

**FY 2020 Section 105 Air Planning Agreement**

**U.S. EPA Region 4**

*Draft*  
*05/15/2019*

## Organization of the Air Planning Agreement (APA)

<b>FYs 2018-2020 OAR National Program Manager Guidance</b>	Page 3
<p><b>FY 2018-2022 EPA Strategic Plan Goals, Objectives and Strategic Measures Supporting the APA:</b></p> <p><b>1. Goal 1 - Core Mission: Deliver real results to provide Americans with clean air, land, and water, and ensure chemical safety.</b></p> <p><u>Objective 1.1 – Improve Air Quality:</u> Work with states to accurately measure air quality and ensure that more Americans are living and working in areas that meet high air quality standards  <u>Strategic Measure:</u> Reduce the Number of Non-Attainment Areas.  <u>Strategies for Achieving the Objective:</u> Improve Air Quality  <u>Section 105 Commitments:</u></p> <ul style="list-style-type: none"> <li>▪ Implement the PM<sub>2.5</sub> NAAQS</li> <li>▪ Implement the 8-hour Ozone NAAQS</li> <li>▪ Implement the Lead NAAQS</li> <li>▪ Implement the Regional Haze Program</li> <li>▪ Attain and Maintain the Other NAAQS</li> <li>▪ NAAQS Cross Cutting</li> <li>▪ State Implementation Plans</li> <li>▪ Implement Mobile Source Programs</li> <li>▪ Implement New Source Review Programs</li> <li>▪ Ambient Air Monitoring</li> <li>▪ Address Air Toxics Problems in Communities</li> </ul> <p><b>2. Goal 2 – Cooperative Federalism: Rebalance the power between Washington and the states to create tangible environmental results for the American people.</b></p> <p><u>Objective 2.1 - Enhance Shared Accountability:</u> Improve environmental protection through joint governance and compliance assistance among state, tribal, local, and federal partners.  <u>Strategic Measures:</u> 1) Increase the number of grant commitments achieved by states, tribes, and local communities; 2) Increase the use of alternate joint governance approaches to address state, tribal, and local community reviews.  <u>Section 105 Commitments</u></p> <p><b>3. Goal 3 - Rule of Law and Process: Administer the law, as Congress intended, to refocus the Agency on its statutory obligations under the law.</b></p> <p><u>Objective 3.1 – Compliance with the Law:</u> Enforce environmental laws to correct noncompliance and promote cleanup of contaminated sites.  <u>Strategic Measures:</u> 1) Reduce the time between the identification of an environmental law violation and its correction; 2) Increase environmental law compliance rate  <u>Strategies for Achieving the Objective:</u> Monitoring and Enforcement  <u>Section 105 Commitments</u></p> <p><b>4. Cross Cutting Issues (Supports Goals 1-3 Above)</b>                  Emissions Inventory for Hazardous Air Pollutants                  Emissions Inventory for Criteria Air Pollutants                  Planning Commitments                  Agency Expectations</p>	Pages 4-21
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## **FY 2020 OAR National Program**

### **Manager (NPM) Guidance**

The FY 2020 Office of Air and Radiation's (OAR) National Program Manager (NPM) Guidance describes the key activities expected to be undertaken by EPA Headquarters (HQ) and regional offices and implementing air agencies (i.e., state, tribal or local air pollution control agencies), and should serve as the basis for negotiations between HQ and regions and air agencies as to resource allocation and expected performance. Specific expectations and deliverables will be established through negotiations in grant agreements between regions and air agencies. For more information on the FY 2020 Office of Air and Radiation's NPM Guidance, see <http://www2.epa.gov/planandbudget/national-program-manager-guidances>.

#### **Environmental Outputs:**

In addition to the outputs described in the commitments in the Air Planning Agreement, the companion document, *FY 2020 Section 105 Air Planning Agreement Reporting Requirements*, is incorporated into the Air Planning Agreement by reference, and identifies additional outputs, such as reports and data entry, and their reporting schedules.

#### **Environmental Outcomes:**

The Air Planning Agreement directly supports EPA's strategic goals of ***Core Mission: Deliver real results to provide Americans with clean air, land, and water, and ensure chemical safety; Cooperative Federalism: Rebalance the power between Washington and the states to create tangible environmental results for the American people; and Rule of Law and Process: Administer the law, as Congress intended, to refocus the Agency on its statutory obligations under the law.*** By implementing the activities and commitments in this agreement, the recipient supports the achievement of strategic numerical targets identified for each objective. The recipient's role is to continue to review, validate, report and certify timely quality-assured data into the Air Quality System (AQS) since this information serves as the foundation for the environmental measure.

#### **Reporting Requirements:**

The reporting requirements associated with this agreement are identified in the *FY 2020 Section 105 Air Planning Agreement Reporting Requirements*.

## **Improving Air Quality**

**Goal 1- Core Mission: Deliver real results to provide Americans with clean air, land, and water, and ensure chemical safety.**

**Objective 1.1 – Improve Air Quality: Work with states and tribes to accurately measure air quality and ensure that more Americans are living and working in areas that meet high air quality standards.**

**Strategic Measure: By September 30, 2022, reduce the number of nonattainment areas to 101.**

**FY 2020 Section 105 Commitments:**

### **Implement the PM<sub>2.5</sub> NAAQS**

- As appropriate, address any area violating the PM<sub>2.5</sub> NAAQS that is not designated nonattainment and provide quarterly reports on activities and accomplishments to the Regional Office.

Agencies with Access -

Alabama Department of Environmental Management

Florida Department of Environmental Protection

Georgia Department of Natural Resources

Commonwealth of Kentucky Energy and Environment Cabinet

Mississippi Department of Environmental Quality

North Carolina Department of Environment and Natural Resources

South Carolina Department of Health and Environmental Control

Tennessee Department of Environment and Conservation

EPA Sections to Review - Air Regulatory Management Section

- Air Data and Analysis Section

### **Implement the 2015 8-hour Ozone NAAQS**

- As appropriate, address any area violating the ozone NAAQS that is not designated nonattainment and provide quarterly reports on activities and accomplishments to the Regional Office.

Agencies with Access -

Alabama Department of Environmental Management

Florida Department of Environmental Protection

Georgia Department of Natural Resources

Commonwealth of Kentucky Energy and Environment Cabinet

Mississippi Department of Environmental Quality  
North Carolina Department of Environment and Natural Resources  
South Carolina Department of Health and Environmental Control  
Tennessee Department of Environment and Conservation

EPA Sections to Review - Air Regulatory Management Section  
- Air Data and Analysis Section

- Begin development of SIP revisions to address nonattainment requirements (i.e., emissions statement, emissions inventory and nonattainment new source review) for the 2015 Ozone NAAQS for areas designated nonattainment on April 30, 2018. Submissions are due August 3, 2020.

Agencies with Access -  
Georgia Department of Natural Resources  
Commonwealth of Kentucky Energy and Environment Cabinet  
Louisville Metro Air Pollution Control District

EPA Section to Review - Air Regulatory Management Section

### **Implement the Lead NAAQS**

- As appropriate, address any area violating the 2008 Lead NAAQS that is not designated nonattainment and provide quarterly reports on activities and accomplishments to the Regional Office.

Agencies with Access -  
Alabama Department of Environmental Management  
Florida Department of Environmental Protection  
Georgia Department of Natural Resources  
Commonwealth of Kentucky Energy and Environment Cabinet  
Mississippi Department of Environmental Quality  
North Carolina Department of Environment and Natural Resources  
South Carolina Department of Health and Environmental Control  
Tennessee Department of Environment and Conservation  
Knox County Department of Air Pollution Management

EPA Sections to Review - Air Regulatory Management Section  
- Air Data and Analysis Section

## **Implement the Regional Haze Program**

- Submit a SIP revision to address the best available retrofit technology requirements for the initial implementation period for regional haze.

Agencies with Access -  
Mississippi Department of Environmental Quality

EPA Section to Review - Air Regulatory Management Section

## **Attain and Maintain the Other NAAQS**

- As appropriate, address any area violating the other NAAQS that is not designated nonattainment and provide quarterly reports on activities and accomplishments to the Regional Office.

Agencies with Access -  
Alabama Department of Environmental Management  
Florida Department of Environmental Protection  
Georgia Department of Natural Resources  
Commonwealth of Kentucky Energy and Environment Cabinet  
Mississippi Department of Environmental Quality  
North Carolina Department of Environment and Natural Resources  
South Carolina Department of Health and Environmental Control  
Tennessee Department of Environment and Conservation

EPA Sections to Review - Air Regulatory Management Section  
- Air Data and Analysis Section

- In accordance with a recent SO<sub>2</sub> consent decree, EPA completed the second round of SO<sub>2</sub> designations prior to July 2, 2015, and the third round of designations prior to December 31, 2017. There is one remaining round of SO<sub>2</sub> designations (i.e., by 2020 for the round based on monitoring). States are invited to submit additional recommendations and technical support to help inform these designations. If your Agency intends to submit additional recommendations and technical support information, EPA requests that you do so by the timeframes specified for each round of designations.

Agencies with Access –  
Alabama Department of Environmental Management  
Georgia Department of Natural Resources  
Commonwealth of Kentucky Energy and Environment Cabinet  
North Carolina Department of Environment and Natural Resources

EPA Section to Review – Air Regulatory Management Section

- For any area where modeling of actual SO<sub>2</sub> emissions serve as the basis for designating such area as attainment for the 2010 SO<sub>2</sub> NAAQS, the air agency shall submit an annual report to the EPA Regional Administrator by July 1 of each year, either as a stand-alone document made available for public inspection, or as an appendix to its Annual Monitoring Network Plan (also due on July 1 each year under 40 CFR 58.10), that documents the annual SO<sub>2</sub> emissions of each applicable source in each such area and provides an assessment of the cause of any emissions increase from the previous year.

Agencies with Access -

Alabama Department of Environmental Management  
Florida Department of Environmental Protection  
Georgia Department of Natural Resources  
Commonwealth of Kentucky Energy and Environment Cabinet  
Mississippi Department of Environmental Quality  
North Carolina Department of Environment and Natural Resources  
South Carolina Department of Health and Environmental Control  
Tennessee Department of Environment and Conservation

EPA Sections to Review - Air Regulatory Management Section

### **NAAQS Cross Cutting**

- Continue to develop and implement standards, plans, strategies, and actions to preserve air quality in attainment areas and prevent further degradation in areas with the potential to be designated nonattainment in the future. Continue screening of monitoring data for early indication of nonattainment. For areas that violate after the designation, work with Region 4 to develop a plan to expeditiously bring each area back into attainment.

Agencies with Access - All Agencies

EPA Sections to Review – Air Regulatory Management Section

- Communities Support Section

- Air Data and Analysis Section

- Consistent with the national allocation of section 105 grant resources and the states' and locals' voluntary withholding of 105 grant resources for special projects, continue developing regional planning capabilities for National Ambient Air Quality Standards (NAAQS) and regional haze, including emission inventory development, building air quality modeling capacity, other technical analyses and collaboration with other agencies. The state and local contact or section chief in the Air Regulatory Management Section should be notified, at the mid-year point and a month prior to the end of the grant period, via e-mail of how the state or local agency is meeting this grant condition, specifying applicable specific grants or programs.

Agencies with Access - All Agencies

## EPA Sections to Review - Air Regulatory Management Section

### **Implement Mobile Source Programs**

- Actively participate in the transportation conformity process, which includes the following activities: consult with appropriate transportation and air quality partners on development of motor vehicle emissions budgets; participate in the interagency consultation process; and develop relationships with transportation partners.

#### Agencies with Access -

Alabama Department of Environmental Management  
Jefferson County Department of Health Air Pollution Control Program  
Georgia Department of Natural Resources  
Commonwealth of Kentucky Energy and Environment Cabinet  
Louisville Metro Air Pollution Control District  
Mississippi Department of Environmental Quality  
North Carolina Department of Environment and Natural Resources  
Mecklenburg County Land Use and Environmental Services Agency  
South Carolina Department of Health and Environmental Control  
Tennessee Department of Environment and Conservation  
Knox County Department of Air Pollution Management  
Shelby County Health Department Pollution Control

EPA Sections to Review - Communities Support Section  
- Air Regulatory Management Section

### **Implement NSR Programs**

- Issue major NSR/Prevention of Significant Deterioration (PSD) permits and minor source permits that comply with CAA requirements and enter Best Available Control Technology (BACT)/Lowest Achievable Emissions Rate (LAER) determinations for major sources in the Reasonably Available Control Technology (RACT)/BACT/LAER Clearinghouse (RBLC).

#### Agencies with Access -

Alabama Department of Environmental Management  
Jefferson County Department of Health Air Pollution Control Program  
City of Huntsville Division of Natural Resources  
Florida Department of Environmental Protection  
Georgia Department of Natural Resources  
Commonwealth of Kentucky Energy and Environment Cabinet  
Louisville Metro Air Pollution Control District  
Mississippi Department of Environmental Quality  
North Carolina Department of Environment and Natural Resources  
Mecklenburg County Land Use and Environmental Services Agency  
Forsyth County Office of Environmental Assistance and Protection



Western North Carolina Regional Air Quality Agency  
South Carolina Department of Health and Environmental Control  
Tennessee Department of Environment and Conservation  
Metro Public Health Department - Nashville-Davidson County  
Knox County Department of Air Pollution Management  
Chattanooga-Hamilton County Air Pollution Control Bureau  
Shelby County Health Department Pollution Control

EPA Sections to Review – Air Permits Section

- Upon receipt of an NSR/PSD permit application for a major source, submit a copy to EPA. If your agency has a completeness determination process, notify EPA when each NSR/PSD permit application is deemed complete. Upon public notice of a draft NSR/PSD permit for a major new source of modification, submit a copy to EPA of any documents relevant to the preliminary determination and draft NSR/PSD permit. Upon issuance of a final major source permit, submit a copy to EPA of any documents relevant to the final determination and final permit.

Agencies with Access – All Agencies

EPA Sections to Review – Air Permits Section

### **Ambient Air Monitoring**

- Operate all criteria pollutant monitors and perform requisite data review and quality assurance/quality control elements in compliance with the requirements of the CFR and other applicable federal policy and guidance. This commitment includes all reporting and data certification requirements (e.g., annual State and Local Air Monitoring Station (SLAMS) reports and data certifications due by May 1 each year).

Agencies with Access - All Agencies

EPA Sections to Review - Air Data and Analysis Section

- The agency will collect strip chart data or its electronic equivalent for quality assurance purposes. Electronic strip chart data must be collected on a 1-minute timeframe or less. This data must be retained for a minimum of three (3) complete monitoring years.

Agencies with Access - All Agencies

EPA Sections to Review - Quality Assurance Section (LSASD)

- The State will develop and submit for approval a statewide ambient monitoring network plan. The network plan should be consistent with requirements outlined in 40 CFR Parts 50, 53, and 58. State agencies, as applicable, will coordinate with their Local agencies in the

development of this plan. The network plan is to be submitted on or before July 1 of each year incorporating any changes, real or proposed. Include in the network plan a certified evaluation of the agency's ambient monitors and auxiliary support equipment and categorize the condition of the equipment as "Good," "Fair," or "Poor." Please indicate which equipment pieces are not in everyday use (e.g., spare/back-up equipment stored in a lab or warehouse). Auxiliary equipment includes items such as calibrators, data loggers, meteorological equipment, modems, etc. The agency is requested to replace equipment categorized as "Poor."

Agencies with Access - All Agencies

EPA Sections to Review - Air Data and Analysis Section

- Maintain an approved quality management plan (QMP) for the criteria pollutant network. QMPs expire every five (5) years. The QMP will be submitted at least 180 days prior to the expiration of the current QMP electronically to [R4QMP@epa.gov](mailto:R4QMP@epa.gov) or in hard copy to: EPA Region 4, Laboratory Services and Applied Science Division, 980 College Station Road, Athens, GA 30605, Attn: Regional Quality Assurance Manager. QMPs must address EPA Requirements for Quality Management Plans (EPA QA/R-2, <http://www.epa.gov/quality/qs-docs/r2-final.pdf>). For additional information and guidance see <http://www.epa.gov/quality/qmps.html>.

Agencies with Access – All Agencies

EPA Sections to Review - Quality Assurance Section (LSASD)

- For all new pollutants to be monitored and methods to be used, a quality assurance project plan (QAPP) must be submitted for approval 180 days prior to collection of environmental data. Electronic copies may be submitted to [r4sesdairqa@epa.gov](mailto:r4sesdairqa@epa.gov) and hard copies to: EPA Region 4, Laboratory Services and Applied Science Division, 980 College Station Road, Athens, GA 30605, Attn: Quality Assurance Section Chief. QAPPs must address EPA Requirements for Quality Assurance Project Plans (EPA QA/R5, [https://www.epa.gov/sites/production/files/2016-06/documents/r5-final\\_0.pdf](https://www.epa.gov/sites/production/files/2016-06/documents/r5-final_0.pdf)).

Agencies with Access - All Agencies

EPA Sections to Review - Quality Assurance Section (LSASD)

- Maintain an approved quality assurance project plan (QAPP) for the criteria pollutant network. EPA will review the QAPPs submitted by the State and/or local agencies for approval in accordance with the following:
  1. The State and/or local agencies will review their QAPPs annually. The review will be documented in an email to [R4sesdairqa@epa.gov](mailto:R4sesdairqa@epa.gov). The email should state the date of the review and whether the QAPP is adequate as written or requires

changes. If revised, the QAPP will be submitted to EPA for approval within 180 days following the date of the email.

2. The State and/or local agency QAPPs expire every five (5) years and thus will be reviewed, revised and submitted to EPA for approval 180 days prior to expiration of the current QAPP.
3. The State and/or local agency will submit standard operating procedures (SOPs) associated with the QAPPs. SOPs will be submitted with revised QAPPs and are referenced during the QAPP review; however, SOPs will not be reviewed or approved.

Electronic copies may be submitted to [r4sesdairqa@epa.gov](mailto:r4sesdairqa@epa.gov) and hard copies to: EPA Region 4, Laboratory Services and Applied Science Division, 980 College Station Road, Athens, GA 30605, Attn: Quality Assurance Section Chief. QAPPs must address EPA Requirements for Quality Assurance Project Plans (EPA QA/R5, [https://www.epa.gov/sites/production/files/2016-06/documents/r5-final\\_0.pdf](https://www.epa.gov/sites/production/files/2016-06/documents/r5-final_0.pdf)).

Agencies with Access - All Agencies

EPA Sections to Review – Quality Assurance Section (LSASD)

- Maintain up-to-date standard operating procedures (SOPs) for instrumentation and quality system processes (e.g., data handling and validation, document control, etc.) in support of criteria pollutant monitoring activities, and as appropriate, any air toxics monitoring activities conducted by your agency. SOPs for newly acquired instrumentation should be developed within 180 days from the start-up of the equipment. Please submit courtesy copies of all SOPs either electronically at [R4sesdairqa@epa.gov](mailto:R4sesdairqa@epa.gov) or by mail to EPA Region 4, Laboratory Services and Applied Science Division, 980 College Station Road, Athens, GA 30605, Attn: Quality Assurance Section Chief.

Agencies with Access - All Agencies

EPA Sections to Review – Quality Assurance Section (LSASD)

- For all SLAMS and special purpose monitors (SPMs) meeting the requirements of 40 CFR 58, notify EPA as soon as possible, but no later than 30 days, after the determination of exceedances/violations of the NAAQS for all criteria pollutants, including PM<sub>2.5</sub>. For the 8-hour ozone NAAQS, report all 4th maximum concentrations that are at or above the level of the standard (agencies meet this commitment for monitors that have data reported to AirNow).

Agencies with Access - All Agencies

EPA Sections to Review - Air Data and Analysis Section

- Comply with the requirements in 40 CFR § 50.14 regarding treatment of data influenced by exceptional events. (Note: EPA Region 4 will neither review nor concur on either state or local requests to exclude data unless the state is in compliance with the appropriate requirements.)

Agencies with Access - All Agencies

EPA Sections to Review - Air Data and Analysis Section

- In conjunction with the AQI, agencies are encouraged to submit an air quality forecast for MSA's greater than 350,000 people to the EPA AirNow Web site. The air quality forecast should be submitted daily to the AirNow web site before 3:55 p.m. EDT. The air quality forecast, like the AQI, will be based on the primary criteria pollutant. Unlike the AQI, an index value is not required to be reported as a forecast; instead of the index value, the AQI descriptor value of Good, Moderate, Unhealthy for Sensitive Groups, Unhealthy, or Very Unhealthy should be used.

Agencies with Access - All Agencies

EPA Sections to Review - Air Data and Analysis Section

- Support staff participation at the following meetings:
  - A. The annual Region 4 Ambient Air Monitoring Workshop; and
  - B. The National Ambient Air Monitoring Conference.

Agencies with Access - All Agencies

EPA Sections to Review - Air Data and Analysis Section

- FRM/FEM data for each criteria pollutant monitor must be at a minimum 75% complete on a quarterly and annual basis. Additionally, ozone data must be 90% or more complete on a three-year average basis. Notify EPA immediately if a problem arises that will prevent the agency from meeting a data completeness requirement for any pollutant. Provide reasons why the data completeness requirement will not be met, a schedule for correcting the problem, and corrective actions that will be taken to avert the problem from recurring. Notify your EPA monitoring contact by email no more than 90 days after the end of the quarter of any monitor not meeting the 75% data recovery requirement. Data recovery may become part of a regional/national statistical report published by EPA.

Agencies with Access - All Agencies

EPA Sections to Review - Air Data and Analysis Section

- As part of the QA competency demonstration submittal (Reporting Requirement 19-14) that your agency submits to EPA with its annual grant application package, provide a listing of all QA documents (QMPs, QAPPs, and SOPs) for the criteria pollutants network maintained by your agency, and the date that each document was most recently revised and approved (EPA approval only required for QMPs and QAPPs).

Agencies with Access - All Agencies

EPA Sections to Review - Air Data and Analysis Section

### **Address Air Toxics Problems in Communities**

- Collect ambient air quality data for toxics from monitoring sites as appropriate for special studies funded under this agreement. Include any planned air toxics monitoring in the ambient monitoring network design plan that is submitted to EPA in July annually. If no monitoring is planned, respond to this commitment by stating, “No air toxics monitoring will be performed.”

Agencies with Access - All Agencies

EPA Sections to Review - Air Data and Analysis Section

- Maintain an approved quality assurance project plan (QAPP) for the air toxics network. EPA will review the QAPPs submitted by the State and/or local agencies for approval in accordance with the following:
  1. The State and/or local agencies should review their QAPPs annually. The review will be documented in an email to [R4sesdairqa@epa.gov](mailto:R4sesdairqa@epa.gov). The email should state the date of the review and whether the QAPP is adequate as written or requires changes. If revised, the QAPP will be submitted to EPA for approval within 180 days following the date of the email.
  2. The State and/or local agencies QAPPs expire every five (5) years and thus will be reviewed, revised and submitted to EPA for approval 180 days prior to expiration of the current QAPP.
  3. The State and/or local agencies will submit standard operating procedures (SOPs) associated with the QAPPs. SOPs will be submitted with revised QAPPs and are referenced during the QAPP review; however, SOPs will not be reviewed or approved.
  4. If no monitoring is planned, respond to this commitment by stating, “No air toxics monitoring will be performed.”

Electronic copies may be submitted to [r4sesdairqa@epa.gov](mailto:r4sesdairqa@epa.gov) and hard copies to: EPA Region 4, Laboratory Services and Applied Science Division, 980 College Station Road, Athens, GA 30605, Attn: Quality Assurance Section Chief. QAPPs must address EPA Requirements for Quality Assurance Project Plans (EPA QA/R5,

[https://www.epa.gov/sites/production/files/2016-06/documents/r5-final\\_0.pdf](https://www.epa.gov/sites/production/files/2016-06/documents/r5-final_0.pdf)

Agencies with Access - All Agencies

EPA Sections to Review - Quality Assurance Section (LSASD)

- If applicable, encourage laboratories conducting analyses for air toxics to participate in any available national or regional inter-laboratory proficiency testing programs and audits and conduct applicable corrective actions to enhance data quality.

Agencies with Access - All Agencies

EPA Sections to Review - Air Data and Analysis Section  
- Laboratory Services and Applied Science Division

- If applicable, enter quality assured and associated QA/QC data into the AQS database system no later than 180 days from the end of the quarter for all ambient air toxics monitoring data collected.

Agencies with Access - All Agencies

EPA Sections to Review - Air Data and Analysis Section

- As part of the QA competency demonstration submittal (Reporting Requirement 20-14) that your agency submits to EPA with its annual grant application package, provide a listing of all QA documents (QMPs, QAPPs, and SOPs) for the air toxics pollutants network maintained by your agency, and the date that each document was most recently revised and approved (EPA approval only required for QMPs and QAPPs).

Agencies with Access - All Agencies

EPA Sections to Review - Air Data and Analysis Section

- Assume delegation and implementation of all promulgated Clean Air Act Section 112, 111, and 129 rules and standards [National Emission Standard for Hazardous Air Pollutant (NESHAP), and New Source Performance Standards (NSPS)] within 9 to 12 months of EPA's promulgation, as appropriate, if a rulemaking is required to take delegation via the Agency's CAA Title V approval process. Notify Region 4 by submitting rule adoption documentation within 60 days of adoption.

Agencies with Access -  
Alabama Department of Environmental Management  
Jefferson County Department of Health Air Pollution Control Program  
City of Huntsville Division of Natural Resources

Florida Department of Environmental Protection  
Georgia Department of Natural Resources  
Commonwealth of Kentucky Energy and Environment Cabinet  
Louisville Metro Air Pollution Control District  
Mississippi Department of Environmental Quality  
North Carolina Department of Environment and Natural Resources  
Mecklenburg County Land Use and Environmental Services Agency  
Forsyth County Office of Environmental Assistance and Protection  
Western North Carolina Regional Air Quality Agency  
South Carolina Department of Health and Environmental Control  
Tennessee Department of Environment and Conservation  
Metro Public Health Department, Nashville-Davidson County  
Knox County Department of Air Pollution Management  
Chattanooga-Hamilton County Air Pollution Control Bureau  
Shelby County Health Department Pollution Control

EPA Sections to Review - Air Analysis and Support Branch, IO

- Work towards establishing the programmatic expertise to address the risk-based components of Clean Air Act sections 112, 111, and 129, by pursuing risk training when appropriate.

Agencies with Access - All Agencies

EPA Sections to Review - Air Analysis and Support Branch, IO

- Maintain a record of all approved alternatives to monitoring, testing, recordkeeping, and reporting requirements made for sources subject to MACT standards and provide copies of approvals to the Region upon issuance (see 40 CFR Part 63.91(g)(1)(ii)).

Agencies with Access -

Alabama Department of Environmental Management  
Jefferson County Department of Health Air Pollution Control Program  
City of Huntsville Division of Natural Resources  
Florida Department of Environmental Protection  
Georgia Department of Natural Resources  
Commonwealth of Kentucky Energy and Environment Cabinet  
Louisville Metro Air Pollution Control District  
Mississippi Department of Environmental Quality  
North Carolina Department of Environment and Natural Resources  
Mecklenburg County Land Use and Environmental Services Agency  
Forsyth County Office of Environmental Assistance and Protection  
Western North Carolina Regional Air Quality Agency  
South Carolina Department of Health and Environmental Control  
Tennessee Department of Environment and Conservation  
Metro Public Health Department, Nashville-Davidson County  
Knox County Department of Air Pollution Management  
Chattanooga-Hamilton County Air Pollution Control Bureau

## Shelby County Health Department Pollution Control

### EPA Sections to Review - Air Analysis and Support Branch, IO

- Prepare and submit CAA sections 111(d) and 129 state plans and letters of certification in accordance with regulatory timeframes. In addition, collect and submit reports on progress of sections 111(d) and 129 plans annually, pursuant to 40 CFR 60.25(e) and (f).

#### Agencies with Access -

Alabama Department of Environmental Management  
Florida Department of Environmental Protection  
Georgia Department of Natural Resources  
Commonwealth of Kentucky Energy and Environment Cabinet  
Louisville Metro Air Pollution Control District  
Mississippi Department of Environmental Quality  
North Carolina Department of Environment and Natural Resources  
Mecklenburg County Land Use and Environmental Services Agency  
Forsyth County Office of Environmental Assistance and Protection  
Western North Carolina Regional Air Quality Agency  
South Carolina Department of Health and Environmental Control  
Tennessee Department of Environment and Conservation  
Metro Public Health Department, Nashville-Davidson County  
Knox County Department of Air Pollution Management  
Chattanooga-Hamilton County Air Pollution Control Bureau  
Shelby County Health Department Pollution Control

EPA Sections to Review - Air Analysis and Support Branch  
- Air Enforcement Branch (ECAD)



## **Monitoring and Enforcement**

**Goal 2– Cooperative Federalism: Rebalance the power between Washington and the states to create tangible environmental results for the American people.**

**Objective 2.1 – Enhance Shared Accountability: Improve environmental protection through shared governance and enhanced collaboration with state, tribal, local, and federal partners using the full range of compliance assurance tools.**

### **Strategic Measures:**

- By September 30, 2022, increase the number of grant commitments achieved by states, tribes, and local communities.
- By September 30, 2022, increase the use of alternative shared governance approaches to address state, tribal, and local community reviews.

**Goal 3 - Rule of Law and Process: Administer the law, as Congress intended, to refocus the Agency on its statutory obligations under the law.**

**Objective 3.1 – Compliance with the Law: Timely enforce environmental laws to increase compliance rates and promote cleanup of contaminated sites through the use of all of EPA’s compliance assurance tools, especially enforcement actions to address environmental violations.**

### **Strategic Measures:**

- By September 30, 2022, reduce the average time from violation identification to correction.
- By September 30, 2022, increase environmental law compliance rate.

### **FY 2020 Section 105 Commitments:**

- Ensure enforcement and compliance monitoring is consistent with the Compliance Monitoring Strategy Policy revised and reissued on July 14, 2014, The Timely and Appropriate Enforcement Response to High Priority Violations Policy revised and reissued on August 25, 2014. Ensure complete, accurate and timely data support of the Integrated Compliance Information System (ICIS-Air).

Agencies with Access - All Agencies

EPA Sections to Review - Air Section 1 (ECAD)

- Air Section 2 (ECAD)

- Resolve violations of any rule for which EPA has delegated authority to the state or local agency. Federally Reportable Violations should be reported to ICIS-Air in accordance with the Guidance on Federally-Reportable Violations for Clean Air Act Stationary Sources revised and reissued on September 23, 2014.

Agencies with Access - All Agencies

EPA Sections to Review - Air Section 1 (ECAD)

- Air Section 2 (ECAD)

- Inspect 25% of all NESHAP asbestos demolition/renovation projects. These projects should be selected so that all removal contractors are inspected at least once. Alternatively, lower inspection rates can be negotiated if an effective contractor certification program is in place. Lower inspection rates can also be negotiated if a non-notifier strategy is developed and implemented.

Agencies with Access - All Agencies

EPA Sections to Review – Air Sections 1 & 2 (ECAD)

- Observe asbestos work practices in progress whenever possible to assess compliance. Special priority will be given to entering a project of a contractor with a work practice violation within the previous 12-month period.

Agencies with Access - All Agencies

EPA Sections to Review - Air Sections 1 & 2 (ECAD)

- ACTS/NARS database is no longer available. Report the following asbestos NESHAP activities at least forty-five (45) days after each fiscal six-month period 1) number of notifications received; 2) number of inspections; 3) non-notifier activity if applicable; 4) number of non-penalty enforcement actions; 5) number of enforcement actions with an assessed penalty; and 6) total penalty assessment.

Agencies with Access - All Agencies

EPA Sections to Review - Air Sections 1 & 2 (ECAD)

- Maintain a State/Local health and safety plan for asbestos demolition/renovation inspectors. Plan to include medical monitoring, protective equipment, and training as minimum requirements. Alternatively, implement EPA's "Health and Safety Guidelines for EPA Asbestos Inspectors," dated March 1991. These documents will be reviewed by EPA during state program visits.

Agencies with Access - All Agencies

EPA Sections to Review - Air Sections 1 & 2 (ECAD)

- Recommend (where appropriate) cases and provide support to the EPA Criminal Enforcement Program.

Agencies with Access - All Agencies

EPA Sections to Review - Air Section 1 (ECAD)  
- Air Section 2 (ECAD)

- Implement the CAA section 112(r) program for affected sources. Develop a 112(r) work plan with projected priorities including risk management program audits and facility inspections. Compile end-of-year report of accomplishments.

Agencies with Access -

Alabama Department of Environmental Management

Florida Department of Environmental Protection

Georgia Department of Natural Resources

Louisville Metro Air Pollution Control District

Mississippi Department of Environmental Quality

North Carolina Department of Environment and Natural Resources

Mecklenburg County Land Use and Environmental Services Agency

Forsyth County Office of Environmental Assistance and Protection

Western North Carolina Regional Air Quality Agency

South Carolina Department of Health and Environmental Control

Tennessee Department of Environment and Conservation

EPA Sections to Review - Air Sections 1 & 2 (ECAD)

## **Cross Cutting Issues**

**Goals 1, 2 and 3: Deliver real results to provide Americans with clean air, land, and water, and ensure chemical safety; Rebalance the power between Washington and the states to create tangible environmental results for the American people; and Administer the law, as Congress intended, to refocus the Agency on its statutory obligations under the law.**

**Objectives:** See all objectives listed in this agreement.

### **Strategic Targets:**

- See all strategic targets listed in this agreement.

### **FY 2020 Section 105 Commitments:**

#### **Emissions Inventory - Hazardous Air Pollutants**

- Review the National Air Toxic Assessment (NATA) results during the year the EPA Office of Air Quality Planning and Standards (OAQPS) requests it and make revisions to your agency's inventory. Report hazardous air pollutants to the National Emissions Inventory (NEI) through the Emission Inventory System (EIS) when criteria air pollutants are reported. The EPA requests that state, local, and tribal air agencies submit emissions information updates for major point sources to EIS database annually or as requested by OAQPS. Information on the EIS Gateway can be found at: <https://www.epa.gov/air-emissions-inventories>. The state and local NEI/NATA contact in the Air Data and Analysis Section should be notified via e-mail when a submittal is made to the EIS.

Agencies with Access - All Agencies

EPA Sections to Review – Air Data and Analysis Section

#### **Emissions Inventory – Criteria Air Pollutants**

- Develop and submit to EPA, emissions inventory information for all applicable point sources, criteria air pollutants (CAP) and time frames consistent with the Air Emissions Reporting Requirements (AERR) Rule published in the December 17, 2008; 73 Federal Register 76539 and any clarifying or updated policy. The CAPs point source emissions inventories should be submitted to EPA Headquarters through the Emissions Inventory System (EIS) Gateway. Early submittals are recommended. Information on the EIS Gateway can be found at: <https://www.epa.gov/air-emissions-inventories>. Notify the state and local NEI/NATA contact in the Air Data and Analysis Section via email when a submittal is made to the EIS.

Agencies with Access - All Agencies

EPA Sections to Review - Air Data and Analysis Section

**Planning**

- Submit a draft Air Planning Agreement for FY 2020 by August 1, 2019, respectively, by responding to the commitments on the internet-based draft workplan at <https://www3.epa.gov/cgi-bin/state.cgi>.

Agencies with Access - All Agencies

EPA Sections to Review - Front Office and Grants Team

- Participate with EPA in an end of year evaluation of performance to be completed by March 1, 2021. This evaluation will be based on an annual summary report submitted by the agency by December 31, and on progress reports received throughout the year. In accordance with 40 CFR 35.115 and the EPA Policy on Managing Unliquidated Obligations and Ensuring Progress under EPA Assistance Agreements, the joint evaluation process will include:

- A. discussions of accomplishments as measured against work plan commitments;
- B. discussions of the cumulative effectiveness of the work performed under all work plan components;
- C. discussions of existing and potential problem areas;
- D. suggestions for improvement, including, where feasible, schedules for making improvements; and
- E. discussions of how effectively grant funds were managed and utilized, taking into account any accumulation of unliquidated obligations.

Agencies with Access - All Agencies

EPA Sections to Review - Front Office  
- Grants Team  
-All Branches

- Enter Agency's expectations of EPA (i.e., assistance needed from EPA to meet the commitments under this Air Planning Agreement).

Agencies with Access - All Agencies

EPA Sections to Review – Front Office  
Grants Team  
All Branches