

Effects of Federal Government Shutdown on State and Local Air Programs
October 8, 2013

The federal government began a partial shutdown on October 1, 2013 because Congress has not yet adopted appropriations legislation to fund the government for FY 2014. Among the agencies that have ceased operating (with the exclusion of “excepted” or “exempted” essential personnel) is the U.S Environmental Protection Agency (EPA).

The National Association of Clean Air Agencies (NACAA) asked state and local air quality agencies across the country what impacts on their programs they foresee if the federal government shutdown were to go on for a short period (e.g., a week) or a longer period.

Several agencies reported that the short-term impacts would likely be minimal. However, while the effects of a longer-term shutdown are still unknown, many agencies predicted that the impacts would be extremely troubling.

Among the current and expected impacts are the following:

- Agencies are in daily contact with EPA staff on a variety of issues, including monitoring, permitting, State Implementation Plan (SIP) development, enforcement, rule development and emissions inventory work. EPA staff is not available to approve rules, issue federal rules and guidance, investigate environmental violations, answer questions, attend meetings, participate in conference calls or review documents, all of which leads to difficulty or even an inability for state and local air agencies to carry out their activities.
- Many of EPA’s databases are not in operation, which means agencies cannot submit data (e.g., from recent inspections) or retrieve data from EPA. Once EPA’s systems come back on line, there will need to be extra efforts to provide and/or obtain backlogged data.
- Many of EPA’s websites will continue to operate for the time being, but are not being updated. For example, EPA’s public data base on facility compliance – ECHO – is not operational, so the public does not have access to this important information.
- The migration of data from an existing EPA data system (AFS) to a new system (ICIS) has been suspended.
- The issuance of federal grant funds for state and local agencies to continue operating may be delayed, resulting in cash-flow problems.
- EPA is not reviewing vehicle emissions test data or certifying new vehicles.
- Since it is the end of the fiscal year, end-of-year quality control of the entire year’s grant is on hold.

- One agency began partial furloughs as of October 7, 2013 for at least 30 staff. This will affect the agency's compliance/inspections, monitoring, NEPA, and regulation activities to some degree.
- One agency that is conducting a highly successful alternative compliance strategy has submitted an application to EPA for its continuation, which is not being reviewed or approved while EPA is not in operation.
- A local agency is in the process of relocating a monitor for fine particulates, which has been a lengthy process that has now halted.
- One agency had to furlough staff on October 1, 2013. Without federal funding, other agencies may face the same problem.
- Loss of air lab personnel is extremely problematic and may jeopardize ambient air monitoring (particularly fine particulate – or “PM_{2.5}”) data integrity for 2013. One area reports it is close to being in nonattainment and it needs good (complete) data for 2013 to avoid designation as nonattainment. Loss of air lab monitoring staff would make servicing the monitors and data completeness difficult at best.
- One agency was working with EPA on a minor Prevention of Significant Deterioration (PSD) modification for a power plant upgrade. EPA has stopped work on both the rule review and the permit modification. The plant upgrade is needed so the power plant can support solar and wind power by responding to demand more quickly. .
- A military base has furloughed its civilian environmental staff, meaning the local air agency must respond to any air-quality related questions from contractors and on-duty personnel. Since this is a national security facility, some of the upgrades (power plant) in progress at the base must go forward even though the base environmental staff is not there to oversee the construction or sign permit applications. Local agency staff must provide greater assistance than normal, something the base environmental staff normally offers.
- One agency was working with EPA on approval of PM_{2.5} attainment plans for several areas, which are now on hold.
- One agency was working with EPA on a carbon monoxide maintenance plan that would allow for reduced reporting, which is now on hold.