resident (?).
- Actions to reduce risk and measured reduction in air toxics risk.

Expressed as a measure of overall Tribal program performance (over a stated baseline or cumulative total):

- Increase in number of reservations for which a risk assessment has been conducted.

NATIONAL EPA PERFORMANCE MEASURE(S):

EPA will use the following to measure performance in this area:

- Number of Tribes with staff that have attended air toxics-related outreach and training events.
- Number of Tribes that are participating in community scale monitoring or community air toxics projects.

Menu Item for Conducting a **Basic Air Quality Assessment**

TRIBAL AIR WORK PLAN OBJECTIVE: To identify the existence of and possible sources of air pollution that may be of concern to the tribe and reservation communities, identifying any need for and nature of further air quality work.

Background: Conducting a *Basic Air Quality Assessment* is an early step to understanding what air quality issues may be of most concern. This is typically undertaken by a Tribe to determine the amount and nature of air pollution that exists within its community or reservation in order to provide information upon which decisions about what further monitoring, inventory, or air quality management work the Tribe may choose to pursue.

Funding Mechanism: This objective and supporting activities typically may qualify for financial support through the grant authority of either the EPA Indian General Assistance Program (IGAP) or Clean Air Act §103 project grant. Contact your nearest Regional EPA Tribal or Program Office for further information.

ACTIVITIES / TASKS: The following ***tasks*** or ***activities*** are options for a grant applicant to consider in developing a work plan that includes basic air quality assessment. Adapting these needs to respond to those of a specific reservation or tribal community is encouraged; taking into consideration for what purpose the assessment will be used. EPA Regional Offices are available to provide technical advice on what a particular tribe may require to adequately support their proposed workplan activities. A ***timeline*** is then created by estimating the dates by which each task, and sub-task, will be completed in order to accomplish the objective by the planned date.

Conduct source inventory and categorization:

- Training: Obtain training related to basic air quality assessment issues.
- Identify *stationary sources* through such activities as:
  - Phone book/Internet review of businesses operating on the reservation.
  - "Windshield survey" of businesses operating and activities on the reservation and other reservation characteristics that influence air quality.
  - Contact neighboring jurisdictions for relevant information.
  - Use of EPA's MyEnvironment (http://www.epa.gov/myenvironment/), which draws environmental information from several databases, to find local sources
- Area and mobile sources: Identify the major types of area and mobile sources, such as agricultural practices, forestry burning, wood stoves, vehicle counts, unpaved roads, etc.
- Smoke management issues: Is there agricultural or forestry burning on or near the reservation that impacts the reservation communities? Is there a smoke management program for agricultural or forestry burning? Is there a permitting program for burning? If so, contact managers and determine what procedures and

equipment are used in the management.

- Contact surrounding jurisdictions: For sources off reservation that may impact air quality on the reservation. [Are there common air quality issues that should be addressed with any of the surrounding jurisdictions?]

Track and evaluate air quality complaints:

- Research past history of air quality complaints: Contact relevant tribal and local offices (e.g. environmental or resource management, public health, hospitals, neighboring state/local/tribal air quality offices) that may have received complaints about air quality problems. Identify how many over what period of time, time of year, possible causes that may be generating the problem.
- Establish a system for tracking air quality complaints that will provide ongoing information on the type and severity of air quality problems of greatest concern to the residents of the reservation.
- Indoor Air Quality: Contact housing, health and other relevant tribal departments to document whether there has been a history of complaints associated with indoor air. Contact EPA Regional IAQ for information on available assistance for such complaints and training that may be available.

Evaluate Air Monitoring Information:

- Existing or past monitoring: Determine whether there has been or is currently any air quality monitoring conducted on the reservation, its type and what the data collected has shown about air quality.
- Off reservation monitoring: Identify any off reservation air quality or meteorological data monitoring that may be collecting useful information for the reservation and arrange to meet with the responsible agency to learn and establish an information sharing agreement, as appropriate.

WORK PLAN RESULTS: Results from EPA grant funded activities (also known as "deliverables") are characterized as either ***outputs*** or ***outcomes.*** Both are important means of documenting grant accomplishments. For explanation of *outputs* and *outcomes* see the Menu Item for *Air Quality Administration Infrastructure*

Possible Outputs: [These are examples of *outputs* for this objective; there may be others.]

- Report identifying: number and type of businesses, their locations, potential air pollution produced, and the significant characteristics of the reservation that should be considered in evaluating air pollution issues. Report should include a map, if possible, with significant sources, population centers, and relevant reservation characteristics annotated.
- Identify need for additional air quality activities such as a smoke management plan for agricultural or forestry burning, regulatory development, education and outreach, indoor air quality assessments, or other targeted projects.

- Report of history and nature of air quality related complaints identified through tribal agencies and other contacts.
- Written evaluation of additional data that would assist in more completely evaluating air quality problems, such as emission inventory or monitoring, including the type and how such additional data would be used to inform air quality management decisions.

***Possible Outcomes*:** [These are examples of *outcomes* for this objective; there may be others]

Expressed as a result of an individual Tribal grant:

- Tribe has identified any major sources or areas of concern
- Tribe has completed an air quality assessment for its reservation.
- Tribe has assessed the existence and nature of its indoor air quality problems.

Expressed as a measure of overall Tribal program performance (over a stated baseline or cumulative total):

- Increase in the number of tribes who have completed a basic evaluation of all sources of air pollution on the reservation supported by a report summarizing these and identifying what the tribe considers may be the major sources of concern, if any.
- Increase in the number of reservations for which an air quality assessment has been completed.
- Increase in the number of tribes that have assessed existence and nature of Indoor Air Quality problems.

NATIONAL EPA PERFORMANCE MEASURE(S):

No specific factor has been established to measure performance in this area by EPA. The following would be an example of such a future measure.

- Number of reservations for which a basic air quality assessment has been completed and a report submitted to EPA.

Menu Item for **Diesel Emission Reduction Projects**

PROGRAM OBJECTIVE: To assist state and federally recognized tribal communities in the development and implementation of clean diesel retrofit programs that reduce health risks associate

Activities/Tasks: The following ***tasks*** or ***activities*** are options for potential grantees to consider in developing a work plan that includes diesel emissions reduction activities. Adapting these needs to respond to those of a specific reservation or tribal community is encouraged, taking into consideration the type of diesel equipment being used and needs of the tribe. EPA Regional Offices are available to provide technical advice on what a particular tribe may require to adequately support their proposed workplan activities. The EPA Regional offices have formed seven Regional Collaboratives that will issue Requests for Proposals each year to establish clean diesel projects.

- Identify a willing fleet, develop inventory of vehicles and engines and identify appropriate technology and/or cleaner fuel for those vehicles or engines;
- Use EPA tools to quantify the potential emissions reductions;
- Develop proposal including timeline for completing retrofit project, and key partners involved in implementation;
- Submit reports to Regional offices containing information regarding progress and effectiveness.

WORK PLAN RESULTS: Results from EPA grant funded activities (also known as "deliverables") are characterized as either ***outputs*** or ***outcomes.*** Both are important means of documenting grant accomplishments. For explanation of *outputs* and *outcomes* see the Menu Item for *Air Quality Administration Infrastructure*.

Possible Outputs: [These are examples of *outputs* for this objective; there may be others]

- Identify fleet(s) which will be targeted for activities.
- Develop a plan for reducing diesel emissions from existing vehicles and equipment.
- Select technologies or equipment to be used to target specific emissions.
- Develop plan for modifying the specific vehicles with technologies.
- Estimate pollution reduction (EPA encourages you to use the Diesel Emissions Quantifier found at www.epa.gov/cleandiesel.)

Possible Outcomes: [These are examples of *outcomes* for this objective; there may be others]

- **Short term outcomes** such as increased understanding of the environmental or economic effectiveness of the implemented technology; dissemination of the

increased knowledge via listserves, websites, journals, and outreach events; and fine-tuned and improved use of the demonstrated technology.

- **Medium term outcomes** such as widespread adoption of the implemented technology; documented emissions reductions from these and other sources of diesel emissions in multiple states (emission reductions should be calculated using the Diesel Emissions Quantifier tool); or acceptance of new technology by users and manufacturers.
- **Long term outcomes** such as reductions in the number of children with asthma or documented improved ambient air quality.

NATIONAL EPA PERFORMANCE MEASURES:

Performance by EPA in this area is measured by:

- Number of diesel projects completed on Reservations.

Menu Item for conducting an **Emissions Inventory**

TRIBAL AIR WORK PLAN OBJECTIVE: To prepare an emissions inventory for a geographic area either within the boundaries of, or affecting a tribal reservation or Indian community.

> *Background:* An *Emission Inventory* is a process whereby air quality managers collect information on the emissions from particular pollution sources within a specific area, such as a reservation, to use in making planning and policy decisions on how to most effectively reduce the quantity and impact of air pollution on human health and the environment within that geographical area. A Tribe may consider the activities in this Menu Item, when it determines that available sources and emissions information is not sufficient for air quality planning and management.
>
> *Funding Mechanism*: This objective and supporting activities may qualify for EPA financial support through the authority of the Indian General Assistance Program (IGAP), a Clean Air Act §103 projects, or a Clean Air Act §105 program grant among others. Contact your nearest Regional EPA Tribal or Program Office for further information.

ACTIVITIES / TASKS: The following ***tasks*** or ***activities*** are options for a grant applicant to consider in developing a work plan that includes development of an Emissions Inventory. Adapting these needs to respond to those of a specific reservation or tribal community is encouraged, taking into consideration the specific air quality purpose for which the inventory will be used. EPA Regional Offices are available to provide technical advice on what may be required to meet the intent of specific situations. A ***timeline*** is then created by estimating the dates by which each task, and sub-task, will be completed in order to accomplish the objective by the planned date.

- Obtain emission inventory development training.
- Conduct a source inventory [Review and describe on-reservation pollution sources. Identify applicable CAA requirements, if any. Write a report documenting sources identified.]
- Conduct a source categorization.
- Prepare an Emissions Inventory Preparation Plan (describing what inventory will cover and how it will be developed) for EPA review.
- Conduct emissions inventory according to EPA-reviewed Inventory Preparation Plan
- Prepare draft emissions inventory report for EPA review.
- Prepare final emissions inventory report.
- Evaluate the significance of the sources and emissions, including implications for monitoring or regulatory program, noticing significance of and possibly a comparison to any nearby attainment/nonattainment areas.
- Submit inventory data to National Emissions Inventory database.

WORK PLAN RESULTS: Results from EPA grant funded activities (also known as "deliverables") are characterized as either ***outputs*** or ***outcomes.*** Both are important means of

documenting grant accomplishments. For explanation of *outputs* and *outcomes* see the Menu Item for *Air Quality Administration Infrastructure*.

Possible Outputs: [These are examples of *outputs* for this objective; there may be others.]

- Source inventory report.
- Inventory Preparation Plan.
- Draft emissions inventory report.
- Final emissions inventory.

Possible Outcomes: [These are examples of *outcomes* for this objective: there may be others]

Expressed as a result of an individual Tribal grant:

- Submission of inventory data to National Emission Inventory database.

Expressed as a measure of overall Tribal program performance (over a stated baseline or cumulative total):

- Increase in number of Tribes that have completed basic source inventory.
- Increase in number of reservations or tribal communities for which emissions inventories have been submitted to the National Emission Inventory database.

NATIONAL EPA PERFORMANCE MEASURE(S):
The following will be used to measure performance in this area by EPA:

- Total number of current emissions inventories in the National Emission Inventory database for reservations or tribal communities.

continued…Menu Item for **Emissions Inventory**

Objective: To prepare an emissions inventory for a geographic area within the boundaries of a tribal reservation.

Possible Activities to Achieve Objective:
Note: The following tasks are options for grantees to consider in developing a work plan that includes this objective. They should be modified and augmented as necessary to suit the particular needs and circumstances of the grant applicant.

- Obtain emission inventory development training.
- Conduct a source inventory [Review and describe on-reservation pollution sources. Identify applicable CAA requirements, if any. Write a report documenting sources identified.]
- Conduct a source categorization.
- Prepare Inventory Preparation Plan (describing what inventory will cover and how it will be developed) for EPA review.
- Conduct emissions inventory according to EPA-reviewed Inventory Preparation Plan
- Prepare draft emissions inventory report for EPA review.
- Prepare final emissions inventory report.
- Evaluate the significance of the sources and emissions, including implications for monitoring or regulatory program and possibly a comparison to any nearby attainment/nonattainment areas.
- Submit inventory data to National Emissions Inventory database.

Deliverables:
- Source inventory report
- Inventory Preparation Plan.
- Draft emissions inventory report.
- Final emissions inventory.
- Submission of inventory data to National Emission Inventory database.

National Reportable Outcomes:
- Number of Tribes who have completed a basic inventory of all sources of air pollution on the reservation.
- Number of Tribes who have submitted reservation inventory to National Emission Inventory database.

Menu Item for Promoting ***Energy Efficiency, Renewable Energy & Greenhouse Gas Reduction***

TRIBAL AIR WORK PLAN OBJECTIVE: To promote energy efficiency (EE) and renewable energy (RE) options within the tribal administration and community, and throughout the reservation, thereby ensuring multiple benefits such as comfort, cost effectiveness, energy security, protection of air quality, and prevention of greenhouse gas emissions; demonstrate leadership by reducing energy used in tribally owned buildings and planning for production and use of onsite renewable and clean energy technologies.

Background: The energy used in our homes, schools, and businesses is a major source of air pollution. Commercial buildings alone are responsible for 20% of U.S. greenhouse gas emissions. The energy used in the average home can cause twice as many greenhouse gas emissions as operating a vehicle for one year. Homeowners and businesses can typically cut their energy use by one third with similar savings on energy bills and greenhouse gas emissions. Saving energy in homes and other buildings are likely options on tribal lands. Improving EE in buildings saves money, reduces emissions, and improves the reliability of energy supplies by reducing the stress on sources and distribution systems.
Renewable and clean energy technologies - solar, wind, geothermal, hydropower, biomass, and combined heat and power – are becoming increasingly cost-effective in an expanding set of residential, commercial, and industrial applications. These technologies hold potential for reducing air pollutants from power generation and primary energy use. Investigating local renewable resources can also help tribes become more energy independent. The U.S. Department of Interior (DOI) offers information relevant to energy resource development activities on tribal lands at: http://teeic.anl.gov

Funding Mechanism: EE is usually self-financing; the money saved on future energy bills pays for improvements to equipment, management practices, and operations. Significant energy savings can be achieved with little or no capital investment, and numerous technological options pay for themselves very quickly (e.g. lighting upgrades.) **ENERGY STAR®** provides free information, tools, and resources to help businesses, governments, homeowners and consumers improve energy performance and save money. Information on the program and resources can be found at www.energystar.gov Special offers and rebates occasionally offered by ENERGY STAR partners can be found at: http://www.energystar.gov/index.cfm?fuseaction=rebate.rebate_locator
The U.S. Department of Energy (DOE) Office of Renewable Energy and Energy Efficiency's **Tribal Energy Program** offers technical assistance, informational and training resources along with limited funding assistance to tribes. Using DOE funds administered under the 2009 American Recovery and Reinvestment Act (ARRA), many tribes took preliminary EE and RE planning steps and can build on these initial efforts. Home page: http://www.eere.energy.gov/tribalenergy/; Financial Opportunities page: http://apps1.eere.energy.gov/tribalenergy/financial.cfm; Project Financing Process page: http://www1.eere.energy.gov/tribalenergy/guide/financing.html

The U.S. Department of Agriculture (**USDA) Rural Development** offers financial programs to support essential public facilities and services such as electric service. Federally recognized Native American and Alaskan Native groups and organizations can apply for funds. Home page: www.rurdev.usda.gov
State-level funding for EE and RE can come from state public benefit funds (PBF), Renewable Portfolio Standards or other EE and RE incentives or policies. In most states, tribes are treated as other electricity customers, and are eligible to receive rebates, participate in programs, and receive services which can reduce the cost of EE or RE investments. To find out what programs are available, contact your local **utility or the state energy office (SEO)** closest to your home.

Find contact information for SEOs: http://www.naseo.org/members/states; More information on State PBFs from the Center for Climate and Energy Solution: http://www.c2es.org/what_s_being_done/in_the_states/public_benefit_funds.cfm
Find updated info about state PBFs, as well as funding and/or incentives for developing EE or RE programs using the Database of State Incentives for Renewable Energy (DSIRE):http://www.dsireusa.org/index.cfm?&CurrentPageID=9 or the American Council for an Energy-Efficient Economy Policy Database: http://www.aceee.org/sector/state-policy

ACTIVITIES / TASKS: The following ***tasks*** or ***activities*** are options for a grant applicant to consider in developing a work plan that includes air quality-related objectives. Adapting these needs to take advantage of the best opportunities for EE and RE technologies in a specific reservation or tribal community is encouraged. EPA Regional Offices are available to coordinate training and provide technical advice on what a particular tribe may require to adequately support their proposed workplan activities. A ***timeline or milestones*** are then created by estimating the dates by which each task, and sub-task, will be completed in order to accomplish the objective by the planned date.

Develop a comprehensive clean energy plan to support economic growth and emissions reductions.

Energy Planning:

- Designate a tribal clean energy manager to champion and lead planning efforts;
- Conduct an inventory of energy use and forecasts on tribal land, specifying end-use sectors and energy supply sources (natural gas, propane, type of power generation on tribal land, electricity imports)

Evaluating Options:

- Calculate emissions attributable to energy use by end use sectors, estimate energy efficiency to reduce emissions;
- Investigate EE technologies and RE sources on tribal land (distributed renewables, waste heat, etc) and their potential for their use to reduce emissions.

Organization Development:

- Research revenue sources for tribal investment in EE and clean energy sources (utility programs, power sales agreements, performance contracts, etc);
- Identify effective implementation strategies for the tribal energy plan;
- Conduct education and outreach programs on emissions and climate change effects.

Improve energy performance of tribally owned or managed buildings such as schools or childcare facilities:

- Determine how much energy buildings are using;
- Develop plans to improve energy performance
- Implement plans and track results using ENERGY STAR's portfolio manager benchmarking tool;
- Promote awareness and utilization of training available from EPA for building owners and facility managers;
- Establish tribal purchasing and procurement policies and raise awareness for energy efficient products such as ENERGY STAR rated products1

Improve EE in homes:

- Promote tools to help improve EE in homes by using online tools such as the Home Energy Advisor, Home Energy Yardstick, and the consumer home improvement website;
- Promote do-it-yourself EE measures such as sealing air leaks and installing insulation;
- Provide training to tribal community members on how to perform EE improvements and/or how to assess a home's EE.

Produce and use renewable and clean energy

- Look for opportunities to integrate distributed RE into the tribe's energy procurement process. Examples might be: agricultural methane to electricity, landfill methane, biomass, wind, combined heat and power, geothermal and photovoltaics (particularly when electricity is required for remote usages);
- Develop plans to identify renewable and clean energy resources on tribal lands;
- Utilize EPA's Green Power Partnership (GPP) tools to integrate green power purchasing options into tribal electricity procurement;
- Become a member of EPA's Combined Heat and Power (CHP) Partnership program by promoting combined heat and power resources.

WORK PLAN RESULTS: Results from EPA grant funded activities (also known as "deliverables") are characterized as either ***outputs*** or ***outcomes.*** Both are important means of documenting grant accomplishments. For explanation of *outputs* and *outcomes* see the Menu Item for *Air Quality Administration Infrastructure.*

Possible Outputs: [These are examples of *outputs* for this objective: there may be others**]**

- Draft of tribal clean energy plan.
- Track number and square footage of facilities benchmarked.
- Number of training sessions and number of building managers, home builders, etc. trained.
- Number of residential home assessments and energy audits conducted.
- Purchasing policies adopted and implemented.

***Possible Outcomes*:** [These are examples of *outcomes* for this objective: there may be others.]

Expressed as a result of an individual Tribal grant:

- Increased understanding of energy use and supply on tribal land.
- Increased knowledge of methods for improving EE based on number of residents participating in programs.
- Percentage improvements in energy performance at benchmarked facilities.
- Increase in installed RE and combined heat and power capacity enabled by grant.

Expressed as a measure of overall Tribal program performance (over a stated baseline or a cumulative total)

- Inventories of energy use and supply completed for tribal lands.
- Cumulative total emissions reduction potential identified by tribal clean energy plans.
- Number of tribal facilities and square footage benchmarked along with percentage improvements in energy, GHG emissions, and energy costs in EPA's Portfolio Manager tool over baseline.
- Increase in energy generated by renewable sources and combined heat and power capacity over baseline.

NATIONAL EPA PERFORMANCE MEASURE(S): No factor has been specifically established to measure EPA's performance in this area. The following would be an example of such measures.

- Number of tribal facilities benchmarked.
- Number of tribes and businesses that are ENERGY STAR, Green Power Partnership, and Combined Heat and Power partners.
- Number of ENERGY STAR labeled homes and buildings constructed on tribal lands.
- Total energy use reductions in tribal facilities.
- Amount of green power purchased (kWh).

Menu Item for **FARR Implementation**

OBJECTIVE: To partner with EPA Region 10 on implementation of the Federal Air Rules for Reservations in Idaho, Oregon and Washington (FARR) and build tribal capacity to implement a regulatory program.

Background: FARR implementation includes many different types of activities that contribute toward the prevention of air pollution within the boundaries of Reservations. Tribes can assist EPA in carrying out the FARR in a variety of ways depending upon their capacity, experience, and air quality priorities. They also can request to be delegated administrative responsibility for implementation of specific FARR sections on their Reservation, increasing their CAA regulatory capabilities. The FARR currently applies on 39 Reservations in ID, OR, and WA, listed in the Appendix to 40 CFR Part 49, Subpart M.

Grant Funding: This objective and supporting activities may qualify for EPA financial support through the authority of Indian General Assistance Program (IGAP), Clean Air Act 103 project grants, or CAA 105 program grants. For further information Tribes in Oregon and Washington should contact Justin Spenillo (206/553-6125 or spenillo.Justin@epa.gov) and in Idaho Michael McGown (206/378-5764 or mcgown.Michael@epa.gov).

ACTIVITIES / TASKS: The following ***tasks*** or ***activities*** are options for a grant applicant to include in a work plan that includes FARR-related objective. Adapting these to respond to the needs of a specific reservation or tribal community is encouraged. EPA Region 10 Air Program staff should be contacted for technical and programmatic advice on what steps may be needed to accomplish the objectives for specific situations.

- **FARR Knowledge:** Become informed on the FARR rules and how they apply to your Reservation through Region 10 training and guidance, participation in FARR workshops and conferences and online information. Share information on the FARR with Tribal environmental, resource management and fire safety staff and managers, as well as the reservation community See: http://www.epa.gov/r10earth/farr.htm
- **Outreach:** Provide education and outreach to the community, tribal leadership, and to emission sources on FARR requirements – particularly outdoor burning rules and source registration requirements. Communicate and work cooperatively with local fire departments and local air agencies with regard to FARR and related air quality issues.
- **Burn Bans:** Participate in EPA conference calls to declare and publicize burn bans when warranted by pollution levels and weather conditions.
- **Complaint Response:** Assist EPA FARR Complaint Hotline with response by complaints and referring possible violations of the FARR to EPA enforcement staff. Work with EPA to develop a protocol for handling FARR complaints received by the Tribe. Provide records on the number and nature of complaints to EPA on quarterly

basis.

- **Source Registration:** Help EPA verify applicability of FARR registration rule to point sources on the Reservation.
- **FARR Delegation**: Explore the value of seeking delegation of one or more FARR rules that will help manage air pollution within the Tribe's boundaries.
- **FARR Rule Revision**: Participate in the FARR rule revision process by providing input and information to EPA on how new rules or changes to existing rules could increase the effectiveness of the FARR in reducing air pollution risks.

WORK PLAN RESULTS: These are ways to measure and document that the above activities and tasks are achieving the intended objective. These measures (outputs/outcomes) need to be tracked for purposes of individual grant accountability, reporting to tribal community and leadership, and describing the value of funding such work more broadly to Congress, taxpayers, and the public.

Suggested Outputs: Parameters to set goals, track progress, and document accomplishments and deliverables. Grant workplans must have clear outputs that will be produced for each objective. Outputs should be linked to short term, medium term, and long term outcomes.

- **FARR Outreach:**
  - Number of complaint response or outreach events at which FARR information was provided to raise awareness about applicability of rules
  - Number of people reached at each encounter or event.
  - Report of other evidence of increased public awareness of the FARR and behavior changes resulting.
- **Burn Bans:**
  - Number of burn ban calls actively participated on along with EPA Region 10 and Tribes,
  - Number of times a burn ban was called on the Reservation, and associated efforts made to publicize the burn ban on the Reservation.
- **Complaint Response:** Number and summary of air pollution complaints:
  (a) …responded to and the outcome,
  (b) …referred to FARR Complaint Hotline or
  (c) …on which assistance was given to the Region 10 Hotline.
- **Source Registration:**
  - Number of sources contacted in order to further their compliance with FARR registration requirements.
- **Delegation Agreement:**
  - A request to have one or more sections of the FARR delegated to the Tribe has been formally submitted for consideration and approval.

- A Delegation Agreement has been entered into with EPA for the Tribe to assume administrative responsibility for implementation of particular sections of the FARR.
- Delegation Agreement terms are carried out successfully each year and results reported to EPA.

Targeted Outcomes*:* Evidence of increased public awareness, changed behaviors, reduced health risks, and/or improved air quality.

To be reported by *Tribe* as a measure of progress and/or evidence of accomplishments:

- **Compliance with Outdoor Burning and Burn Ban Rules**: Change in knowledge, attitudes or behavior of community members regarding ***Outdoor Burning*** practices, and ***Burn Ban*** regulations, and other pertinent FARR rules based upon outreach, education, compliance assistance and complaint response.
- **Prohibited Outdoor Burning:** Number of complaints received about prohibited outdoor burning decline over time.
- **Registration Compliance:** Point sources made aware of their need to register under the FARR sources assisted with registering, and sources that subsequently do register as a result of increased awareness and assistance provided.

To be reported as a *Regional* measure of progress - to which tribal outputs may contribute:

- **Burn Ban and Outdoor Burning Compliance:** Amount of illegal burning during burn bans or in violation of the FARR outdoor burning rule decreases over time improving air quality on reservation.
- **Registration:** Percentage of known sources that have had the applicability of the FARR registration requirement verified and, if applicable, have submitted all required registration information.
- **Delegation Agreements**: Number of Tribes that have signed Delegation Agreements with EPA for one or more FARR rules.

NATIONAL EPA PERFORMANCE MEASURE(S): These are ways in which grant funded activities can produce national level outputs that Regions and Tribes are tracked and which can impact that allocation of funding and resources to a Region.

- Number of tribes that have been delegated responsibility for implementation of one or more sections of the Clean Air Act or of a Federal Implementation Plan, such as the Federal Air Rules for Reservations. [***Note***: This measure impacts the amount of CAA Tribal grant funding allocated to a Region under the OAR formula of 2006 as evidence of a Tribe that has taken on regulatory responsibilities for protecting air quality on their Reservation.]
- Number of tribes with reservations or tribal trust lands that have CAA protections through the implementation of comprehensive FIPs (such as the Region 10 FARR) or TIPs to effectively "level the playing field" with surrounding air regulatory jurisdictions. *[**Note**: At this time, this is a possible future measure.]*

Menu Item for **Indoor Air Quality Assessment & Training**

TRIBAL AIR WORK PLAN OBJECTIVE: To assess the extent of indoor air pollution in reservation and tribal buildings and respond to indoor air quality (IAQ) complaints; to evaluate the potential relation of adverse health impacts to poor IAQ; and to provide training for tribal housing, health, and environmental professionals and members of the public on IAQ issues.

Background: Poor *Indoor Air Quality* has the potential to produce severe adverse human health impacts. EPA supports voluntary measures to educate and help homeowners and building managers understand the causes and prevention of poor indoor air quality and measures they may wish to undertake to ensure that the air will not have detrimental effects on the health of inhabitants. Assessment is often the first step in determining whether such voluntary measures are appropriate. Addressing the causes of indoor air pollution often involves no or little cost; such mitigation costs do not fall within the financial authority of EPA.

Funding Mechanism: This objective and supporting activities may qualify for EPA financial support through the grant authority of either the Clean Air Act §103, Indian General Assistance Program, and special Indoor Air Quality grant opportunities. Contact your nearest Regional Tribal, Air Program Office for further information. You may also wish to contact your nearest Housing & Urban Development (HUD) or Indian Health Service (IHS) offices to find out what assistance they may be authorized to provide.

ACTIVITIES / TASKS: The following ***tasks*** or ***activities*** are options for a grant applicant to consider in developing a workplan that includes indoor air quality-related objectives. Adapting these needs to respond to those of a specific reservation or tribal community is encouraged, taking into consideration the types of buildings that may be of highest priority and potential resources available for remediation. EPA Regional Offices are available to provide technical advice on what a particular tribe may require to adequately support their proposed workplan activities. A ***timeline*** is then created by estimating the dates by which each task, and sub-task, will be completed in order to accomplish the objective by the planned date.

Possible Activities:

- Educate tribal elders, Tribal leadership (Housing, Health, Education, Environmental, etc.) to build community partnership and advocacy to ensure safe and healthy indoor environments in Tribal homes, schools, and buildings.
- Obtain assistance and/or training on conducting IAQ assessments and community outreach.
- Conduct basic assessment of tribal homes and buildings; conduct walkthrough inspections that are primarily observational looking for pollutant sources, water and moisture problems, ventilation, hygiene, bio-contaminants, and observations about

temperature and humidity, etc. Checklists may be beneficial to this effort. A Quality Assurance Project/Program Plan may be required, depending on the extent of any monitoring pursued.

- Gather information about health issues related to IAQ in tribal buildings or housing.
- Provide indoor air training for tribal facilities, health, and environmental staff, including common pollutants, health effects, prevention, assessment, and clean up.
- Provide training to building residents/members of the public on IAQ issues, including common pollutants, health effects, prevention, assessment, and clean up. Focus on what a residents and building occupants can do to prevent IAQ problems.
- Incorporate Indoor Air improvements as part of tribal construction and renovation planning.
- Introduce Green building codes with IAQ provisions (e.g. Energy Star/IAQ *Plus*).
- Include IAQ planning in tribal new home construction and renovations.

Note: *Remediation* work that may be needed to resolve IAQ problems is typically not a fundable activity under CAA grants. However, plans for ***how*** needed remediation will be accomplished should be considered in developing an indoor air quality program. Many needed changes can be accomplished easily by the building owner. Also, there may be other funding sources available to carry out larger renovations.

WORK PLAN RESULTS: Results from EPA grant funded activities (also known as "deliverables") are characterized as either ***outputs*** or ***outcomes.*** Both are important means of documenting grant accomplishments. For explanation of *outputs* and *outcomes* see the Menu Item for *Air Quality Administration Infrastructure*.

Possible Outputs: [These are examples of *outputs* for this objective: there may be others.]

- Summary report of home IAQ assessments including the number of homes assessed, a summary of all data and ongoing concerns or issues identified.
- Summary of health issues related to IAQ in tribal buildings.
- Summary report of training & workshops held for tribal staff or professionals and community members, including number of tribal personnel trained. Include a course evaluation and a summary of evaluation results (Note: Results from training could be an outcome. See '*Possible Outcomes'* below).
- Demonstration projects to train tribal members/personnel/others in IAQ assessment and remediation.
- Establishing tribal healthy building targets and plans in four areas: culturally sensitive IAQ awareness & education, IAQ assessments, IAQ remediation activities, new construction/renovation projects addressing IAQ.
- Green (including Healthy IAQ) Building codes introduced / passed
- Tribal Weatherization projects that address IAQ

***Possible Outcomes*:** [These are examples of *outcomes* for this objective: there may be others]

- Report on any available data that indicates improvement in indoor air quality, health outcomes, behavior changes as a result of grant-funded work.
- Documented change in knowledge, attitudes or behavior of students successfully completing IAQ training courses.
- Development and application of Tribal technical skills & capabilities for IAQ assessment and remediation.
- Development of tribal building codes incorporating IAQ provisions.
- Increase in the number of reservations or tribal communities where IAQ assessments or training were provided.
- Increase in the number of indoor air quality assessments in buildings on reservations and problems subsequently remedied.

NATIONAL EPA PERFORMANCE MEASURE(S):

No factors have been established to measure performance by EPA in this area. The following would be examples of what such measures might be:

- Number of tribal residences and buildings that have had indoor air quality assessments.
- Number of residents or building owners that have been reached with training or information on how to assess or improve indoor air quality.
- Number of tribes that have implemented the Tools for Schools program.
- Number of tribes that have instituted smoking reduction campaigns targeted to reduce smoking rate generally and to protect children and others at risk populations from the risks of second hand smoke.

Menu Item for addressing **Local or Unique Air Quality Issues**

TRIBAL AIR WORK PLAN OBJECTIVE: To identify special or unique local air quality issues, their impact on human health and the environment, options for addressing the concerns identified, and, as appropriate, implementing solutions.

Background: Local or Unique Air Quality Issues encompass a variety of air pollution problems that do not fall within any of the broader, more common, concerns that are found on reservations or in tribal communities. These, perhaps more than most Menu Item objectives, may require a customized response and may require research to determine what would be appropriate to the particular circumstances.

Funding Mechanism: This objective and supporting activities *may* qualify for EPA financial support through the grant authority of the Indian General Assistance Program (IGAP), or either of the Clean Air Act Sections §103 or §105 depending upon if the work is assessment of or investigation into causes and prevention the air quality problem, or actual implementation of a control strategy. Contact your nearest Regional EPA Tribal or Program Office for further information.

ACTIVITIES / TASKS: The following ***tasks*** or ***activities*** are options for a grant applicant to consider in developing a work plan that include activities related to unique or local air quality issues. Adapting these needs to respond to those of a specific reservation or tribal community is encouraged; taking into consideration for what purpose the information will be used. EPA Regional Offices are available to provide technical advice on what a particular tribe may require to adequately support their proposed workplan activities. A ***timeline*** is then created by estimating the dates by which each task, and sub-task, will be completed in order to accomplish the objective by the planned date.

- Based upon an initial air quality assessment (See menu topic: "Basic Air Quality Needs Assessment"), evaluate the existence and significance of any unique air quality issues or concerns, through direct observation, conversations with community, managers, council, adjoining air quality jurisdictions, EPA and other federal agencies, and other appropriate sources. Such unique concerns may include: open burning of solid waste, agricultural field burning, forestry prescribed-burning, developments such as casinos, pollutants that may affect cultural resources and indoor air quality, radon and others.
- Network with others involved in addressing the same problem such as the solid waste program. Participate in policy groups that may exist for developing a regulatory response.
- Attend training to understand the causes and possible solutions to the problem.
- Provide education and outreach to the reservation community and tribal leadership on the issue, impact on tribe, and options for responding to the problem. Determine public and tribal position on the seriousness of the problem to the community,

preferred responses, priority among other environmental and air quality concerns.

- Develop recommended approach to mitigating or monitoring the problem in the future.
- If regulatory response is an option, develop a plan for instituting a regulatory response and subsequent enforcement.
- For burning on Indian-owned land that is not on the reservation (e.g., land clearing for off-reservation casino development), evaluate the affected state's open-burning rules and consider them as guidelines for Tribal activities.

WORK PLAN RESULTS: Results from EPA grant funded activities (also known as "deliverables") are characterized as either ***outputs*** or ***outcomes.*** Both are important means of documenting grant accomplishments. For explanation of *outputs* and *outcomes* see the Menu Item for *Air Quality Administration Infrastructure*

***Possible Outputs*:** [These are examples of *outputs* for this objective; there may be others]

- A report analyzing the nature of the problem, its impact on human health and environment on the reservation, and sources of information used to identify the problem and its potential impact.
- A report on the networking with potential collaborators/resources, policy groups and other agencies contacted, meetings attended, membership in policy groups and outcomes from such connections.
- A report on courses attended and how information gained was useful or not to understanding the problem and potential solutions.
- A report on education and outreach conducted and what was learned about the various positions held with regard to the air quality problem. This could include number of pamphlets distributed, number of speaking engagements, and changes to school environmental curricula.
- A report which evaluates options for addressing the problem, and recommends options, including why they are preferred. This should include coordination with the tribe's environmental management programs and include documentation of the report being presented to tribal leadership and their response.
- Report on any regulatory type activities, copies of regulations proposed or passed, records of enforcement, improved practices, and *any evidence of mitigation* of the problem.

Possible Outcomes: [These are examples of *outcomes* for this objective; there may be others.]

Expressed as a result of an individual Tribal grant:

Please, note: Several of the outputs (noted above with *italics*) can also be *outcomes* for an individual grant under this Menu Item. Thus, a report produced or a meeting held is indeed an *output.* However, if the report describes information gained, or changes resulting, or ameliorative actions, etc. then it is describing an *outcome*.

Expressed as a measure of overall Tribal program performance (over a stated baseline or cumulative total):

- Increase in the number of tribes that have participated in addressing a particular air quality concern and the nature of participation.
- Increase in instances where tribal effort on a local issue has made a documented impact in its being addressed, either by the tribe, or other state, local or federal agencies. For example, creation of an ongoing work group that developed a new strategy for dealing with the problem that became a model for others.
- Reduction in the number of complaints received regarding outdoor burning practices

Menu Item for **Participation in Policy Development Groups**

TRIBAL AIR WORK PLAN OBJECTIVE: To identify special or unique local air quality issues, their impact on human health and the environment, options for addressing the concerns identified, and, as appropriate, implementing solutions.

> *Background: Local or Unique Air Quality Issues* encompass a variety of air pollution problems that do not fall within any of the broader, more common, concerns that are found on reservations or in tribal communities. These, perhaps more than most Menu Items objectives, may require a customized response and may require research to determine what would be appropriate to the particular circumstances.
>
> *Funding Mechanism*: This objective and supporting activities may qualify for EPA financial support through the grant authority of the Indian General Assistance Program (IGAP), or either of the Clean Air Act §103 or §105 depending upon if the work is assessment of or investigation into causes and prevention the air quality problem, or actual implementation of a control strategy. Contact your nearest Regional EPA Tribal or Program Office for further information.

ACTIVITIES / TASKS: The following ***tasks*** or ***activities*** are options for a grant applicant to consider in developing a work plan that includes participation in air policy development workgroups. Adapting these needs to respond to those of a specific tribal professional's interests is encouraged. EPA Regional Offices are available to provide guidance on the workgroups that are currently involved in policy development and how a tribal professional may become involved. A ***timeline*** is then created by estimating the dates by which each task, and sub-task, will be completed in order to accomplish the objective by the planned date.

- Participate in Regional Planning Organizations (RPOs), national tribal organizations/ forums/ workgroups, or other tribal, local, state, regional or national/EPA organizations, such as: National Tribal Air Association, EPA's 8 Hour Ozone Designations Workgroup, RTOCs, or NTOCs, the TAMS Steering Committee, etc.
- Select a particular work group of an air related organization that tribal professional can join and commit to actively become involved. Commit to a specific amount of time that will be devoted to this participation or percentage of work under the grant.
- Periodic reports on contributions made to the group and information and issues addressed in the group to EPA and the tribal council and community, as a means of building tribal capacity to understand broader air quality issues and participate in policy development.

WORK PLAN RESULTS: Results from EPA grant funded activities (also known as "deliverables") are characterized as either ***outputs*** or ***outcomes.*** Both are important means of

documenting grant accomplishments. For explanation of *outputs* and *outcomes* see the Menu Item for *Air Quality Administration Infrastructure*

***Possible Outputs*:** [These are examples of *outputs* for this objective; there may be others]

- Report of meetings attended and subjects addressed at each, as well as how this information was then communicated to the tribal government and/or community, including at council meetings, powwows, schools, or similar events.

Possible Outcomes: [These are examples of *outcomes* for this objective; there may be others]

Expressed as a result of an individual Tribal grant:

- Documentation of participation, including details of participation in the various groups, the nature of participation, decisions or policy developed through

Expressed as a measure of overall Tribal program performance:

- Increase in number of tribes that have participated in development of air quality policy at regional or national level.
  Increase in breadth of policymakers' understanding of the tribal perspective on air quality issues.
- Policy development that better takes into consideration the air quality issues on reservations and in tribal communities and the unique tribal perspectives on these.

NATIONAL EPA PERFORMANCE MEASURE:

No specific measures for tribal participation in policy development exist at this time.

Menu Item for: **Radon Risk Reduction in Tribal Indoor Radon Grants**
(as described in State Indoor Radon Grant – SIRG Program)

PROGRAM OBJECTIVE: To assist states and federally recognized Indian Tribes in the development and implementation of programs and projects reducing health risks associated with radon exposure.

Background: Each year EPA Headquarters allocates funds to the ten EPA Regional Offices for award to recipients. The Regional Offices are responsible for determining the amount of Federal funding for each individual recipient within its jurisdiction. Subsequent funding is dependent on EPA's evaluation of recipients' performance during the current and prior grant years, on the most recent radon risk information available for the recipient, and on the degree of success and documented risk reduction being achieved.

Funding Mechanism: The Office of Radiation and Indoor Air oversee the State (Tribal) Indoor Radon Grant Program (SIRG). Funding authorities include the Indoor Radon Abatement Act, 15 U.S.C. 2661, Section 306, which are awarded with a match requirement.

Activities/Tasks: The following ***tasks*** or ***activities*** are options for grantees to consider in developing a work plan that includes radon risk reduction objectives. Adapting these needs to respond to those of a specific reservation or tribal community is encouraged; taking into consideration for what purpose the monitoring data will be used. EPA Regional Offices are available to provide technical advice on what a particular tribe may require to adequately support their proposed workplan activities. Applicants should refer to the SIRG Program Guidance and Handbook - Chapter 3, for specific program and project information. A ***timeline*** is created for the activities by estimating the dates by which each task, and sub-task, will be completed in order to accomplish the objective by the planned date.

- Educating tribal members, real estate professionals, tribal housing authority and home inspectors, builders, Tribal Council and local building code officials, and others;
- Persuading home builders to include radon-resistant techniques in their new homes;
- Encouraging Tribal Council to adopt radon-resistant building codes; and
- Promoting testing and mitigating in residential real estate transfers by home sellers and buyers.

WORK PLAN RESULTS: Results from EPA grant funded activities (also known as "deliverables") are characterized as either ***outputs*** or ***outcomes.*** Both are important means of documenting grant accomplishments. For explanation of *outputs* and *outcomes* see the Menu Item for *Air Quality Administration Infrastructure*.

***Possible Outputs*:** [These are examples of *outputs* for this objective; there may be others]

- Development of plans for radon testing and mitigation in homes and schools.
- Setting targets for programmatic results in four areas: testing, mitigation, radon resistant new homes, and innovative educational awareness activities (i.e. conferences, workshops, press/media events).
- Report on the number of activities which result in increased radon testing and mitigation in homes.
- Report on the number of demonstration projects to train participants in radon risk reduction techniques.
- Participation in Radon outreach activities, particularly in conjunction with Radon Action Month (January).
- Number of project results to support radon risk reduction such as: calls received, meetings held, etc.
- Incorporation of weatherization techniques in mitigation practices. (DOE study)

Possible Outcomes: [These are examples of *outputs* for this objective; there may be others]

- Number of new homes and tribal facilities built radon-resistant.
- Number of home mitigations in conjunction with Tribal outreach programs.
- Number of school mitigations.
- Number of results-oriented, collaborative partnerships formed.
- Number of homes and facilities retested after mitigation and homes retested every 2-3 years.
- Less lung cancer deaths.

NATIONAL EPA PERFORMANCE MEASURES:

EPA has not established specific factors to measure performance in this area. The following would be examples of possible measures:

- Number of tribes with established radon mitigation programs and the total number of mitigations.
- Number of tribes which have adopted radon-resistant building codes or practices.
- The total number of new homes built radon-resistant.

Menu Item for **Residential Wood Smoke Reduction Program**

TRIBAL AIR WORK PLAN OBJECTIVE: To reduce emissions from residential wood burning and improve ambient and indoor air quality; mitigate the negative health effects of wood smoke exposure for community residents; and contribute to area compliance with Clean Air Act requirements.

Background: Emissions from *Wood Smoke* can result in adverse human health impacts. EPA supports measures, including education, outreach, and more proactive control measures to reduce the detrimental effects of wood smoke emissions on the health of inhabitants.

Funding Mechanism: This objective and supporting activities may qualify for EPA financial support through the grant authority of either the Clean Air Act §103, Indian General Assistance Program, and special Indoor Air Quality grant opportunities. Contact your nearest Regional Tribal, Air Program Office for further information. You may also wish to contact your nearest Housing & Urban Development (HUD) or Indian Health Service (IHS) offices to find out what assistance they may be authorized to provide.

Activities/Tasks: The following ***tasks*** or ***activities*** are options for grantees to consider in developing a work plan that includes wood smoke risk reduction objectives. EPA Regional Offices are available to provide technical advice on what a particular tribe may require to adequately support their proposed workplan activities. A ***timeline*** should be created for the activities by estimating the dates by which each task, and sub-task, will be completed in order to accomplish the objective by the planned date.

- Assess the level of residential wood combustion at Tribal community to see if it is a problem. Note, EPA has county inventories available that may help.
- Obtain funding for remediation activities if a wood smoke problem is perceived.
- Identify any wood burning appliances that have generated complaints against nearby residents.
- Make use of any secured funding for remediation activities to replace non-EPA certified wood appliances, mainly through implementation of change-out programs. Prioritize appliances generating complaints.
- Discourage installation or continued use of hydronic heaters.
- Distribute information available on EPA's Burn Wise website.
- Evaluate impact of program via EPA's wood stove and fireplace calculator.

WORK PLAN RESULTS: Results from EPA grant funded activities (also known as "deliverables") are characterized as either ***outputs*** or ***outcomes.*** Both are important means of documenting grant accomplishments. For explanation of *outputs* and *outcomes* see the Menu Item for *Air Quality Administration Infrastructure*.

***Possible Outputs*:** [These are examples of *outputs* for this objective; there may be others]

- Report the number of wood burning appliances that have generated complaints against nearby residents.
- Report if funds were secured for remediation activities.

- Report the number of wood stoves, wood heaters, fireplaces and outdoor wood-fired boilers changed out, scrapped and destroyed or converted.
- Report the number of residents educated on and regularly using clean burning practices.
- Report the impact of program via EPA's wood stove and fireplace calculator.

Possible Outcomes: [These are examples of *outputs* for this objective; there may be others]

- Reduction of indoor and outdoor particulate levels.
- Reduction of occurrence of asthma and other health impacts of wood smoke.
- Improvement in visibility.
- Reduction in the number of chimney fires.
- Reduction of visible smoke reports on burn curtailment days.
- Reduction in total volume of wood burned community-wide.

NATIONAL EPA PERFORMANCE MEASURES:

EPA has not established specific factors to measure performance in this area. The following would be examples of possible measures:

- Number of tribes with established wood smoke reduction programs and the total number of mitigations.
- The total number of wood stoves, wood heaters, fireplaces and outdoor wood-fired boilers changed out.

Menu Item for Addressing **Road Dust Emissions**

Guidance for developing a Grant Workplan element to address Road Dust in rural Alaska
TRIBAL AIR WORK PLAN OBJECTIVE: To address road dust emissions in tribal communities and on reservations through activities that will reduce human exposure to particulate matter.

Background: Emissions from *Road dust* have the potential to result in adverse human health impacts. EPA supports measures, including education, outreach, and more proactive control measures to reduce the detrimental effects that road dust emissions may have on the health of inhabitants.

Funding Mechanism: This objective and supporting activities may qualify for EPA financial support through the grant authority of either the Clean Air Act §103, Indian General Assistance Program, and special Indoor Air Quality grant opportunities. Contact your nearest Regional Tribal, Air Program Office for further information. You may also wish to contact your nearest Housing & Urban Development (HUD) or Indian Health Service (IHS) offices to find out what assistance they may be authorized to provide.

ACTIVITIES / TASKS: The following ***tasks*** or ***activities*** are options for a grant applicant to consider in developing a workplan that includes indoor air quality-related objectives. Adapting these needs to respond to those of a specific reservation or tribal community is encouraged, taking into consideration the types of buildings that may be of highest priority and potential resources available for remediation. EPA Regional Offices are available to provide technical advice on what a particular tribe may require to adequately support their proposed workplan activities. A ***timeline*** is then created by estimating the dates by which each task, and sub-task, will be completed in order to accomplish the objective by the planned date.

Education and outreach to the community on how they can help to reduce the impacts from dirt roads by:

- Reducing unnecessary driving, particularly during the dust season. Plan trips such that several things can be accomplished at once.
- Prohibit unnecessary four-wheeler or other vehicle use when conditions are dry.
- Make public announcements when driving needs to be curtailed due to dust and wind conditions.
- Have teachers talk to their classes about the harm that road dust can cause to health and the environment. Dust aggravates existing heart and lung disease, damages lung tissue and most seriously impacts children, seniors and people with asthma and heart conditions.
- Encourage driving at steady but slow speeds to avoid kicking up dust. Stop and start evenly.

Speed limits and speed bumps: Impose speed limits and create speed bumps that will force traffic to slow down.

Road treatments:

Water applications: Applying water on the days when road dust is high seems to be a common solution. It requires a water spreader and the availability of water for application, of course. A tank truck for water is sometimes used or water can be applied by an appropriate trailer pulled by a truck or four-wheel vehicle. Most air strips need to have some method to reduce their runway dust and may be able to be a partner in the operational and maintenance costs. Someone needs to be available to drive the water truck on an as needed basis.

Palliatives: Chemical palliatives are available commercially that will bind with the road dust and form a harder surface for varying periods of duration. The factors to consider with these is whether the chemicals then degrade into the soil or water in a way that will be harmful to vegetation or health "down the road." Searching on "road dust control" on the Web will generate some of these options. Gravel amendments: Gravel can help substantially to reduce road dust, although how long it lasts can vary and whether it is cost effective depends upon how readily available it is in the local area.

Paving: Although paving may temporarily help with road dust, paved roads are costly to install and maintain in rural Alaska. Also, when they are used for a while, dust gets tracked onto them and is then re-entrained into the air by traffic, just as with unpaved roads.

WORK PLAN RESULTS: Results from EPA grant funded activities (also known as "deliverables") are characterized as either ***outputs*** or ***outcomes.*** Both are important means of documenting grant accomplishments. For explanation of *outputs* and *outcomes* see the Menu Item for *Air Quality Administration Infrastructure*.

Possible Outputs: [These are examples of *outputs* for this objective: there may be others.]

- Report on the strategy developed for addressing and reducing road dust, including options considered and advantages of the approach selected.
- Outreach events conducted and people reached with information on how they can help reduce road dust and its impacts.
- Measures of success in reducing road dust.

***Possible Outcomes*:** [These are examples of *outcomes* for this objective: there may be others]

Expressed as a result of an individual Tribal grant:

- Report on any available data that indicates improvement in air quality, health outcomes, behavior changes as a result of work on road dust.
- Documented change in knowledge, attitudes or behavior of public, community leaders, students, etc. on how they can help reduce road dust.

Expressed as a measure of overall Tribal program performance (over a stated baseline or cumulative total):

- Increase in the number of reservations or tribal communities where a strategy for

reducing road dust problems have been developed and number implemented, including results of implementation on reduction in road dust and its impacts on public health.

Menu Item for Participating in **Rulemaking and Enforcement**

TRIBAL AIR WORK PLAN OBJECTIVE: To reduce emissions of criteria pollutants or air toxics by setting and enforcing emission standards or work practice requirements for stationary, area, or mobile sources of air pollution on tribal lands.

Background: Participating in *Rulemaking and Enforcement* activities normally follows after a Tribe has assessed the nature and seriousness of air pollution and its impact on their reservation communities and evaluated what types of rules are needed to protect air quality and prevent pollution. Rulemaking may involve the drafting and promulgation of tribal rules or a Tribal Implementation Plan (TIP), or participating in the federal rulemaking process, either through a Federal Implementation Plan (FIP) or a State Implementation Plan (SIP), for example to bring a NAAQS *Non-attainment Area* into attainment or to maintain the air quality of a NAAQS *Attainment Area*. Enforcement of air quality rules may be under tribal authority, through assisting with federal rules enforcement or through delegation of enforcement authority under specific Clean Air Act sections.

Funding Mechanism: This objective and supporting activities may qualify for EPA financial support through the grant authority of, principally, Clean Air Act §105 program grants. Contact your nearest Regional Air Program Office for further information.

ACTIVITIES / TASKS: The following *tasks* or *activities* are options for a grant applicant to consider in developing a work plan that includes rulemaking and enforcement. Adapting these needs to respond to those of a specific reservation or tribal community is encouraged. EPA Regional Offices are available to provide technical advice on what a particular tribe may require to adequately support their proposed workplan activities. A *timeline* is then created by estimating the dates by which each task, and sub-task, will be completed in order to accomplish the objective by the planned date.

- Assist EPA with enforcement responsibilities, as appropriate, by:
  - Identifying point sources on the reservation subject to EPA regulation and enforcement.
  - Discussing the opportunities for Tribal involvement with compliance monitoring and compliant response with EPA Regional Enforcement Office.
  - Obtaining appropriate training on inspection and enforcement procedures of value to the reservation sources.
  - If of mutual interest to EPA Region and Tribe, consider applying for EPA federal inspector credentials for tribal staff to assist EPA with compliance monitoring of sources.
  - If tribe and EPA agree that tribal inspectors with federal credentials will be valuable in assisting EPA and will build tribal capacity, take required steps to get training and approval for authorized credential issuance.

    - When EPA inspector credentials are issued tribal staff will conduct inspections on EPA's behalf and prepare appropriate reports for EPA's enforcement.
- Preparation of delegation request for federal regulations (such as Part 71, PSD, NSPS, NESHAP, MACT, etc.) following delegation guidance.
- Adopt and implement regulations with emission standards or work practice requirements for:
    - stationary sources (e.g., reasonably available control technology or RACT standards for NOx and VOC sources)
    - area sources (e.g., burn barrel restrictions, asbestos demolition work practice standards, waste dumping restrictions)
    - mobile sources (e.g., idling prohibitions, motor vehicle inspection and maintenance requirements)
- Adopt and implement New Source Review (NSR) permit regulations for major or minor stationary sources.
- Adopt and implement Title V permit program regulations.
- Adopt and implement source-specific regulations to restrict potential emissions.
- Preparation of TIP following TIP guidance.

Note: TIPs give tribal programs federal authority and backing, however, tribes have inherent authority to develop regulations in an Air Quality Management Program without federal authority and backing, if they choose.

- Preparation of TIP continued:
    - regulatory programs
    - source specific programs
    - area-wide limits/controls
    - mobile source issues
    - point source issues (e.g., burn barrel restrictions)
    - inspection/enforcement
    - NOx attainment strategies
    - source pre-construction permits
    - regional haze plans
- Operate an air enforcement program:
    - Plan enforcement activities and target inspections/investigations
    - Conduct inspections, draft inspection reports, and conduct compliance analyses
    - Review compliance certifications and stack test or continuous emission monitor (CEM) reports
    - Issue notices of violations (NOVs), administrative orders or administrative complaints
    - Negotiate settlements or proceed with enforcement actions

WORK PLAN RESULTS: Results from EPA grant funded activities (also known as "deliverables")

are characterized as either ***outputs*** or ***outcomes.*** Both are important means of documenting grant accomplishments. For explanation of *outputs* and *outcomes* see the Menu Item for *Air Quality Administration Infrastructure*

Possible Outputs:

- Tribe with EPA inspector credentialed staff and sources inspected by tribal inspectors.
- Compliance assistance provided to sources and complaints responded
- Reduced complaints about air pollution from regulated sources.
- Regulations codified or ordinances enacted by Tribal government.
- Enforcement actions taken (e.g., number of NOVs, administrative orders or complaints).
- TIP submitted to EPA.
- Delegation request submitted to EPA.
- Dollars in penalties collected or dollars in value of environmentally beneficial supplemental enforcement projects (SEPs) completed impacting tribal air quality.

***Possible Outcomes*:**

Expressed as a result of an individual Tribal grant:

- Number of tons/pounds of pollution removed from the air as result of promulgated regulations.
- Number of people breathing cleaner air and resulting improved health

Expressed as a measure of overall Tribal program performance (over a stated baseline or cumulative total):

- Increase in the number of tribes who have enacted tribal air quality regulations or ordinances.
- Increase in the number of tribes who have submitted a Tribal Implementation Plan (TIP).
- Increase in the number of Tribes who have been granted an approved TIP.
- Increase in the number of tribes assisting with implementation of Federal Implementation Plans or other regulations.
- Increase in the number of Tribes who have requested delegation of a Clean Air Act regulatory program.
- Increase in the number of Tribes who have been granted delegation of a Clean Air Act regulatory program
- Increase in the number of tribal air quality enforcement actions taken.
- Increase in the number of tons/pounds removed from the air as result of tribal regulations.

NATIONAL EPA PERFORMANCE MEASURE(S):

The following illustrates how EPA may measure performance in this area.

- Number of tribes actively participating in regulatory air quality management, including submitting a TIP to EPA for approval, substantial assistance with the implementation of a FIP, or direct implementation of their own tribal air quality regulations to reduce the level or impact of air pollution

Glossary of Terms and Acronyms

Area Sources: Sources, either facilities or activities whose individual emissions do not qualify them as point sources.

AQI: *Air Quality Index* - Used to inform the public about the potential health impacts of ambient air quality at a particular time and location.

CAA: *Clean Air Act* - Federal Laws enacted to improve the air quality or prevent its deterioration so that it is not a danger to public health and welfare. 42 United States Code §§7401 et seq.

EI: *Emissions Inventory* - A detailed listing of pollutants emitted from specific sources in a defined area. EIs can include *point sources, area sources* and *mobile sources.*

EPA: *Environmental Protection Agency* - Executive Branch agency responsible for implementation and enforcement of the CAA and other environmental statutes.

FIP: *Federal Implementation Plan* - Federal rules in the Code of Federal Regulations that are established to manage air quality on one or more reservations.

HAP: *Hazardous Air Pollutant* - An air pollutant (other than the six criteria pollutants) that is regulated through control measures applicable to the sources through Maximum Available Control Technology (MACT) standards, rather than ambient standards.

Major Sources: Generally point sources that have the potential to emit over a certain number of tons of specified pollution per year and are regulated under Title 5. Often called a Title V source.

Mobile Sources: On-road and off-road vehicles, including trucks, cars, buses, motorcycles, airplanes, trains, farm and construction equipment, marine engines, and lawn mowers

NAAQS: *National Ambient Air Quality Standards* - Standards or maximum levels set for the six criteria pollutants (PM, ozone, NOx, Sox, lead, and CO) in the ambient air as measure of whether an area is in "attainment" or "non-attainment" for air quality purposes.

NO_2: *Nitrogen Dioxide*
SO_2: *Sulfur Dioxide*
Pb: *Lead*
O_3: *Ozone*
CO: *Carbon Monoxide*
PM10: *Particular matter less than 10 microns in size*

PM2.5: *Particulate matter less than 2.5 microns in size*

NESHAP: *National Emissions Standard for Hazardous Air Pollutants* - National standards applicable to point and area sources of hazardous air pollutants.

NSPS: *New Source Performance Standards* - EPA standards that apply to new point sources of air pollution.

NSR: *New Source Review* - EPA rules that govern the construction and modification of stationary sources.

NTAA: *National Tribal Air Association* - An organization for tribes to develop and participate on air policy issues in a similar manner as the State and Territorial Air Pollution Program Administrators/Association of Local Air Pollution Control Officials (STAPPA/ALAPCO).

Point Sources: Large, stationary sources of emissions that release pollutants in quantities above an emission threshold.

PSD: *Prevention of significant deterioration* - A standard that prevents sources of pollution from causing a significant deterioration in the air quality in areas that meet the NAAQS.

RPO: *Regional Planning Organization* - Organizations of federal, state, local, and tribal air quality managers who work on air policy issues for a particular region. Examples are the Western Regional Air Partnership (WRAP) and CENRAP (Central Regional Air Partnership).

SIP: *State Implementation Plan* - State rules that have been approved by EPA and made part of the Code of Federal Regulations.

TAR: *Tribal Authority Rule* - This 1998 rule establishes a flexible approach to tribal air quality management, a Amodular@ approach, allowing tribal governments to implement those provisions of the Clean Air Act that will address most effectively the air quality concerns of their individual reservations. Includes TAS (see below) requirements.

TAS: *Treatment in the Same Manner as a State* - Also known as an “Eligibility Determination” for a tribe to exercise a authority under a particular CAA section, this process and approval requires that the tribe demonstrate that it: (1) is federally recognized; (2) has a governing body carrying out substantial governmental duties and powers; and (3) is capable of implementing the program consistent with the CAA and applicable regulations. The tribe must also identify the exterior boundaries of the reservation and, for non-reservation areas, must demonstrate the basis for jurisdiction.

TIP: *Tribal Implementation Plan* - Tribal rules to manage air quality on a reservation that have been approved by EPA, entered into the Code of Federal Regulations and become federally enforceable.

VOC: *Volatile Organic Compounds*

Sample Workplan Template

Tribe or Entity Name	
Program Project Name	
Project Period	
Project Cost	
Date drafted/edited	
Tribal Grant Contact Information	Name: Phone: E-mail:
EPA Project Officer Contact Information	Name: Phone: E-mail:
Background Information and Problem Statement	
Reference to Strategic Plan - Goal and Objective	

Commitment 1:	**Air Quality Administration & Infrastructure Development**			
Workplan Commitments	***Outputs and Deliverables***	***Outcomes***	***Timeframes and cost estimate***	***Progress Report***
Task 1: Write job/position descriptions for staff that will be needed to accomplish work plan tasks and objectives.	Staff hired appropriate to the job description with the capabilities to complete the work plan activities by the end of the project.	Tribe demonstrates successful grant management and air project management capabilities.	Within 2 months from project start date	

Task 2: Identify training needs of staff and write a training plan; make necessary arrangements for registration and attending the appropriate classes.	Training plan written that supports the work plan objectives.	Highly trained staff is able to successfully execute projects activities.	Within 2 months of project start date	
Task 3: add more tabs as needed				
Commitment 2:	**Indoor Air Quality Management**			
Task 1: Obtain training on conducting IAQ assessments and community outreach.	IAQ walk through training completed.	Staff able to conduct assessments and provide findings to the residents, as well as begin to collect information about IAQ risks on the reservation.	First 3-5 months of the project start date	
Task 2: Develop a QAPP for conducting IAQ Assessments	Information on QAPP requirements gathered. QAPP written and submitted for approval.	The Tribe is able to gather quality assured data that can be replicated if necessary.	Within 90 days from project start date	
Commitment #: Add more tabs as needed				

Quality Assurance statement	
Other relevant/ required information	

Sample Budget Template

Name of Project -Tribe's Name				
Category	**Detail**	**Federal Share**	**Tribal Match**	**Total**
1. Personnel Provide a breakdown for personnel. (Applicant's budget detail must identify the personnel and Title by Full-Time Equivalent (FTE), including percentage of FTE for part-time employees and number of personnel proposed for each category. This will include the FTE Title, Salary per hr./monthly/or yearly.)	Air Monitoring Specialist $20.00/hr x 2080 hours =$41,600	$39,520	$2,080	$41,600
	Program Manager- $22/hr*40 hr*52 weeks= $45,760	$34,320		$34,320
				$0
				$0
				$0
				$0
Total Personnel Cost		$73,840	$2,080	**$75,920**
2. Fringe Benefits Fringe benefits include, but are not limited to, employee insurance, pensions, and unemployment benefit plans. The cost of leave can be included under either Personnel or Fringe Benefits, at the applicant's discretion. Please indicate how the fringe benefits are calculated (i.e. % x Personnel).	Based on 30% of Personnel costs Air Specialist salary $41,600 x 30% = $12,480	$11,856	$624	$12,480
	Based on 30% of Personnel costs Program Manager salary $45,760 x 30%= $13,728	$13,728		$13,728
				$0
				$0
				$0
				$0
Total Fringe Cost		$25,584	$624	**$26,208**
3. Travel Travel costs are the expenses for proposed/estimated transportation, lodging, subsistence, and related items incurred by employees who are in travel status on official business. In a narrative statement, for each trip list the title of all travelers, the reason	Annual Tribal Air Conference Air Quality Technician Traveling for 4 days. Air Fare = $250, hotel = $120*4, per diem = $75*4	$1,030	$0	$1,030
				$0
				$0
				$0
				$0

and purpose of the travel, number of days, which types of costs are included (i.e. lodging, per diem, air fare, other). If specific destinations are known for each trip indicate those. Additional information on travel expenses may be found at 2 CFR 225, App B.				$0
Total Travel Cost		$1,030	$0	**$1,030**
4. Equipment This category includes only equipment proposed to be purchased as a direct cost. Equipment is defined as tangible, non-expendable, personal property having a useful life of more than one year and an acquisition cost of $5,000 or more per unit although a lower dollar amount threshold can be established by the applicant. If the applicant uses a lower threshold for equipment, please indicate this in the budget information. (Note: Equipment does not include: 1) equipment planned to be leased/rented, including lease/purchase agreements; or 2) equipment service or maintenance contracts. These types of proposed costs should be included in the "Other" category.)	Logging Equipment at $22,000	$1,045	$348	$1,393
				$0
		..		$0
				$0
				$0
				$0
Total Equipment Cost		$1,045	$348	**$1,393**
5. Supplies Supplies are tangible personal property other than equipment. Any single item valued at $5,000 or more in this category should be moved to the "Equipment" category. Non-tangible goods and services associated with supplies, such as printing services, photocopy	Very Sharp Cut cyclone at $1500 x 2 = $3000	$2,000	$1,000	$3,000
				$0
				$0

services, and rental costs should be included in the "Other" category. The budget narrative must include a brief description of the supplies required to perform the work. These costs should be listed by major supply categories and include the estimated costs by category.				$0
				$0
				$0
Total Supplies Cost		$2,000	$1,000	**$3,000**
6. Contractual Contractual/consultant services are those services to be carried out by an individual or organization other than the applicant in the form of a procurement relationship. For each planned contract, the applicant should list the proposed contract activities along with a brief description of--the scope of work or services to be provided, proposed duration, proposed procurement method (competitive or non-competitive), and deliverables if known. Also provide a basis for the cost calculation (e.g., number of samples x price per analysis, average hourly rate x estimated hours, etc.).	ERG Contract for AQS Data Entry at $5000 for 12 months	$4,000	$1,000	$5,000
				$0
				$0
				$0
				$0
				$0
Total Contractual Cost		$4,000	$1,000	**$5,000**
7. Other This category should include only those types of direct costs that do not fit in any of the other budget categories. Examples of costs that may be in this category are: insurance, rental/lease of equipment or supplies, equipment service or maintenance contracts, printing	Printing and Photocopying $100	$100	$0	$100
				$0
				$0

or photocopying, and sub-award costs and USGS costs. If the Tribe chooses to categorize costs that are regularly considered indirect costs (i.e. rent, phone, utilities, space allocation, etc.), please include a statement that these are not part of the Tribe's indirect cost rate pool and indicate how these costs are calculated.				$0 $0 $0
Total Other Cost		$100	$0	**$100**
8. Total Direct Charges Summary of all costs associated with each object-class category.		$59,551	$5,052	**$64,603**
Total Direct Costs		$107,599	$5,052	**$64,603**
9. Total Indirect Costs Include Indirect Cost Rate (IDC) amount and costs covered under the IDC rate. Provide how the IDC rate was calculated (i.e. rate x base included).				
Total Indirect Costs		$0	$0	**$0**
Total Cost Indicate overall figure of all direct and indirect costs.				
Total Costs		**$107,599**	**$5,052**	**$112,651**

EPA Order
Classification No.: 5700.7A1

https://www.epa.gov/sites/production/files/2015-03/documents/epa_order_5700_7a1.pdf

EPA
ORDER

Classification No.: **5700.7A1**
Original Approval Date: **01/01/2005**
Administrative Change: **10/01/2013**

Environmental Results under EPA Assistance Agreements

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1. PURPOSE

This Order establishes Environmental Protection Agency (EPA) policy for addressing environmental results under EPA assistance agreements, including results that advance EPA's environmental and human health mission.

2. BACKGROUND

The mission of EPA is to protect human health and the environment. To help carry out its mission, EPA awards approximately one-half of its budget annually in assistance agreements to State, Tribal, local government, educational institutions, and non-profit partners. EPA's Grants Management Plans (GMP) e.g., Goal 5 of EPA's 2003-2008 GMP, "Support Identifying and Achieving Environmental Outcomes," and Goal 1 of EPA's 2009-2013 GMP, "Demonstrate the Achievement of Environmental Results" explicitly recognize the importance of linking assistance agreements to the Agency's performance goals and include specific objectives to ensure that assistance agreement solicitations, work plans, and funding recommendations discuss anticipated environmental results and how they will be measured.

This Order is intended to implement GMP objectives by ensuring that EPA assistance agreements are results-oriented, aligned with the Agency's strategic goals, and demonstrate achievement of environmental results and/or public health protection.

3. APPLICABILITY AND EFFECTIVE DATE

This Order applies to all non-competitive funding packages/funding recommendations submitted to the Grants Management Offices after October 1, 2013, all competitive assistance agreements resulting from competitive funding announcements issued after October 1, 2013, and competitive funding announcements issued after October 1, 2013.

This Order applies to supplemental funding amendments awards made after October 1, 2013 when the scope of work has changed. This Order applies if recipients are currently negotiating workplans after October 1, 2013. This order is not intended to require recipients renegotiate workplans to comply with the order. This Order applies to all EPA assistance agreement programs except the Senior Environmental Employment (SEE) Program. It does not apply to Fellowship awards.

4. POLICY

It is EPA policy, to the maximum extent practicable, to: (1) link proposed assistance agreements to the Agency's Strategic Plan; (2) ensure that outputs and outcomes are appropriately addressed in assistance agreement competitive funding announcements, work plans and performance reports; and (3) review the results from completed assistance agreement projects and report on how they advance the Agency's mission of protecting human health and the environment.

5. DEFINITIONS

a. The term "outcome" means the result, effect or consequence that will occur from carrying out an environmental program or activity that is related to an environmental or programmatic goal or objective. Outcomes may be environmental, behavioral, health-related or programmatic in nature, must be quantitative, and may not necessarily be achievable within an assistance agreement funding period.

b. The term "output" means an environmental activity, effort, and/or associated work products related to an environmental goal or objective, that will be produced or provided over a period of time or by a specified date. Outputs may be quantitative or qualitative but must be measurable during an assistance agreement funding period.

c. The term "Strategic Plan" means the five year Strategic Plan EPA is required to prepare under GPRA. EPA's current Strategic Plan can be found at http://intranet.epa.gov/ocfo/plan/plan.htm.

6. COMPETITIVE FUNDING ANNOUNCEMENTS

a. Section I of all competitive funding announcements for assistance agreements must (1) describe the linkage between the work intended to be accomplished under the assistance agreement and EPA's Strategic Plan and (2) contain a concise discussion of any expected outputs and outcomes.

b. All competitive funding announcements for assistance agreements must include ranking criteria for evaluating the applicant's plan for tracking and measuring its progress toward achieving the expected outputs and outcomes identified in Section I of the announcement.

c. All competitive funding announcements for assistance agreements must include ranking criteria for evaluating the applicant's past performance in reporting on outputs and outcomes.

d. EPA's Grants Competition Advocate may issue such guidance as may be necessary to implement the requirements of this Section, including guidance on the evaluation of applicants under paragraph c. that lack past performance history. Current guidance is located at: http://intranet.epa.gov/ogd/competition/compet/competition_past_performance_evaluation_guidance.htm.

7. ASSISTANCE AGREEMENT WORK PLANS

a. Program offices, in negotiating an assistance agreement work plan, must ensure that the work

plan contains well-defined outputs and, to the maximum extent practicable, well-defined outcomes designed to achieve environmental results and/or public health protection. For State and Tribal assistance agreements under 40 CFR Part 35, Subparts A and B, program offices may satisfy this requirement by ensuring compliance with 40 CFR §§35.107 (State work plans) and 35.507 (Tribal work plans). Prior to approving an assistance agreement work plan, program offices must ensure that they can link the workplan to EPA's Strategic Plan as required by Section 8 of this Order. Additionally, for State workplans under 40 CFR § 35.107, program offices must ensure compliance with the "Essential Elements" approach outlined in Grants Policy Issuance 11-03, *State Grant Workplans and Progress Reports*, http://intranet.epa.gov/ogd/policy/final_grants_policy_issuance_11_03_state_grant_workplans.pdf. Attachment A of GPI 11-03 lists the 14 categorical state grant programs for which this is applicable.

b. To supplement this Order, the Office of Grants and Debarment, in coordination with the Office of Planning, Analysis and Accountability, may periodically issue guidance on outputs and outcomes and linking workplans to EPA's Strategic Plan.

8. ASSISTANCE AGREEMENT FUNDING RECOMMENDATIONS

a. Program offices must include in the funding recommendation for a proposed assistance agreement, a description of how the program/project fits within the Agency's Strategic Plan. The description must identify all applicable EPA strategic goal(s) and objective(s).

b. The description must also contain an assurance from the program office that: (1) it has reviewed the assistance agreement work plan; and (2) the work plan meets the requirements of Section 7(a) of this Order.

c. Except for State and Tribal assistance agreements under 40 CFR Part 35, Subparts A and B, award officials must include in assistance agreements the applicable recipient performance reporting term and condition specified in Appendix A of this Order, or a program-specific term and condition approved by the Director of the Office of Grants and Debarment.

9. RECIPIENT PERFORMANCE REPORTING AND EPA REVIEW

a. Program offices must review performance reports, both interim and final, submitted by recipients under 40 CFR §§30.51 and 30.71, and interim and final construction and non-construction grant performance reports submitted by recipients under §§31.40 and 31.50 (i.e., Monitoring and Reporting Program Performance and Closeout, respectively), to determine whether the recipient achieved the environmental and/or public health outputs and outcomes contained in the assistance agreement work plan. This includes ensuring that performance reports provide a satisfactory explanation if outcomes or outputs were not achieved. The review is to be documented in the official project file.

b. For State and Tribal program grants under 40 CFR Part 35, Subparts A and B, program offices may satisfy the requirements of this Section by ensuring compliance with 40 CFR §§ 35.115 and 35.515 (Evaluation of Performance).

10. ADVANCED MONITORING

In conducting advanced monitoring under EPA Order 5700.6 (Policy on Compliance, Review and Monitoring), program offices must assess the recipient's progress in achieving the outputs and outcomes set forth in the assistance agreement work plan. In accordance with guidance issued by the Director of the National Policy, Training and Compliance Division, program offices must record the results of this assessment in the Grantee Compliance Database.

11. REVIEW AND REPORTING OF RESULTS INFORMATION

a. Program offices must report on significant results information from completed assistance agreements through reporting processes established by the National Program Manager.

b. National Program Managers must report significant results information from completed assistance agreements as part of the Agency's Annual Performance Report process and in their internal evaluation systems.

12. COMPLIANCE WITH THE FEDERAL GRANT AND COOPERATIVE AGREEMENT ACT AND THE PAPERWORK REDUCTION ACT

a. Nothing in this Order authorizes EPA to treat assistance agreements like contracts. Under the Federal Grant and Cooperative Agreement Act, and associated EPA Order 5700.1 (Policy for Distinguishing Between Assistance and Acquisition) the principal purpose of any proposed EPA assistance agreement must be, unless otherwise provided by statute, to support a recipient in carrying out a public purpose authorized by EPA's statutory authorities, as opposed to providing goods or services for the direct benefit or use of EPA or the Federal Government.

b. When implementing this Order, EPA officials must comply with the applicable provisions of the Paperwork Reduction Act of 1995.

13. ROLES AND RESPONSIBILITIES

a. Program offices and National Program Managers must ensure that: (1) competitive funding announcements, work plans, funding recommendations, and performance reports contribute to the Agency's programmatic goals and objectives and demonstrate achievement of environmental results and/or public health protection in compliance with the requirements of this Order; and (2) the results of assistance agreements are reviewed and reported in accordance with the requirements of this Order.

b. Grants Management Offices will return funding packages/funding recommendations that do not meet the requirements of sections 8(a) and (b) of this Order.

c. Award officials are responsible for including in assistance agreements the applicable term and condition described in section 8(c) of this Order.

14. WAIVERS

a. In response to requests submitted by approval officials, the Director, Office of Grants and Debarment or designee, may grant individual or class waivers from the non-statutory requirements of this Order, except for requirements under Section 6, where compliance would be impracticable or otherwise not in the public interest.

15. In response to requests submitted by approval officials, EPA's Grant Competition Advocate may grant individual or class waivers from the ranking criteria described in Section 6 of this Order if the Program office can demonstrate that such criteria are inappropriate for a particular competition or program**.**

16. SUPERSESSION AND REVIEW

This Order supersedes Order 5700.7. The Office of Grants and Debarment will periodically review this Order to assess its effectiveness and issue supplemental guidance as may be necessary to address future needs.

Appendix A

RECIPIENT PERFORMANCE REPORTING

Except for State and Tribal assistance agreements authorized under 40 CFR Part 35, Subparts A and B, award officials must include in assistance agreements the applicable recipient performance reporting term and condition specified below or a program-specific term and condition approved by the Director of the Office of Grants and Debarment.

Recipients subject to 40 C.F.R. Part 30

Performance Reports

In accordance with 40 CFR § 30.51 (d), the recipient agrees to include in performance reports submitted under this agreement brief information on each of the following areas: 1) a comparison of actual accomplishments with the anticipated outputs/outcomes specified in the assistance agreement work plan; 2) reasons why anticipated outputs/outcomes were not met; and 3) other pertinent information, including, when appropriate, analysis and explanation of cost overruns or high unit costs.

In accordance with 40 CFR § 30.51 (f), the recipient agrees that it will notify EPA of problems, delays, or adverse conditions which materially impair the ability to meet the outputs/outcomes specified in the assistance agreement work plan.

Recipients subject to 40 CFR Part 31 (other than recipients of State or Tribal Program grants under 40 CFR Parts 35 Subparts A or B)

Performance Reports

In accordance with 40 CFR §31.40, the recipient agrees to submit performance reports that include brief information on each of the following areas: 1) a comparison of actual accomplishments to the outputs/outcomes established in the assistance agreement workplan for the period; 2) the reasons for slippage if established outputs/outcomes were not met; and 3) additional pertinent information, including, when appropriate, analysis and information of cost overruns or high unit costs.

In accordance with 40 CFR § 31.40 (d), the recipient agrees to inform EPA as soon as problems, delays or adverse conditions become known which will materially impair the ability to meet the outputs/outcomes specified in the assistance agreement work plan.

Checklist of Key Questions for Proposal Development

Checklist of Key Questions for Proposal Development

Project Summary and Overall Approach:

- ☐ If applicable, ensure proposal identifies activities and environmental outcomes from previously received Tribal Air Capacity Building Air Grant or any other type of award which included air quality related activities and environmental outcomes.
- ☐ If applicable, identify air grant awards received during the past three years? If awards were received, explain or justify the need for the perceived repetitive activities (i.e., repeated funding to the same recipient can undermine the fairness and transparency of the grant process).
- ☐ If applicable, are tribal lands located in an area that has been designated by the Region 6 or the Environmental Protection Agency (EPA) as "non-attainment" for one of the pollutants for which there are National Ambient Air Quality Standards (NAAQS)? If yes, for which pollutant(s)?
- ☐ If tribal land is not located in a "non-attainment" status, did the proposal adequately identify and justify pollutants of concern and efforts to maintain "attainment" status?"
- ☐ Does the proposal describe any Clean Air Act Title V major sources of air pollution located within their tribal jurisdiction?
- ☐ Does the proposal describe other non-major air pollution sources of concern located within tribal jurisdiction (e.g., minor sources, open burning, etc.), particularly, facilities such as casinos, dry cleaners, gas stations, sand and gravel operations, oil and gas processing, restaurants, auto and auto body shops, internal combustion engines, and electric generators?
- ☐ Does the proposal describe other air pollution problems, for example: transport of air pollution from off the reservation (including nearby stationary sources and urban areas) or any other air pollution problem that is a concern for the tribe?
- ☐ Does the proposed air activities fall within one of the national tribal STAG allocation factors (i.e., emissions inventories, non-attainment area, TAS, TIP development, toxics, monitoring, etc.)?
- ☐ Does the tribe have an approved Quality Management Plan (QMP)?
- ☐ Does the proposed budget costs support or justify the proposed workplan activities?
- ☐ Does the proposal provide budget narrative for the proposed activities?
- ☐ Does the proposal describe past performance in successfully completing air or other the EPA grant projects?
- ☐ As in previous EPA grant awards, does the proposal fulfilled requirements such as workplan tasks submitted required progress and financial reports and comply with all applicable grant conditions? If not, did we provide information or explain circumstances for not complying?

Technical Activities

- ☐ Does the proposal identify the air pollutant(s) to be monitored, document justification or need to accomplish air monitoring, and the type of air monitoring equipment to be used to monitor and collect data?
- ☐ Does the proposal identify approved QAPP or identify activities or process to develop the QAPP for technical activity?
- ☐ Does the proposal identify that the collected data will be used for regulatory purposes (e.g., comparing the tribe's air quality data to the National Ambient Air Quality Standards for planning purposes) or for informing the tribe only?

- ☐ Does the proposal identify completion of an Emissions Inventory or Source Identification?
- ☐ Does the proposal describe air quality legislation enacted by the tribal government?
- ☐ Does the proposal describe air permitting/compliance activities?
- ☐ Does the proposal describe air quality regulations promulgated by the tribal government?

Air Quality Outreach, Participation, and Collaboration

- ☐ Does the proposal describe activities that involve the dissemination of information regarding air pollution and air quality concerns to the community and/or tribal leadership?
- ☐ Does the proposal describe efforts the tribe has made to participate in both national and regional air quality concerns or initiatives on an ongoing basis?
- ☐ Does the proposal demonstrate or propose collaboration, information sharing, or provided technical assistance to other tribes and other stakeholders (i.e., local, regional, and national air quality organizations)?

Results – Outcomes and Outputs

- ☐ Does the proposal describe a plan for tracking and measuring the progress toward achieving expected outputs and outcomes identified in the Agency's Strategic Plan?

- ☐ Does the proposal identify expected or proposed Environmental Results?

Acronyms and Definitions

Acronyms and Definitions

Note: Definitions and explanations are provided in reference to air quality (or biased toward their effects on air quality). Some definitions provided may be different and could be misused if you are looking for a generic understanding.

A-21: Entitled "Cost Principles for Educational Institutions," a circular published by the federal Office of Management and Budget (OMB) that establishes the principles for determining the costs applicable to grants, contracts, and other government agreements with educational institutions (also known as Sponsored Projects).

Aerosol: Suspensions of tiny liquid and/or solid particles in the air. Aerosols can be found naturally (from volcanic activities or dust, etc.) and/or human-made (from burning of fossil fuel and coal, etc.) but both can reduce visibility and degrade air quality.

Air Pollutant: Chemicals or other materials suspended in the air from natural or human-made processes that can threaten human health and welfare. There are currently "Six Common Air Pollutants", also known as "Criteria Pollutants", regulated by the U.S. EPA.

Air Pollution: Degradation of air quality resulting from chemicals or other materials suspended in the air from natural processes or human-made.

Air Quality: Degree of purity of air to which people, natural and heritage resources are exposed. It is routinely compared with "standards" of maximum acceptable pollutant concentrations as determined by the EPA under the Clean Air Act. In the United States (though used in slightly different forms around the world) the degree of purity of air is expressed in a color-coded system known as Air Quality Index (**AQI**).

Allocable Costs: Those allowable costs that actually benefit the grant or contract to which they are being charged.

Allowable Costs: Those categories of costs that can be charged to a grant, such as salaries and equipment. Certain types of costs, such as the cost of alcoholic beverages are not allowable and may not be charged to a contract or grant.

AQI: Air Quality Index is a color-coded index for reporting air quality information and forecast to the public. It was originally developed by the Maryland Department of the Environment and the American Lung Association in the 1994 and was adopted by the US EPA in 1988 as part of the federal Air Quality Index (AQI) to present air quality information and forecasts to the public.

AQS: The EPA's Air Quality System. Visit TTN AIRS AQS website for details at http://www2.epa.gov/aqs or https://www.epa.gov/aqs

AQS ID/Code: 9-digit site identification number in AQS database consisting of 2-digit state code, 3-digit county code, and 4-digit site number. For instance, the AQS code for HU-Beltsville monitoring station in Prince Georges County, MD is "24-033-0030".

Area Sources: Sources, either facilities or activities whose individual emissions do not qualify them as point sources.

Atmospheric Deposition: The process by which gases and particles suspended in the air are transferred from the atmosphere to the surface of the earth. See Dry and Wet Depositions for additional information.

Attainment: Air pollution levels at a site or a geographic extent are below (meet) the National Ambient Air Quality Standards (**NAAQS**).

Attainment Area: A geographic extent consisting of one or more counties where air pollution levels are below (meet) the National Ambient Air Quality Standards (NAAQS).

Audit: A formal examination of an organization's or individual's accounts or financial situation. An audit may also include examination of compliance with applicable terms, laws, and regulations.

Award: Funds that have been delegated by a funding agency for a particular project.

BAM: Beta Attenuation Mass Monitor is an instrument that measures continuous (hourly or sub-hourly) particulate matter mass.

BACT: Best Available Control Technology is a source emissions limitation based on the best currently available technology producing the greatest reduction of air pollutant emissions with considerations on energy, environmental, economic, and other costs. Major sources are required to use BACT unless it can be demonstrated that it is not feasible for energy, environmental, or economic reasons.

BART: Best Available Retrofit Technology is a source emissions limitation based on the best currently available technology producing the greatest reduction of air pollutant emissions with considerations on energy, environmental, economic, and other costs. Sources emitting air pollutants that reduce visibility including particulate matter and its constituents (NOx, SO2, VOCs, and ammonia) under the regional haze rule. Visit the EPA webpage for Visibility Regulatory Actions for more information.

Bequests: A type of donation or gift. Bequests and gifts are awards given with few or no conditions specified. Gifts may be provided to establish an endowment or to provide direct support for existing programs. Frequently, gifts are used to support developing programs for which other funding is not available. The unique flexibility, or lack of restrictions, makes gifts attractive sources of support.

Broad Agency Announcement (BAA): An announcement of a federal agency's general research interests that invites proposals and specifies the general terms and conditions under which an award may be made.

Budget: The detailed statement outlining estimated project costs to support work under a grant or contract.

Budget Period: The interval of time, usually twelve months, into which the project period is divided for budgetary and funding purposes.

Budget Adjustment: The act of amending the budget by moving funds from one category or line item to another.

CAA: Clean Air Act of 1970, passed by Congress authorizing the Environmental Protection Agency to establish National Ambient Air Quality Standards for pollutants shown to threaten human health and welfare. Visit CAA website for more information. Federal Laws enacted to improve the air quality or prevent its deterioration so that it is not a danger to public health and welfare. 42 United States Code §§7401 et seq.

CAAA: Clean Air Act Amendments

CHIEF: Clearinghouse of Inventory Emissions Factors.

Close Out: The act of completing all internal procedures and sponsor requirements to terminate or complete a research project.

CENRAP: Central RegionalAir Planning Association is one of the five organizations consisting of tribal, local, state, federal air pollution agencies, and other interested parties. The goal of an RPO is to work collaboratively in developing regional strategies to solve air pollution, addressing regional haze, and related issues. CENRAP includes states and tribal areas of Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, and Louisiana. Other RPOs include: MANE-VU, Midwest RPO, VISTAS, and WRAP. See each listed RPO to learn more or visit the EPA website on RPO for a regional map and links.

CMAQ: Community MultiscaleAir Quality is an active open-source development project of the U.S. EPA Atmospheric Science Modeling Division consisting of a suite of programs for conducting air quality model simulations. CMAQ modeling is used by many agencies as part of the State Implementation Plan demonstrations for ozone and fine particulate matter.

CO: Carbon Monoxide - One of the "Six Common Air Pollutants", also known as "Criteria Pollutants" and is regulated by the U.S. EPA. Click here to learn more about "Criteria Pollutants".

CO2: Carbon Dioxide

Close Out: The act of completing all internal procedures and sponsor requirements to terminate or complete a research project.

Competing Proposals: Proposals that are submitted for the first time or unfunded proposals that are resubmitted; either must compete for research funds. Ongoing projects must compete again if the term of the original award has expired.

Continuation Project (Non-Competing): Applicable to grants and cooperative agreements only. A project approved for multiple-year funding, although funds are typically committed only one year at a time. At the end of the initial budget period, progress on the project is assessed. If satisfactory, an award is made for the next budget period, subject to the availability of funds. Continuation projects do not compete with new project proposals and are not subjected to peer review beyond the initial project approval.

Cooperative Agreement: An award similar to a grant, but in which the sponsor's staff may be actively involved in proposal preparation and anticipates having substantial involvement in research activities once the award has been made.

Cost-Reimbursement Type Contract/Grant: A contract/grant for which the sponsor pays for the full costs incurred in the conduct of the work up to an agreed-upon amount.

Cost-Sharing: A general term, used as a noun or adjective, that can describe virtually any type of arrangement in which more than one party supports research, equipment acquisition, demonstration projects, programs, institutions. Example: A university receives a grant for a project estimated to have a total cost of $100,000. The sponsor agrees to pay 75% ($75,000) and the university agrees to pay 250/0 ($25,000). The $25,000 is the cost-sharing component.

Criteria Pollutants: Also known as "Six Common Pollutants" which are known to threaten human health and welfare. Criteria pollutants include "ozone, carbon monoxide, nitrogen dioxide, particulate matter, sulfur dioxide, and lead." There are threshold concentrations called National Ambient Air Quality Standards (NAAQS) established for each of them. Click here to learn more about "Criteria Pollutants".

CSA: Combined Statistical Area is a grouping of metropolitan or micropolitan statistical areas that are linked by commuting ties. Visit U.S. Census Bureau webpage on Current List of Metropolitan and Metropolitan Statistical Areas and Definitions for more information.

Datalogger: An electronic device used for measuring analog or digital signals from an instrument and records the results a storage device.

Direct Costs: Clearly identifiable costs related to a specific project. General categories of direct costs include but are not limited to: salaries and wages, fringe benefits, supplies, contractual services, travel and communication, equipment, and computer use.

Donation: Transfer of equipment, money, goods, services, and property with or without specifications as to its use. Sometimes donation is used to designate contributions that are made with more specific intent than is usually the case with a gift, but the two terms are often used interchangeably. *(Also see Gift.)*

Dry Deposition: The process by which gases and particles are transferred to the surface as a result of random turbulent air motions. See atmospheric deposition; compare wet deposition.

Emissions: Substance discharge into the atmosphere from both natural and anthropogenic (human-made). Natural sources include: air-blown dust from deserts; methane emitted by the digestion of food from animals; smokes from forest fires; sulfur, chlorine, and particles from volcanic activities; Anthropogenic sources include: exhausts from motor vehicles; smoke plume consisting of NOx, SO2, CO, etc. from power plants, and fossil fuel consumptions; VOCs from paint, hair spray, aerosol sprays, etc.

Emissions Inventory (EI): A listing by source, of the amount of air pollutants discharged into the atmosphere from a given area for a specified time period. Emissions Inventory at the present time only includes anthropogenic (human-made) sources. See National Emissions Inventory (NEI).

EIS: Emissions Inventory System

EPA: U.S. Environmental Protection Agency - Executive Branch agency responsible for implementation and enforcement of the CAA and other environmental statutes.

Expiration Date: The date signifying the end of the performance period, as indicated on the Notice of Grant Award.

Extension: An additional period of time given by the sponsor to an organization for the completion of work on an approved grant or contract. An extension allows previously allocated funds to be spent after the original expiration date.

FIP: A federally implemented plan to achieve attainment of air quality standards.

FRM: Federal Reference Method is a method of sampling and analyzing for air pollution which has been accepted by the EPA Administrator to be official as described in Title 40, Code of Federal Regulations, Part 50 (40 CFR Part 50).

Final Report: The final technical or financial report required by the sponsor to complete a research project.

Fiscal Year (FY): Any twelve-month period for which annual accounts are kept.

Fixed-Price (FP) Contract/Grant: A contract/grant for which one party pays the other party a predetermined price, regardless of actual costs, for services rendere Quite often this is a fee-for-service agreement.

Fringe Benefits: Employee benefits paid by the employer. (e.g., FICA, Worker's Compensation, Withholding Tax, Insurance, etc.)

Funding Cycle: Range of time during which proposals are accepted, reviewed, and funds are awarded. If a sponsor has standing proposal review committees (or boards) that meet at specified times during the year, application deadlines are set to correspond with those meetings. For some sponsors, if proposals are received too late to be considered in the current funding cycle, they may be held over for the next review meeting (i.e., National Science Foundation's Target Dates).

Gift: Gifts and bequests are awards given with few or no conditions specified. Gifts may be provided to establish an endowment or to provide direct support for existing programs. Frequently, gifts are used to support developing programs for which other funding is not available. The unique flexibility, or lack of restrictions, makes gifts attractive sources of support. *(Also see Donation.)*

Grant: A type of financial assistance awarded to an organization for the conduct of research or other program as specified in an approved proposal. A grant, as opposed to a cooperative agreement, is used whenever the awarding office anticipates no substantial programmatic involvement with the recipient during the performance of the activities.

Grant/Contract Officer: A sponsor's designated individual who is officially responsible for the business management aspects of a particular grant, cooperative agreement, or contract. Serving as the counterpart to the business officer of the grantee/contractor organization I the grant/contract officer is responsible for all business management matters associated with the review, negotiation, award, and administration of a grant or contract and interprets the associated administration policies regulations, and provisions. (For definition of scientific officer, see Program/Project Officer.)

HAP: Hazardous Air Pollutants are airborne chemicals that cause serious health and environmental effects. HAP is not covered in the National Ambient Air Quality Standards and they include: asbestos, beryllium, mercury, benzene, coke oven emissions, radionuclides, and vinyl chloride.

Haze: Atmospheric aerosols and particles that can degrade visibility and air quality.

IMPROVE: Interagency Monitoring of Protected Visual Environments is "a cooperative measurement effort governed by a steering committee composed of representatives from Federal and regional-state organizations. The IMPROVE monitoring program was established in 1985 to aid the creation of Federal and State implementation plans for the protection of visibility in Class I areas (156 national parks and wilderness areas) as stipulated in the 1977 amendments to the Clean Air Act. Visit the IMPROVE website for more information.

In-Kind: Contributions or assistance in a form other than money, such as equipment, materials, or services of recognized value that are offered in lieu of cash.

Incremental Funding: A method of funding grants/contracts that provides specific spending limits below the total estimated costs. These limits may be exceeded only at the contractor's own risk. Each increment is, in essence, a funding action.

Indirect Costs: Costs related to expenses incurred in conducting or supporting research or other externally funded activities but not directly attributable to a specific project. General categories of indirect costs include general administration (accounting} payroll, purchasing, etc.), sponsored project administration, plant operation and maintenance, library expenses, departmental administration expenses, depreciation or use allowance for buildings and equipment, and student administration and services. (See also Facilities and Administrative Costs.)

Indirect Cost Rate: The rate, expressed as a percentage of a base amount established by negotiation with the cognizant federal agency on the basis of the institution's projected costs for the year and distributed as prescribed in OMS Circular A-21. The indirect cost rate is charged on a set of direct costs known as an indirect cost base.

Interim Funding: Authorization to expend funds on a project to a specified limit before the award document has been received from the sponsor.

Investigator-Initiated Proposal: A proposal submitted to a sponsor that is not in response to an RFP, RFA, or a specific program announcement.

ITEP: *The Institute for Tribal Environmental Professionals* was created in 1992 to act as a catalyst among tribal governments, research and technical resources at Northern Arizona University (NAU), in support of environmental protection of Native American natural resources.

LAER: *Lowest Achievable Emissions Rate* is the emissions control level required of a source seeking a permit in a nonattainment area. LAER is generally considered to be the most stringent level of control required under the Clean Air Act.Note that in California, many air pollution control agencies use the term BACT to refer to LAER.

Key Personnel: The personnel considered to be of primary importance to the successful conduct of a research project. The term usually applies to the senior members of the project staff.

Matching Grant: A grant that requires a specified portion of the cost of a supported item of equipment or project be obtained from other sources. The required match may be more or less than the amount of the grant. Some matching grants require that the additional funds be obtained from sources outside the recipient organization. Many matching grants are paid in installments, the payments coinciding with the attainment of pre-specified levels of additional funding. Matching grants are very common in the sciences, especially for equipment. They are standard practice in some government agencies.

MDN: Mercury Deposition Network is an expansion of the National Atmospheric Deposition Program (NADP) in 1995. It currently consists of more than 90 sites collecting weekly samples of precipitation and is analyzed by Frontier Geosciences for total mercury. Visit the NADP website to learn more about the MDN and others.

Mobile Sources: On-road and off-road vehicles, including trucks, cars, buses, motorcycles, airplanes, trains, farm and construction equipment, marine engines, and lawn mowers.

Modification: An award document that modifies any aspect of an existing award. Example: Carryover approvals, adding or deleting special terms and conditions, changes in funding levels, administrative changes initiated by the agency, extensions that include changes in terms, change of principal investigator, etc.

MSA: Metropolitan Statistical Area is a "geographic entity defined by the U.S. Office of Management and Budget (OMB) for use by federal statistical agencies in collecting, tabulating, and publishing Federal statistics." An MSA consists of a core urban area of at least 50,000 people. Visit the U.S. Census Bureau webpage on Metropolitan and Metropolitan Statistical Areas for more information.

NAA: Non-attainment Area is a geographic extent consisting of one or more counties where air pollution levels persistently exceed the National Ambient Air Quality Standards (NAAQS). Visit the EPA Green Book webpage on Nonattainment Areas for more information.

NAAQS: National Ambient Air Quality Standards are maximum threshold concentrations above which adverse health effects may occur. The EPA established NAAQS for criteria pollutants (PM, ozone, NOx, Sox, lead, and CO) based on the 1970 Clean Air Act. Measure of whether an area is in "attainment" or "non-attainment" for air quality purposes. Visit the EPA Green Book webpage on Criteria Pollutants for more information.

NADP/NTN: National Atmospheric Deposition Program/National Trends Network is a nationwide network to collect data on the chemistry of precipitation for monitoring of geographic and temporal long-term trends. It currently consists of over 250 sites spanning the continental United States, Alaska, Puerto Rico, and the Virgin Islands. Precipitation collected in the NADP/NTN network is analyzed for hydrogen (acidity as pH), sulfate, nitrate, ammonium, chloride, and base cations (such as calcium, magnesium, potassium, and sodium). Visit the NADP/NTN network webpage for more information.

NCore: National Core multi-pollutant monitoring stations are a collection of monitors that integrates several advanced measurement systems for particles, pollutant gases and meteorology. Visit the EPA webpage on NCore Network for more information.

NEI: National Emissions Inventory is a database of air emissions information with input from numerous state and local air agencies, from tribes, and from industry. Visit the EPA webpage on National Emissions Inventories for more information.

NESHAP: *National Emissions Standard for Hazardous Air Pollutants* National standards applicable to point and area sources of hazardous air pollutants.

New Award: An award not previously awarded, or a renewal or continuation award treated as a new award by the sponsor and given a new agency number.

NO: Nitrogen Oxide

NO2: Nitrogen Dioxide (ozone precursor)

NOx: Oxides of Nitrogen (ozone precursor)

NOy: Total Reactive Nitrogen Species (Ozone Precursor)

No Cost Time Extension: An extension of the period of performance beyond the expiration data to allow the principal investigator to finish a project. Usually, no additional costs are provided.

Nonattainment Area: A geographic area in which the level of a criteria air pollutant is higher than the level allowed by the federal standards. A single geographic area may have acceptable levels of one criteria air pollutant but unacceptable levels for one or more other criteria air pollutants. Thus, an area could be both attainment and nonattainment at the same time. It has been estimated that 60% of Americans live in nonattainment areas.

Notice of Grant Award: The legally binding document that serves as a notification to the recipient and others that a grant or cooperative agreement has been made; contains or references all terms of the award; and documents the obligation of funds.

NSPS: *New Source Performance Standards* the EPA standards that apply to new point sources of air pollution.

NSR: *New Source Review* the EPA rules that govern the construction and modification of stationary sources.

NTAA: *National Tribal Air Association* An organization for the tribes to develop and participate on air policy issues in a similar manner as the National Association of Clean Air Agencies (NACAA).

OAQPS: U.S. EPA's Office of Air Quality Planning and Standards.

OMB Circulars: Regulatory circulars issued by the OMB of Management & Budget (OMB). Please reference the following website for additional information: www.whitehouse.gov/omb/circulars.

O3: Ozone - One of the "Six Common Air Pollutants," also known as "Criteria Pollutants" and is regulated by the U.S. EPA.

PAMS: Photochemical Assessment Network is a collection of monitors designed to measure ozone precursors (approximately 60 volatile hydrocarbons and carbonyl) as required by the 1990 Amendments to the Clean Air Act. Each ozone non-attainment area designated as serious, severe, or extreme is required to operate from two to five stations depending on the population of a given area. Visit the EPA webpage on Ambient Air Monitoring Program for more information.

Pb: Lead

Peer Review: A system using reviewers who are the professional equals of the principal investigator or program director. It is a form of objective review. Peer review is legislatively mandated in some programs and in other programs is administratively required.

Point Sources: Large, stationary sources of emissions that release pollutants in quantities above an emissions threshold.

Prior Approval: The requirement for written documentation of permission to use project funds for purposes not in the approved budget or to change aspects of the program from those originally planned and approved. Prior approval must be obtained before the performance of the act that requires such approval under the terms of the agreement.

Priority Score: A score derived from the rating given to a proposal by each member on a review committee. It is used to help determine which approved proposals will be granted awards, based on funds available.

Program Announcement: Describes existence of a research opportunity. It may describe new or expanded interest in a particular extramural program or be a reminder of a continuing interest in an extramural program.

Program/Project Officer: A sponsor's designated individual officially responsible for the technical, scientific, or programmatic aspects of a particular grant, cooperative agreement, or contract. The program/project officer deals with the grantee/contractor organization staff to assure programmatic progress and serves as the counterpart to the principal investigator/project director.

Progress Report: Periodic, scheduled reports required by the sponsor summarizing research progress to date. Technical, fiscal, and invention reports may be required.

Project Period (PP): The total time for which support of a project has been programmatically approved. A project period may consist of one or more budget periods. *(Also see Budget Period.)*

Proposal: An application for funding that contains all information necessary to describe project plans, staff capabilities, and funds requested. Formal proposals are officially approved and submitted by an organization in the name of a principal investigator.

PTE: Potential to emit

PM: Particulate Matter - One of the "Six Common Air Pollutants," also known as "Criteria Pollutants" and is regulated by the U.S. EPA. Click here to learn more about Criteria Pollutants.

PM10: Particulate Matter with an equivalent diameter less than or equal to 10mm.

PM2.5: Particulate Matter with an equivalent diameter less than or equal to 2.5mm.

PSD: *Prevention of significant deterioration* A standard that prevents sources of pollution from causing a significant deterioration in the air quality in areas that meet the NAAQS.

QA: Quality Assurance is a rigorous process undertaken to ensure the quality of the data collected by a system or instrument. QA procedures are deployed as part of the data collection process.

QAPP: A document describing in comprehensive detail the necessary QA, QC and other technical activities that must be implemented to ensure that the results of the work performed will satisfy the state performance criteria.

QC: Quality Control a rigorous process undertaken to maintain a specified level of data quality. QC procedures are deployed after data have been collected (or after QA procedures).

Rebudget: The act of amending the budget buy moving funds from one category or line item to another. *(See also Budget Adjustment.)*

Regional Haze: A cloud of aerosols and pollution extending up to hundreds of kilometers across a region and can degrade visibility and air quality. To learn more about Regional Haze Rule and Program, click here.

Regulations: The contractual rules and procedures governing sponsored research projects.

Renewal: A competitively reviewed proposal requesting additional funds extending the scope of work beyond the current project period. It is applicable to grants and cooperative agreements only.

Request for Applications (RFA): Announcements that indicate the availability of funds for a special interest topic. Proposals submitted in response to RFAs generally result in the award of a grant.

Request for Proposal (RFP): Announcements that specify a topic of research, methods to be used, product to be delivered, and appropriate applicants sought. Proposals submitted in response to RFPs generally result in the award of a contract. Notices of federal RFPs are published in the Commerce Business Daily.

RPO: *Regional Planning Organization* consists of tribal, local, state, federal air pollution agencies, and other interested parties. The goal of an RPO is to work collaboratively in developing regional strategies to solve air pollution, addressing regional haze, and related issues. There are five RPO: CENRAP, MANE-VU, Midwest RPO, VISTAS, and WRAP.See each listed RPO to learn more or visit the EPA website on RPO for a regional map and links.

Salaries and Wages (S&W): Payments made to employees of the institution for work performed.

Scope of Work: The description of the work to be performed and completed on a research project.

SIP: *State Implementation Plan* prepared by states and submitted to EPA describing how each area will attain and maintain national ambient air quality standards. These rules have been approved by the EPA and made part of the Code of Federal Regulations.

SLAMS: State or Local Air Monitoring Stations is "a network of air monitoring stations for criteria pollutants using criteria set by the EPA's Office of Air Quality Planning and Standards (AOAQPS) for their location and operation." Visit the EPA webpage on Ambient Air Monitoring Program for more information.

Smog: A mixture of air pollutants, smoke, dust, aerosols, etc. that can degrade air quality and visibility. Smog was traditionally used to refer to ground-level ozone in an urban pollution plume.

SO2: Sulfur Dioxide - One of the "Six Common Air Pollutants", also known as "Criteria Pollutants" and is regulated by the U.S. EPA. Click here to learn more about Criteria Pollutants.

Subcontract, Subgrant, or Subagreement: A document written under the authority of, and consistent with the terms and conditions of an award (a grant, cooperative agreement, or contract) that transfers a portion of the research or substantive *effort* of the prime award to another institution or organization.

Supplemental (Rebudgeting or Modification) Proposal: A request to the sponsor for additional funds for an ongoing project during the previously approved performance period. A supplemental proposal may result from increased costs, modifications in design, or a desire to add a closely related component to the ongoing project.

TAR: Tribal Authority Rule is the EPA regulations that specify the CAA provisions for which it is appropriate to treat the tribes as states. This 1998 rule establishes a flexible approach to tribal air quality management allowing tribal governments to implement those provisions of the Clean Air Act that will address most effectively the air quality concerns of their individual reservations. Includes TAS requirements (see below).

TAS: *Treatment as State* Also known as an "Eligibility Determination" for a tribe to exercise a authority under a particular CAA section, this process and approval requires that the tribe demonstrate that it: (1) is federally recognized; (2) has a governing body carrying out substantial governmental duties and powers; and (3) is capable of implementing the program consistent with the CAA and applicable regulations. (4) The tribe must also identify the exterior boundaries of the reservation and, for non-reservation areas, must demonstrate the basis for jurisdiction.

Technical Data: Recorded information, regardless of form or characteristic, of a scientific or technical nature. Often referred to as the "science" of a proposal.

TEOM: Tapered Element Oscillating Microbalance is an instrument that measures continuous (hourly or sub-hourly) particulate matter mass.

Terms of Award: All legal requirements imposed on an agreement by the sponsor, whether by statute, regulation(s), or terms in the award document. The terms of an agreement may include both standard and special provisions that are considered necessary to protect the sponsor's interests.

TIP: Tribal Implementation Plan is an EPA approved tribal plan for attaining and maintaining national ambient air quality standards. These are tribal rules to manage air quality on a reservation that have been approved by the EPA, entered into the Code of Federal Regulations and become federally enforceable.

Title V: Title V of the 1990 Clean Air Act Amendments requires all major sources and some minor sources of air pollution to obtain an operating permit. A Title V permit grants a source permission to operate. The permit includes all air pollution requirements that apply to the source, including emissions limits and monitoring, record keeping, and reporting requirements. It also requires that the source report its compliance status with respect to permit conditions to the permitting authority.

Total Direct Costs (TDC): The total of all direct costs of a project.

Total Project Costs: The total allowable direct and indirect costs incurred by the institution to carry out an approved project or activity.

Toxic Air Pollutants: See hazardous air pollutants (HAP).

TRI: Toxic Release Inventory.

U.S. EPA: United States Environmental Protection Agency.

UV: *Ultraviolet* is "[a type of] electromagnetic radiation with a wavelength shorter than that of visible light, but longer than short X-rays." Visit Wikipedia webpage on UV for more information.

Visibility: A measure of distance at which an object or light can be discerned.

VOCs: *Volatile Organic Compounds* are "organic chemical compounds that have high enough vapor pressures under normal conditions [standard atmosphere] to significantly vaporize and enter the atmosphere." Organic chemicals all contain the element carbon (C); organic chemicals are the basic chemicals found in living things and in products derived from living things, such as coal, petroleum and refined petroleum products. Many of the organic chemicals we use do not occur in Nature but were synthesized by chemists in laboratories. Volatile chemicals produce vapors readily; at room temperature and normal atmospheric pressure, vapors escape easily from volatile liquid chemicals. Volatile organic chemicals include gasoline, industrial chemicals such as benzene, solvents such as toluene and xylene, and tetrachloroethylene (perchloroethylene, the principal dry-cleaning solvent). Many volatile organic chemicals are also hazardous air pollutants; for example, benzene causes cancer.

Washout: The process by which gases and particles are removed from the atmosphere through rain.

Wet Deposition: The process by which gases and particles are transferred to the surface through incorporation with precipitation (rain, snow, mist, etc.). See atmospheric deposition; compare dry deposition.

Frequently Ask Questions
(FAQ)

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1) Q: Can a CAA Section 103 grant be used to develop a Section 105 grant proposal?
   A: Yes - according to the Tribal Menu of Options the *Funding Mechanism* for this objective and supporting activities may qualify for the EPA financial support through the grant authority of either the Indian General Assistance Program (IGAP) or Clean Air Act §103 programs.

2) Q: What type of capacity is needed (what is required/what is needed to be in place) for a tribal environmental department to apply for and be approved for a Section 105 grant?
   A: The tribe must be reasonable capable of carrying out the necessary functions in a manner consistent with the terms and purposes of the CAA and all applicable applications. In evaluating a tribe's capability, we will consider your tribe's:
   - Previous management experience;
   - Existing environmental or public health programs administered by the tribe;
   - The mechanisms in place for carrying out the executive, legislative, and judicial functions of the tribal government;
   - The relationship between regulated entities and the administrative agency of the tribal government that will be the regulator; and
   - The technical and administrative capabilities of the staff to administer and manage the program.

3) Q: How can I check my local air?
   A: You can check your local air through www.airnow.gov .

4) Q: What is the difference between a primary and secondary National Ambient Air Quality Standard?
   A: Primary standards are set to protect human health. Secondary standards are set to protect public welfare and take into consideration such factors as crop damage, architectural damage, damage to ecosystems, and visibility in scenic areas.

5) Q: How is the location of an air monitoring station decided?
   A: Sites are selected based on the pollutant or pollutants to be monitored, the population density, proximity to other monitoring stations (including those in other states) and operational efficiency.

6) Q: How can I get historical air quality data?
   A: Historical air quality data is available on the World Wide Web at: https://www.epa.gov/outdoor-air-quality-data

7) Q: What is the difference between air pollutants and toxic air pollutants?
   A: An air pollutant is any substance in the air that could in high enough concentrations harm human, animals, vegetation or other natural materials. Pollutants may include almost any natural or artificial composition of airborne material capable of being airborne. Toxic air pollutants (or Hazardous Air Pollutants, HAPs) are a subset of air pollutants. Air toxics

are known or suspected to cause cancer or other serious health effects. See the following EPA web site which explains what an air toxic air pollutant is: http://www3.epa.gov/ttn/atw/allabout.html#what

8) Q: What type of air pollutants are produced by mobile sources?
A: Primarily carbon monoxide, oxides of nitrogen, hydrocarbons, and particulate matter are significant air pollutants from mobile sources. Greenhouse gases and air toxics are also important air pollutants from mobile sources.

9) Q: How does a tribe submit comments on a permit during an open comment period, and how do tribes find out the EPA contact for a permit?
A: The information will be on the public notice for the permit. The public notice will provide the information on how, when and to whom comments should be sent with an address or email address. Additionally, the name of an agency contact will be in the public notice. The tribes should contact "the agency contact" prior to close of comment period if they have any questions.

10) Q: Who do the tribes contact on a current permit?
A: A tribe can contact the NSR tribal permit coordinator at Region 6. This information will be on the R6 Tribal permitting webpage at: https://www.epa.gov/caa-permitting/tribal-nsr-implementation-epas-south-central-region or https://www.epa.gov/caa-permitting/caa-permitting-epas-south-central-region

11) Q: What is the time span of a valid Title V permit on a facility?
A: 5 years from the date of issuance. [

12) Q: Who has/had delegation over a permit issuance?
A: Currently all permits on tribal lands are being written by Region 6. For other Regions please refer to the individual Regional WebPages for the tribal delegations.

13) Q: Can a tribe comment on a permit and expect a direct response from the delegated permit authority than what the average citizen would submit? If so how?
A: The tribes may submit comments on a permit when on public notice and will need to note the requirements such as closing date for comments and the requirements for sending comments to the permitting authority. Since the public notice does provide the permit contact for the permitting action, the tribes should contact the permit contact or the EPA 6 tribal office early and prior to close of comments on a permitting action if they have questions. All timely written comments will be considered in making the final permit issuance decision and included in the record on the EPA Region 6 webpage when it is an EPA issued permit. The EPA may group similar comments from commenters together in our response to comments, and we generally do not respond to individuals directly when they submit comments on permits. We will post on our EPA Region 6 Air Permits website all final permit documents including any responses to comments received on draft permits. We will notify any Tribal Nations who submit comments during the public comment period that we have issued a final permit decision, and as a courtesy make available to them the final permit and any responses prepared in response to comments received on draft permits.

14) Q: Are there any limitations with the CAA funding (103 or 105) for non-reservation tribes such as Oklahoma. If so, please explain further?

A: Once a tribe is determined eligible for Treatment in a Manner Similar to States (TAS) under Section 301(d) of the CAA and in 40 CFR Part 49, there are no "restrictions" to applying for and receiving funding directly related to the fact that an Oklahoma tribe does not have a reservation proper. By law, the term "reservation" includes "Indian country" as defined in 18 U.S.C. § 1151. Further, the EPA has determined that because there is no Oklahoma state "agency with federally delegated program authority" for the CAA 103 and 105 grant programs, the tribes are not subject to the cooperative agreement requirements of Section 10211(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: a Legacy for Users (SAFETEA-LU), Pub. L. No. 109-59 Stat. 1144 (August 10, 2005).

15) Q: When can I submit a request to the EPA for consideration to merge CAA funding with PPG?

A: During the program's funding announcement period (please reference Grant Process Timeline).

16) Q: How can the CAA funding help a tribe achieve attainment status?

A: By providing the tribal community with funds to implement specific programs and/or measures to reduce emissions of the nonattainment pollutant(s). For example, outreach and education programs increase awareness of actions that create emissions and provide solutions to reduce emissions of the nonattainment pollutants(s): also, specific measures when implemented can reduce emissions of the nonattainment pollutant(s).

17) Q: How does the Tribal Implementation Plan differ from the State Implementation Plan?

A: The CAA requires each state to adopt a State Implementation Plan (SIP). Unlike states, tribes are not required to adopt an implementation plan. In the Tribal Authority Rule, the EPA recognized that not all tribes will have the need or the desire for an air pollution control program. Where the tribes elect not to develop a Tribal Implementation Plan (TIP) the EPA will adopt, without unreasonable delay, such Federal Implementation Plan provisions as are necessary or appropriate to protect air quality. However, where the tribes elect to adopt rules to regulate sources of criteria air pollutants under their jurisdiction, these rules will form the core of a TIP. Compared to SIPs, TIPs are optional, modular, have flexible submission schedules, and allow for joint tribal and the EPA management.

18) Q: Is hydraulic fracturing (i.e., oil and gas well activities) categorized as area source?

A: Generally hydraulic fracturing can be categorized as an area source of emissions because the individual activity emissions do not qualify them as point sources. Emissions from mobile drilling rig engines can be categorized as nonroad mobile emissions. For specific emissions inventory questions the EPA has Clearinghouse for Inventories and Emissions Factors (Chief) Help Desk at (919) 541-1000 or info.chief@epa.gov

19) Q: What is the EPA Regional Priorities with respect to air quality this year?

A: The EPA Region 6 priorities for air quality are:

- Implementing programs for regional haze and the ozone and sulfur dioxide air quality standards.

20) Q: If a tribe is proposing to begin air monitoring activities, will they be given a reasonable amount of time {after start of grant period} before they are expected to begin collecting air quality data?

A: Yes. A reasonable amount of time will be given to start collecting data, however, the time period expected for the monitor to be operational and data commenced to be collected should be within the first 2-3 months of the project period.

21) Q: Are there different levels of delegation to permit issuance?

A: Yes. Delegation can be customized to each specific situation and need/qualification of the tribe. This can occur in several stages like issuance of minor NSR permits or issuance of PSD /nonattainment permits, or the full preconstruction permitting program. We could delegate the state to do the review and propose issuance of the permit, but the EPA can still retain signature of the permit. All delegated programs for issuance of a permit must meet the requirements in 40 CFR 124 for public notice, and other cross cutting program issues such as Endangered Species Act. Title V program cannot be delegated.

22) Q: What is the minimum for CAA 105 match?

A: CAA Section 105 requires all applicants to provide a 40% cost share (match).
Please note – the tribes who have obtained approval for treatment as a state (TAS) under Section 105 of the CAA may apply for a reduced match of 5%.

23) Q: What is the process if a tribe needs to amend a grant workplan?

A: It requires the tribe to send a request to the project officer in writing with an explanation and a revised workplan to show the revised activities project timeline.