**SUPPORTING STATEMENT**
**ENVIRONMENTAL PROTECTION AGENCY**

**SOURCE COMPLIANCE AND STATE ACTION REPORTING (Renewal)**

## 1. IDENTIFICATION OF THE INFORMATION COLLECTION

### 1(a) TITLE OF THE INFORMATION COLLECTION

Source Compliance and State Action Reporting (Renewal), EPA ICR Number 0107.10, OMB Control Number 2060-0096, EPA-HQ-OECA-2010-0777

### 1(b) ABSTRACT:

Source Compliance and State Action Reporting is an activity whereby State, District, Local, and Commonwealth governments (hereafter referred to as either "states/locals" or "state and local agencies") make air compliance and enforcement information available to the U.S. Environmental Protection Agency (EPA or the Agency) on a cyclic basis via input to the Air Facility System (AFS). The information provided to EPA includes compliance activities and determinations, and enforcement activities. EPA uses this information to assess progress toward meeting emission requirements developed under the authority of the Clean Air Act (CAA or the Act) to protect and maintain the atmospheric environment and the public health. The EPA and many of the state and local agencies access the data in AFS to assist them in the management of their air pollution control programs.

#### *(i) Terms of Clearance*

The following Terms of Clearance were given by OMB in the prior ICR, 0107.09:

"This ICR extension is approved for 3 years. Resubmittal of this ICR for extension should provide updated description of Agency plans to improve the AFS reporting system and the likely changes in respondent burden expected to result from system changes."

Plans for improving the AFS:

EPA's Office of Compliance has been preparing for the modernization of AFS since 2002. Since then, several reviews of the Clean Air Act stationary source compliance monitoring and enforcement program have been completed to determine the necessary requirements for a modernized system.

A central tenet of AFS modernization is to minimize requirements for new information as much as possible. Although the requirements analyses completed to date have shown the need for

some new items in the database, the plan is to introduce a bare minimum of new requirements for submission to AFS from state and local governments.

Modernization of the system will have a profoundly positive effect on reporting partners as the system platform and several reporting requirements will change:

- AFS will move from a mainframe platform to that of a relational ORACLE database. Users will no longer have to log into terminal emulation software; instead they will use web-based application screens or provide data through the EPA's Central Data Exchange (CDX). Data format will change from a fixed text format to an XML-formatted data flow. Many agencies are ready to provide their data using the EPA portal and an XML schema, but AFS has not had the capability of accepting data in this format. That will change.
- A modernized system platform will result in reporting changes to several fields. Attainment/nonattainment indicators will no longer be required as this data will be received from EPA's Office of Air and Radiation. Reporting of Compliance Status will be completely derived from data already provided. This will result in a significant reduction of burden to reporting agencies. Air Program Pollutant reporting will be streamlined for ease of reporting.
- Plans are underway to create the processes for the electronic reporting of information required by CAA permits. These reports include stack tests, Title V Annual Compliance Certifications, Excess Emission Reports, and many other required quarterly reports that have previously been required in paper format. The electronic metadata from these reports will be able to replace data entry.
- The new system will be able to integrate with other data marts available, such as the national Emission Inventory, the new Green House Gas database (eGGRT) and others.
- New business intelligence tools will make the use and sharing of data easier for partners. Sophisticated dashboards will provide summary information instantaneously for both EPA and State management use.
- Most, but not all, current requirements will become requirements for the new system. New data requirements have been identified via Business Case & Requirements Analyses. New data requirements may include some or all of the following:
    - Partial Compliance Evaluations (PCEs): Currently, these actions are not reportable unless they are the Discovery Date of a High Priority Violation. There were over 23,000 state or local agency PCEs reported to AFS by mid-year FY2011. Most agencies are already reporting PCEs to AFS.
    - Stack Test Date of Review and Pollutant(s) Tested: Currently required in AFS are the date of test and results. EPA's Office of Air Quality Planning and Standards (OAQPS) is currently working on a regulation to require the electronic reporting of stack test reports. These reports will contain information about the date conducted and pollutants that were tested. This electronic data can be used to satisfy reporting requirements for AFS, leaving only the date of stack test review to be reported.

- Title V Annual Compliance Certifications (TVACCs): Currently state and local agencies are required to report the review date of the certification and review results. These data do not provide information on the period of evaluation, permit number, deviations or dates due and received as outlined in Title V.
- Enforcement Actions: Final and Collected Penalties. Although current data business rules require that all assessed cash penalties be reported to AFS, the assessed amount is usually not the final penalty. AFS does not have the capacity to track both assessed and final penalties.
- Tribal Indicators: There is currently no field in AFS to house the identity of a tribal source.
- Portable Source Indicator: Portable sources are currently identified in AFS by a "777" county code. Information on these sources cannot be utilized in mapping applications. Providing an indicator for identifying these sources will allow mapping and improved management of the universe.

Optional data fields will be built into the new database. These fields will not be required as minimum data requirements (MDRs). During needs requirements reviews, these fields were requested by EPA , State and Local users:

- Latitude/Longitude
- Owner Names and Contact Information (to include email and phone numbers)
- Name Change History
- Title V Permit Fields
- Portable Source Work Locations
- Process Information
- Comment Fields throughout the system.

EPA has been sharing the vision of the new system with its reporting partners, most recently at the National Association for Clean Air Agencies (NACAA) webinar on September 16, 2010, and the Enforcement Workgroup meeting of June 14-16, 2011. EPA recently requested the assistance of state and local agencies to work on finalizing the system design and reporting requirements.

Design of the modernized AFS is expected to begin during FY2011. Implementation of a new system is expected in FY2013. All schedules for modernization are dependent upon the availability of federal budget and staffing. Upon completion of the new system, state and local agency effort will increase during the first year of system implementation and then drop off significantly once users are comfortable utilizing the modernized AFS.

## 2. NEED FOR AND USE OF THE COLLECTION

### 2(a) NEED/AUTHORITY FOR THE COLLECTION

*(i) Authority*

While there is no single statutory requirement for data entry into the Air Facility System (AFS), EPA believes that the provisions of Section 114(a)(1) of the CAA, 42 U.S.C. Section 7414(a)(1), provide EPA with broad authority to request reporting of information of the type sought by the Agency in this Information Collection Request (ICR). Furthermore, much of this collection activity is conducted pursuant to the following subsections of regulations implementing the Clean Air Act under Subpart Q – Reports in 40 CFR 51: Sections 51.324 (a) and (b), and 51.327. Activity also is authorized by 40 CFR 70.4(j)(1), which addresses submission of information to EPA by state and local permit authorities, and 40 CFR 70.10(c)(1)(iii), which addresses EPA oversight of state and local agency compliance and enforcement efforts for major sources under Title V operating permit programs. Much of the information also is necessary for EPA to provide adequate oversight for other Federal programs implemented by states, such as the New Source Performance Standards (NSPS) in 40 CFR Part 60, National Emission Standards for Hazardous Air Pollutants (NESHAP) in 40 CFR Part 61 and Part 63, and New Source Review (NSR) permitting regulations in 40 CFR Part 51 and Part 52. Additionally, all of the data is necessary for the implementation of the air compliance and enforcement programs at either the Federal or state and local agency level. Finally, the information is necessary for EPA to fulfill its oversight responsibilities to ensure that State Implementation Plans (SIPs) fulfill the testing, inspection and enforcement requirements of 40 CFR 51.212 on an ongoing basis. Much of the need for this collection is outlined in several EPA guidance documents: the Clean Air Act Stationary Source Compliance Monitoring Strategy (CMS) of September 10, 2010, The Timely and Appropriate (T&A) Enforcement Response to High Priority Violations (HPVs) policy of December 1998, the Clean Air Act National Stack Testing Guidance of April 27, 2009, and the Clarification Regarding Federally-Reportable Violations for Clean Air Act Stationary Sources of March 22, 2010.

*(ii) General Need for the Data*

The national air stationary source compliance monitoring and enforcement program promotes effective, cooperative, and coordinated efforts among EPA and the state and local agencies. The program recognizes the primary role of the state and local agencies in the prevention and control of air pollution. However, under the CAA, EPA has the ultimate responsibility to ensure the protection of the health and welfare of the American public. To meet these responsibilities, EPA provides guidance and oversight to the state and local agencies in two major areas: compliance surveillance and status activities, and enforcement activities. The cyclic reporting of surveillance information and compliance status is the subject of this renewal ICR. This reporting is communicated to the users as a set of minimum data requirements (MDRs), listed in Table 1 in Section 4(b). The MDRs represent the minimum amount of data EPA believes is necessary to manage the national air stationary source compliance monitoring and enforcement program. These data elements are critical in prioritizing programs and conducting national evaluations. In addition, the information provided by these data elements enables the Agency to respond in a timely manner to requests for information with accurate, nationally defined and reported data.

The CMS places an emphasis on the oversight of major sources and a limited subset of synthetic minor sources while providing state/local agencies with the flexibility to address local air pollution and compliance concerns. The CMS established a framework of minimal data requirements for reporting to AFS. This information collection is a critical component of the implementation of the CMS.

The Clean Air Act National Stack Testing Guidance is designed to improve uniformity on conducting stack tests and coordination among EPA and state/local agencies. AFS is one of the Agency's vehicles for tracking and evaluating stack test data.

The HPV Policy is designed to help Federal, state and local agencies prioritize enforcement efforts with respect to sources of air pollution in their jurisdictions. The Policy directs scrutiny on those violations that are most important. The Policy provides definitions for specific types of violations and identifies the procedures to be used in violation identification. AFS is meant to be used for reporting HPV activity in its entirety: discovery, addressing and resolution.

On March 22, 2010, EPA released a clarification memo concerning the reporting of Federally-Reportable Violations. Review of data along with information provided by respondents indicates many agencies are reporting only those violations that meet the criteria of the High Priority Violations (HPVs) policy. As HPVs consist of a very small percentage of overall violations of the CAA, EPA felt it was necessary to ensure all respondents understood that all Federally-Reportable Violations are reportable to AFS. The memo clarifies what constitutes a violation and sets a tiered-approach for violation reporting. EPA acknowledges the fact that state and local agencies have budget and human resources issues that require the prioritization of all activities that may be completed. EPA has identified reporting of Tier I violations as an agency priority. Tier I violations are federally-reportable violations found at major sources, synthetic minor sources, Part 61 NESHAP minor sources (excluding Asbestos NESHAP Demolition and Renovation violations), sources with an active HPV, sources identified within an agency's CMS plan. While it is important to report Tier II violations and enforcement actions, EPA's highest national need is for complete, timely and accurate reporting of Tier I violations.

EPA's Office of Enforcement and Compliance Assurance (OECA) and the Environmental Council of States (ECOS), state media associations, and other state representatives have developed a framework and process for conducting reviews of core enforcement in the CAA, Clean Water Act (CWA) and the Resource Conservation Recovery Act (RCRA) programs. OECA/ECOS State Review Framework (SRF) was developed to provide a national state enforcement program oversight system to promote consistency in the level of oversight, state enforcement activities, and in environmental protection across the country. Starting in 2005 and continuing to date, reviews were completed for all 50 states. EPA is currently preparing for Round 3 of national reviews. Paramount to these reviews is the data

contained in AFS for the CAA. The SRF reviews have become a tool for collaborative problem solving and involve both the review and audit of state/local agency performance in 13 elements covering compliance monitoring, civil enforcement, and data management.

Finally, data from AFS is provided to the public via the ENVIROFACTS, a web tool developed and maintained by EPA's Office of Environmental Information (http://www.epa.gov/enviro/index.html ) and the Enforcement and Compliance History Online (ECHO), developed and maintained by EPA's Office of Enforcement and Compliance Assurance (OECA). ENVIROFACTS allows the public to retrieve data from a multitude of EPA databases, and includes summary information from AFS. The ECHO Web site (http://www.epa.gov/echo) provides compliance and enforcement information on approximately 800,000 regulated facilities nationwide. Data is extracted from AFS on a monthly basis and provided to ECHO. In addition, AFS data is used as part of performance measures satisfying the Government Performance Results Act (GPRA) requirements.

*(iii) Reasons for Need for New Data as Part of this Renewal ICR*

This renewal introduces the following changes from the 2008 ICR:

- Requirement of the North American Industrial Code System (NAICS) codes versus Standard Industrial Codes (SIC): In order to better align with the rules and regulations released by the Office of Air and Radiation (OAR), it is requested that respondents provide NAICS codes versus SIC codes for new sources in the system. Current data requirements include either the NAICS or SIC codes. In order to facilitate analysis of data with new rules and regulations, it is necessary to have a valid NAICS code for each source in AFS.

  This requirement is not expected to require any new burden from respondents. Requirements exist from other EPA programs for the reporting of NAICS codes (National Air Emissions Inventory, Green House Gas reporting, Toxics Release Inventory) and this information is commonly available and listed in current permits held by sources with the purview of a delegated CAA agency. EPA intends to require full reporting of NAICS codes in AFS by the end of fiscal year 2013, providing time to state and local agencies to populate codes. Additionally, assistance is available from EPA in populating existing records with primary NAICS on file from other EPA media databases, extracted from the Federal Registry System (FRS) upon request.

- Change to the Valid Values for Nonattainment Indicators: AFS currently houses information pertaining to the National Ambient Air Quality Standards (NAAQS) on the plant air program pollutant record of a source. This data is required for all criteria pollutant records in AFS. Criteria pollutants include Ozone, Particulate Matter (PM2.5), Particulate Matter (PM10), Sulfur Dioxide, Nitrogen Oxides, and Lead. With the advent of the 1- and 8-hour Ozone standards, and the multiple year standards for fine particulates

(PM2.5), there are no longer enough existing fields in AFS to house all of the required information. The addition of fields and database structure to house the new information would require a major enhancement to AFS. The expenditure of time and resources for this data is not reasonable when compared to the planned lifecycle for AFS. As the system will begin design for modernization in FY2011 or FY2012, the requirements for this information will be written for a modernized version of AFS. Instead of requiring additional data for tracking attainment/nonattainment areas, AFS will request a streamlined value for all nonattainment data:

- A-Attainment or Unclassified
- N-Nonattainment
- U-Unknown.

To assist respondents with the transition to this streamlined table of valid values, EPA will convert all existing records in AFS within 30 days of the approval of this ICR. The system table for these records will be limited to the valid values only. Agencies may request customized assistance with the population of these records.

Additionally, AFS will be populated with nonattainment indicators at the county level only. Counties with partial county nonattainment indicators for a NAAQS will reflect the indicator for the entire county.

- Ability to Generate Compliance Status Values for High Priority Violator (HPV) Cases: This change to AFS is an optional feature that may be used by a state or local agency to manage the Air Program Pollutant Compliance Status in AFS. Currently, respondents are required to report a compliance status for each Air Program Pollutant. Any change in this status should trigger a change in AFS. AFS programming is available for High Priority Violator (HPV) cases where the Air Program Pollutant Compliance Status is automatically updated after the completion of each case milestone. This programming must be approved and agreed upon by all users of the system in an agency, and will automatically generate compliance status for all HPV cases once applied. The system will generate status based upon:

  - Day Zero: The Air Program Pollutants reported in the HPV Day Zero pathway will be assigned a compliance status of "In Violation"
  - Addressed: The Compliance Status of the Air Program Pollutants reported in the HPV pathway will be appended to "Meeting Schedule"
  - Resolved: The Compliance Status of the Air Program Pollutants reported in the HPV pathway will be returned to compliance.

  Automatic generation will also be applied to Non-HPV pathways. Agencies interested in obtaining this functionality should contact their Regional AFS Compliance Manager for details.

- Introduction of a new Green House Gas Air Program Code in AFS: The Mandatory GHG Reporting Rule of December 29, 2009 requires annual reporting to EPA from certain facilities that emit 25,000 metric tons or more of CO2e (carbon dioxide or equivalents), suppliers of fuels and industrial gas suppliers, manufacturers of heavy-duty and off-road vehicles and engines. The rule does not require control of greenhouse gases, it only requires that sources emitting over certain threshold levels of carbon dioxide equivalents monitor and report emissions. A new air program code of "G" has been introduced for use in designating sources with Part 98 applicability. This is a Federal-only program at this time and will not result in an increase of any state or local agency burden.

- Change to the Timeliness Standard from 60- to 120-days for Stack Test Actions: Due to requests received from Federal Regions and state agencies, the timeliness standard for stack test actions only will be increased from 60 days to 120 days. Stack test actions with the date of the test and **with results** must be reported to AFS within 120 days of the date of the test. National stack test actions with an increased timeliness standard are:

    - TE/EPA Required Stack Test Not Observed but Reviewed
    - TO/EPA Required Stack Test Observed
    - TR/State Required Stack Test Not Observed
    - 2A/EPA Source Test Conducted
    - 3A/Owner/Operator Conducted Source Test Observed and Reviewed
    - 6C/State Source Test Conducted Observed and Reviewed

EPA continues to request data outlined as "Optional Reporting". The 2005 ICR introduced this new category of data reporting, as many agencies are already reporting more data than the MDRs. This additional data has provided valuable information pertaining to compliance activities and enforcement cases. The creation of this discretionary category outlines for state and local agencies the types of data that the EPA would like to obtain to further its ability to oversee the compliance monitoring and enforcement program while providing a standardized way for data to be reported.

- CMS Policy and Data

The CMS Policy was first released in 2001. A revised CMS policy was released on September 10, 2010. This revision clarified time frames used in the policy (Federal Fiscal Year) to allow consistency with the EPA planning process. Additionally, an overview of the CAA National Initiatives was added to reflect the overall scope and breadth of the national compliance and enforcement program being implemented to meet all statutory and regulation requirements.

The overall process of the CMS policy requires a biennial evaluation plan negotiated with the Regions by State and Local Agencies. These plans are incorporated into the EPA Annual Commitment System (ACS). These plans and the resulting compliance monitoring activity are

maintained in AFS. The plan outlines core activities for evaluation and recommended frequencies. The plan is defined as a facility-specific list of all major and synthetic minor sources and any other sources covered by the policy and evaluation frequencies. AFS is able to generate an unknown compliance status at any source not evaluated within its negotiated frequency. State and Local Agencies report their compliance monitoring activities (full and partial compliance evaluations, investigations, stack tests, Title V Annual Compliance Certifications) to AFS. Each fiscal year an agency's plan is evaluated for program oversight. The CMS policy is flexible enough for agencies to strategically target areas of interest while maintaining program oversight.

The CMS policy also outlines the requirements of Compliance Monitoring Reports (CMRs) from full compliance evaluations to include general information, facility information, applicable requirements, inventory and description of regulated emission units and process, information on previous enforcement actions, compliance monitoring activities and observations and recommendations of the evaluator. Of this data, requirements for data input to AFS include the date of the compliance monitoring activity and an update to the facility compliance status.

CMS data from AFS is used in the oversight of the CAA, setting of national policy, tracking national initiatives, and activity reporting.

- High Priority Violator (HPV) Policy and Data

The HPV Policy of December 1998 provides a method of prioritizing violations for enforcement purposes. It provides guidance on the identification of violations in order to direct scrutiny to those of most importance. Also included in the Policy is information on the timeliness and appropriateness of enforcement, penalties, and the reporting and tracking of HPVs through AFS. The Policy provides clear guidance and criteria to state and local agency enforcement staff and managers and AFS users for defining the type of violation that triggers applicability of the policy. The 2005 ICR introduced the requirements of Date Discovered, Violation Type Code(s) and Violating Pollutant(s). These new data fields have provided the information needed for appropriate interpretation of the activities undertaken to address and resolve a violation, and to ensure that the policy is being implemented as intended.

(b) USE/USERS OF THE DATA

There are many ways in which EPA, state and local agencies, and the public can use the AFS compliance and enforcement data. As stated previously, the MDRs represent the minimum amount of data EPA believes is necessary to manage the national air stationary source compliance monitoring and enforcement program. Some of the key uses of the data are to:

- Provide an accurate and accessible inventory of significant sources that are subject to federally enforceable emission regulations;

- Assess the compliance status of sources with respect to these regulations (compliance status changes are required on a timely basis to ensure progress for sources that are out of compliance and to continue surveillance for those which remain in compliance);

- Develop compliance and enforcement strategies;

- Target compliance activities and track enforcement actions;

- Develop new measures of regulatory program success;

- Prepare various EPA reports on a national, regional, sector, or other level;

- Standardize state and local reporting to EPA;

- Conduct regulatory analyses;

- Support multimedia initiatives which integrate quarterly reports of air, water, and land disposal compliance data;

- Provide timely and accurate response for information requests made by the public, pollution control vendors, Congress and other information requesters; and,

- Provide a forum and model of successful state and local compliance programs (that include Federal data reporting) which can be used by other agencies in the development or expansion of their existing programs.

(c) ABOUT AFS

AFS is a management information system designed to track compliance and enforcement information. It is a fully-automated system which provides ready access to historical and current records for EPA, and state and local agency staff involved in compliance and enforcement activities. AFS resides on EPA's Enterprise Server (IBM System z9) at the National Computer Center (NCC) in North Carolina and is accessible to all state and local agency users via a Host on Demand session via the Internet or through DynaComm communications software available to Federal users.

AFS is an antiquated system. Although EPA needs additional data fields such as the pollutant of record for failed stack tests, all partial compliance evaluations, complete information concerning the review of Title V Annual Compliance Certifications and more information concerning violations, the difficulty of adding new fields and data to AFS presents a burden to state and local agencies that EPA is unwilling to assign. Therefore, new additions to this ICR will be delayed until the modernization of AFS. Modernization of the AFS is underway, but resource restrictions have imposed delays on project work plans. A final conversion to a state-

of-the-art system may not be completed for several years due to resource constraints. Oversight of the program must continue throughout the modernization effort, and valuable data necessary for oversight can be conveyed via AFS.

(d) PROGRAM CHANGES

At this time, there are no program changes to report. AFS has added a new air program code of "G" for the Mandatory Green House Gas Reporting Rule, however, there are no reporting requirements for this code. Part 98 data will be housed in the Electric Greenhouse Gas Reporting Tool (e-GGRT). It is planned that AFS will be able to identify sources that have reported to the e-GGRT system through a download of information. No burden will result from this exchange of information.

## 3. NON-DUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA

(a) NON-DUPLICATION

The MDR data elements outlined in Table 1 of Section 4(b) represent minimum data requirements for effective implementation and management of a compliance and enforcement program. For EPA and the public, the AFS data are the only source of national information on compliance and enforcement activities. State and local agency respondents generally collect the information as part of their customary business practice to manage their compliance and enforcement programs. AFS has been designed to reflect the core program data. Several state and local agencies use AFS as their own data system for managing these and other data elements. Yet, the vast majority of state and local agencies have their own data management systems. Many of those agencies have created integrated 'multi-media' data bases in order to collect a complete record of a source's permitting, compliance monitoring and enforcement data under all the applicable environmental statues for which the source is regulated. Most AFS data is received from agencies via electronic "batch" processes from either single or multimedia systems.

Agencies that report data to AFS via batch processes either create a conversion program to report data to AFS or they perform dual data entry in their agency system and into AFS. In order to reduce the agency reporting burden to AFS, EPA has developed the Universal Interface (UI) software tool--a conversion program to streamline the process for batch uploads of information from state/local systems to AFS. Use of the UI replaces dual data entry. For agencies that batch transfer data to AFS, implementation of the UI reduces, and in some cases eliminates, the need for state and local agencies to expend resources for transferring data from their data systems to AFS. The OECA has awarded almost $2,800,000 in competitive grant dollars from 1999 through 2008 to facilitate the use of AFS system and streamline the reporting process to AFS using the UI. Currently, seventeen (17) agencies use the UI. Some users indicating a reduction of reporting burden of 30% over previous batch reporting efforts. The UI

converts and reports data for all MDRs, as well as numerous optional data elements.

UI REPORTING UNIVERSE STATS UPDATE

Over 32% of the nation's major sources (4697 of 14,511 major sources) are reported to AFS via the UI software. With major and synthetic minor sources compiled, over 1/3 of the nation's compliance monitoring and enforcement data is reported to AFS via the UI. The use of the UI results in a reduction of burden hours due to the fact that agencies need not spend their resources in maintaining conversion software.

(b) PUBLIC NOTICE REQUIRED PRIOR TO SUBMISSION TO OMB

The first Federal Register notice on this ICR renewal was published on January 18, 2011(76 FR 2904). EPA accepted comments through March 21, 2011 received two (2) comments during the comment period, which are addressed in the section below (outlined in Appendix 1, Comments Received during the Comment Period Ending March 21, 2011). .

(c) CONSULTATIONS

EPA presented the renewal of this data collection to state and local agencies with no new data reporting requirements. The list of state/local agencies consulted is outlined below in Appendix 2. The Agency encouraged comments and feedback from state and local agencies about this renewal.

General Comments and Agency Responses:

- *Comment: As outlined in the ICR, NESCAUM supports EPA's proposal to incorporate NAICS codes as a replacement for SIC codes in the AFS system. However, in order to ensure that this transition occurs with minimal impact to the reporting agencies, it is critical that EPA develop a conversion tool to eliminate hand entry of NAICS codes. If such a tool is not developed the NESCAUM agencies will require additional federal resources to perform this work.*
    - Response: EPA/AFS has already completed a one-to-one SIC-to-NAICS conversion during FY10. There are, however, many NAICS for which there is not a one-to-one SIC-to-NAICS conversion available. Most agencies should have some record of NAICS codes in tables or databases due to the reporting requirement of the National Emissions Inventory (which requires NAICS codes). EPA/AFS plans to provide a two-year implementation schedule for the conversion of NAICS codes. As Full Compliance Evaluations are completed, the NAICS equivalent can be entered for all major sources. Additionally, assistance is available from EPA/AFS for population of NAICS fields. A comparison of primary NAICS codes in the Federal Registry System (FRS) can be completed and a valid 6-digit NAICS code can be loaded for sources in AFS . These primary NAICS are taken from the NEI, RCRAInfo, or TRI. Agencies need to

request this assistance from EPA/AFS.

There are still instances where 6-digit NAICS codes are not readily available from the FRS (if the AFS data is the only interest in FRS, then there is no other primary NAICS codes for comparison). Regional AFS Compliance Managers can work with agencies to isolate and research these codes. EPA/AFS will request additional contracting funds to work with agencies to ensure successful implementation of this requirement.

- Comment: *Currently, EPA requires state and local agencies to report on the "compliance status" of facilities in their jurisdictions. This requirement means that state and local agencies manually update their data systems to indicate whether facilities are "in compliance" or "in violation." The approach, however, assumes that we can know (and can tell the public) whether a facility is in compliance or in violation at all given points in time. Unfortunately, this is neither realistic nor practical, given that compliance status is constantly changing.*
    - Response: EPA agrees that tracking compliance with the CAA needs to be improved. Our Needs and Business Case Analyses have identified the need for information concerning violations above and beyond what is currently available in AFS today. There is a need to know when a violation started, its duration and when it was resolved. This information is not limited to those violations meeting the criteria for High Priority Violations. EPA will need to replace the current data model instead of discontinuing the reporting of compliance status. It will be necessary to work with state and local agencies to find agreement upon a new reporting model for maintaining violation data that provides the EPA and delegated agencies with the information necessary to manage their programs, as well as provide accurate information to the public.

- Comment: *NESCAUM's members also support eliminating reporting requirements associated with Title V permit certification data. The majority of these data in AFS is inaccurate and requires significant resources for states to input.*
    - Response: NESCAUM indicates that the data associated with Title V Annual Compliance Certifications (TV ACCs) requires significant resources for states to input. The current requirement for state and local agencies is to report the review of the TV ACC along with the compliance determination after review. EPA Regions are required to report the Due and Received Date. NESCAUM is correct in that much of the TV ACC data in AFS is not usable due to lack of data. The Due and Received Date were defined as Minimum Data Requirements (MDRs) for AFS at the start of the Title V program. These fields were added to allow agencies to easily tell what certifications had not been received, and if the certifications were received on time. As AFS is not the vehicle used by our reporting agencies to track this information, and the Regions are not entering the data as requested, the Due and Received Date fields in the system are unusable for

analysis.

The plan for AFS modernization is to compile all reporting fields for the reviews into one record that can be easily updated. If desired, the Due Date can be entered completely separately from the review. Additionally, the electronic reporting of the certifications from the source will eliminate much of the data reporting from the state and local agencies, which would only be required to report their review and findings.

Our reporting partners tell us that violations are found through evaluations, citizen complaints, and through the review of the Title V Annual Compliance Certifications. In the current environment of reduced oversight, these certifications are too important to remove from reporting requirements. We could drop the reporting requirements for Due and Received Dates entirely from the current AFS ICR, however, this reduction would not affect state and local agencies reporting requirement has been assigned to the EPA Regions.

- *Comment: Florida currently reports the Nonattainment Indicators according to the proposed simplified values (A, N, and U) but is concerned that EPA itself is moving away from separate indicators for Attainment and Unclassifiable. For example, for the recent NAAQS, EPA has been designating areas as either "nonattainment" or "Unclassifiable/Attainment".*
    - Response: EPA originally suggested in the January 18, 2011 Federal Register announcement to simplify reporting of this field to the values of A=Attainment, N=Nonattainment and U=Unclassified. Since receiving this comment, EPA has further researched the values used by the Office of Air and Radiation and agrees with the State of Florida. The new values upon approval of this ICR will be A=Attainment or Unclassifiable, N=Nonattainment and U=Unknown.

- *Comment: Also, it has been noted that due to precursor pollutants, it no longer works to associate a nonattainment designation with a single pollutant. For example, when considering an ozone nonattainment designation, volatile organic compounds (VOC) and nitrogen oxides (NOx) are ozone precursors; likewise when considering PM2.5, sulfur dioxide (SO2), NOx and PM2.5 are precursors. We recommend that EPA reconsider the concept of associating a nonattainment designation with a single precursor pollutant.*

    - Response: EPA realizes that the fields currently available in AFS are inadequate for the identification of nonattainment. Modernization efforts will remove this indicator as an entered field and will instead be provide via the use of geographic files. A national workgroup will be established to help with the design of this data.

(d) EFFECTS OF LESS FREQUENT COLLECTION

The 2005 ICR requested a change from quarterly reporting to within 60 days of the day of the event or at least six (6) times per year. This request was made to ensure that the data used by EPA was accurate and as timely as possible. Data received quarterly was not providing enough data for meaningful reviews at midyear and end of year cycles. EPA would prefer data reported on a monthly basis, and many agencies do report each month. Our 2005 ICR requested monthly reporting and respondents indicated reporting of that frequency was too onerous. EPA requested a 60 day standard, which has been accepted by most of the reporting agencies.

If EPA received data less frequently (e.g. quarterly), EPA would return to the past problematic practice where updates from agencies would only come in four times per year, and review of yearly evaluation plans and timely addressing of high priority violators would not be possible. Yearly reviews could not be completed until January of the following fiscal year, making them untimely.

(e) GENERAL GUIDELINES

This information collection contains no special circumstances that would conflict with the general guidelines in 5 CFR 1320.5.

(f) CONFIDENTIALITY

Any information submitted to the Agency for which a claim of confidentiality is made will be safeguarded according to Agency policies set forth in Title 40, Chapter 1, Part 2, Subpart B - Confidentiality of Business Information (see also 40 CFR 2; 41 FR 36902, September 1, 1976; amended by 43 FR 42251, September 20, 1978; and 44 FR 17674, March 23, 1979).

(g) SENSITIVE QUESTIONS

This section is not applicable.

## 4. THE RESPONDENTS AND THE INFORMATION COLLECTED

(a) RESPONDENTS/NAICS CODES

The respondents for the information collection activity are state and local environmental agencies. These environmental agencies are classified in NAICS 924110. Source compliance data assembled by the state and local agencies covers numerous NAICS categories. The state and local agencies that report to AFS are defined as delegated grantees of the Clean Air Act. Most contacts are identified on EPA's Web site (see Contacts List at http://www.epa.gov/compliance/contact/data-afscontacts.html ). The total number of

respondents is 99 (50 states, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, the Mariana Protectorate and 43 delegated local agencies). Changed in this renewal is the classification of small, medium, and large agencies. Previous renewals categorized agencies by the number of major sources: 1-150 major sources defined a small agency, 151-499 defined a medium agency, and 500 or more major sources defined a large agency. Over the years AFS has seen a steady decline in the number of major sources:

| | |
|---|---|
| 2001 AFS ICR: | 89 agencies, 22,890 major sources |
| 2005 AFS ICR: | 93 agencies, 21,085 major sources |
| 2008 AFS ICR: | 93 agencies, 15,563 major sources |
| 2011 AFS ICR: | 99 agencies, 14,511 major sources |

Reasons contributing to this 37% decline in the number of sources in the major source universe in the last ten years include:

- A growing number of sources opting out of Title V to keep emissions under the major threshold level for a pollutant;
- The reductions in emissions gained through improved pollution control equipment.
- Changes to the Air Program tracking of specific substances. For example, total suspended particulate (TSP or PT) emission standards are being replaced with particulate matter of 10 micrometers or less (PM10) and fine particulate representing particle less than 2.5 micrometers in aerodynamic diameter (PM2.5). Splitting the emissions from this pollutant into two separate pollutants has resulted in the decrease of major threshold emissions for particulates.

Given the decline in the major source universe, using the breakouts of previous ICR renewals would distort the burden calculations downward. A redistribution of category rounded out the universes so that the small category would not overwhelm the universe. Thirteen agencies were moved to the medium category. This re-distribution was necessary due to the fact that existing categories would result in only eight (8) large agencies in the nation, with small and medium agencies representing 92% of the universes. Although a majority of agencies have smaller counts of major sources than larger ones, a more distributed categorization redefines large agencies as having 350 or more major sources instead of 500 or more. The medium and small categories have also been redefined downward. This renewal re-categorizes the size of state and local source universe as follows:

- Small Agencies : Fewer than 59 Major Sources
- Medium Agencies: 60-349 Major Sources
- Large Agencies: Greater or Equal to 350 Major Sources

The list of agencies by category can be found in Appendix 3, State & Local Agency Classification by Size.

(b) INFORMATION REQUESTED

*(i) Specific Data Reporting and Record keeping Items*

Reporting: To manage the national air stationary source compliance monitoring and enforcement program, EPA provides a set of MDRs that identify the specific data elements to be reported and tracked in AFS for state and local agency compliance and enforcement activities. Table 1 provides a list of the MDRs for renewal. The reportable universe of facilities for AFS includes: Major, Synthetic Minor and Part 61 NESHAP Minor facilities, other facilities identified within the CMS Evaluation Plan, any facility with a formal enforcement action and any facility with an active HPV.

Formal enforcement actions are defined as administrative orders, consent decrees, civil or criminal referrals, and civil and criminal actions. Reportable informal enforcement actions are defined as Notices of Violation. An informal action will not include the assessment of a monetary penalty. Notices of Violation with a proposed penalty should be reported as an administrative order under the delegated authority of Section 113 of CAA.

Additionally, facilities with formal enforcement should be tracked in AFS until the resolution of the violation, regardless of classification. For example, should an administrative order be issued to a facility listed with a minor classification, all information required to establish a facility record should be added to AFS. This facility would be categorized as having a "Tier II" violation as per the March 22, 2010 Clarification Memo for Federally-Reportable Violations. The source should have any and all resulting enforcement activity entered into AFS until resolution of the violation, as resources allow. This violation will be tracked as a Tier II violation, with Tier I violations of highest priority for reporting.

Respondents are also reminded of the requirement to report all applicable pollutants emitted by a facility, to include the pollutants particulate (TSP or PT), PM10 and PM2.5.

Record keeping: Data submitted to EPA by respondents are maintained by EPA in AFS. Respondents are authorized with the implementation and management of the Clean Air Act. Those respondents with data management systems are already maintaining the required data elements for their program management purposes. The data is extracted and forwarded to EPA via the batch process. Those respondents without data management systems enter the data into the AFS online. Respondents are not required to report these data elsewhere.

(ii) Respondent Activities

The respondent activities associated with reporting of compliance and enforcement actions are detailed in Worksheet 1 in Section 6(a), below. These activities include:

- Process, compile, and review information for accuracy and appropriateness; and
- Transmit information in written or electronic format for entry into AFS, including any

necessary changes to state and local data systems to facilitate the transfer of the AFS MDRs.

- Affirmation that the data has been transmitted accurately.

These tasks generally are to be performed on a 60-day basis. Section 6 of this Support Statement describes the cost and burden of these respondent activities. Most of the burdens under Activity 1 are designated as Customary Business Practice (CBP) because the state and local agencies will collect the information required by EPA for their own program management.

Record Retention: AFS users have the ability to delete data from the system that is no longer valid or pertains to sources that are permanently closed. Users of AFS are required to maintain reportable MDR data in the system for at least five (5) years with the exception of data pertaining to HPVs and sources with minor formal enforcement actions. Sources with high priority violations are to be kept in AFS regardless of operating status. Minor sources with formal enforcement actions should be maintained in AFS for at least three years. Users are encouraged to archive permanently closed facilities after five years unless HPV activity is contained within the records.

**TABLE 1**
**SUMMARY OF NATIONAL MINIMUM DATA REQUIREMENTS (MDRs)**
**FOR CLEAN AIR ACT STATIONARY SOURCE COMPLIANCE-2011 ICR**

Note: Unless otherwise noted, both Regions and states/locals report their data. The reportable universe of facilities for AFS includes: Major, Synthetic Minor and Part 61 NESHAP Minor facilities, other facilities identified within the CMS Evaluation Plan, any facility with a formal enforcement action and any facility with an active HPV. Facilities with formal enforcement actions (administrative orders, consent decrees, civil or criminal referrals and actions) should be tracked in AFS until the resolution of the violation, regardless of classification. If a minor source is included in the CMS universe, has a current enforcement action of <3 years old, or is listed as a discretionary HPV, it is considered reportable to AFS. Individual regional/state agreements are not superseded by this listing.

| **Identification** | **AFS Acronym** |
|---|---|
| 1. Facility Name | PNME |
| 2. State | STAB/STTE |
| 3. County | CNTY |
| 4. Facility Number | PCDS |
| 5. Street | STRS |
| 6. City | CYNM |
| 7. Zip Code | ZIPC |
| 8. NAICS Code<br>[Note: While SIC Codes can be reported to AFS, reporting of the NAICS code is required.] | NIC1 |
| 9. Government Ownership | GOVT |
| 10. HPV Linkage and Key Action (Day Zero) | Linked from Action Data |
| **Compliance Monitoring Strategy (CMS)** | |
| 11. CMS Source Category | CMSC |
| 12. CMS Minimum Frequency Indicator | CMSI |

Note: Generally EPA enters these fields into AFS; state/locals provide this information per agreement with the EPA Region. An EPA Region may delegate data entry rights to a state/local agency.

**All Regulated Air Program(s) [Note: All applicable air programs should be reflected at the plant level of AFS.]**

13. Air Program APC1

14. Operating Status AST1

15. Subparts for NSPS, NESHAP and MACT SPT1

Note: Any applicable subpart for the NSPS, NESHAP or MACT air program at major and synthetic minor sources, minor source NESHAP and all other facilities reported as MDR. Reporting of minor source NSPS and MACT subparts are optional but recommended.

**Regulated Pollutant(s) within Air Program(s)**

16. Pollutant(s) by Code or Chemical Abstract Service Number PLAP/CAPP

17. Classification(s): EPA/ST ECLP/SCLP

18. Attainment Status: EPA/ST EATN/SATN

[Note: The 2011 ICR restricts the values necessary for the Attainment Status to N = Nonattainment, A = Attainment, and U = Unknown.]

19. Compliance Status: EPA/ST ECAP/SCAP

**Actions Within Air Programs (includes Action Number, Type, Date Achieved)**

20. Minimum Reportable Actions:
    - Informal Enforcement Actions: Notice of Violation(s)
    - Formal Enforcement Actions: Administrative Order(s) and Assessed Penalties, Consent Decrees and Agreements, Civil and Criminal Referrals, Civil and Criminal Actions
    - HPV Violation Discovered: Linked actions are FCEs, PCEs, Stack Tests (Observed or Reviewed), Title V Annual Compliance Certifications, Stack Test Notification Receipt
    - HPV Addressing Actions: Linked actions include but are not limited to State/EPA Civil or Criminal Referrals, State/EPA Civil or Criminal Actions, Administrative Orders, Consent Decrees, Source Returned to Compliance by State/EPA with no Further Action Required.
    - HPV Resolving Actions: Linked actions include but are not limited to Violation Resolved, Closeout Memo Issued, Source Returned to Compliance by State/EPA with no Further Action Required.

- Full Compliance Evaluations (On or Off Site)
- Stack Tests: Date of the test is reported in the Date Achieved field, Pass/Fail/Pending codes (PP/FF/99) are reported in the results code field, must be reported to AFS within 120 days.
- Title V Annual Compliance Certification Due/Received: Reported by EPA unless otherwise negotiated. The Due Date of a Title V Annual Compliance Certification will be reported as Date Scheduled on the "Title V Annual Compliance Certification Due/Received by EPA" action, and is not enforcement sensitive.
- Title V Annual Compliance Certification Reviewed: Includes Results Codes for Annual Compliance Certification reviews: in compliance (MC), in violation (MV) and unknown (MU). Annual Compliance Certification deviations(s) will be indicated in RD08 for EPA reviews (and state reviews as negotiated).
- Investigations: EPA Investigation Initiated (started) and State/EPA Investigation Conducted (finished). State Investigation Initiated is added for optional use. EPA and State Investigation Initiated (started) action types are enforcement sensitive.

**Additional Action Information**:

21. Results Code RSC1
Note: Pass/Fail/Pending (PP/FF/99) codes are reported for Stack Test actions. Compliance Results Codes of "In Compliance (MC), In Violation (MV), or Unknown (MU)" are entered for Title V Annual Compliance Certification reviews.

22. RD08 (Certification Deviations) RD81
Note: EPA reports into AFS unless otherwise negotiated. Compliance Codes of "In Compliance (MC), In Violation (MV), or Unknown (MU)" are entered for Title V Annual Compliance Certification reviews.

23. Date Scheduled DTS1
Note: The Due Date of a Title V Annual Compliance Certification will be reported as Date Scheduled on the "Title V Annual Compliance Certification Due/Received by EPA" action, and is not enforcement sensitive.

24. HPV Violation Type Code(s) VTP1
Note: To be identified when the Day Zero action is established.

25. HPV Violating Pollutant(s) VPL1
Note: To be identified when the Day Zero action is established.

**Timeliness Standard**

26. Action Reported within 60 Days of Event reported in the Date Achieved (DTA1) field of the action record for state and local agencies, with a minimum upload of six (6) times per year.

Monthly updating is encouraged. Federal Data is to be reported on a monthly basis.

## OPTIONAL/DISCRETIONARY DATA REPORTING TO AFS: NON-MDR DATA

The following items cover data that is not considered an MDR, but will be useful and helpful for program implementation, evaluation and oversight. State and local agencies are encouraged to report the following items whenever practicable.

- Minor Facility information: For minor sources that are not MDR (MDR for minor facilities is defined as: Minor NESHAP, a minor facility identified within the CMS plan for evaluation, minor facilities with an enforcement action <3 years old, or any HPV case regardless of class) reporting is optional but encouraged. Minor source information would include NSPS and MACT subpart applicability.

- Stack Test Pollutant (PLC1)

- Partial Compliance Evaluations (PCEs) and specific reporting of On-Site PCE activity defined as: Complaint Partial Compliance Evaluation, Permit Partial Compliance Evaluation, Process Partial Compliance Evaluation, Partial Compliance Evaluation On-Site Observation. (Note: All PCEs are required to be reported by EPA Regional offices. Also, any negotiated PCEs that are part of an alternative frequency which is part of an agency's CMS plan are required to be reported.)

- Reporting more frequently than every 60 days.

- State Investigations initiated (Enforcement Sensitive).

- Title V Permit Program Data Elements (PPDEs): Required for reporting to AFS by the Office of Air Quality Planning and Standards (OAQPS), used by the Office of Enforcement and Compliance Assurance (OECA) for major source universe population. To be established when the Title V permit is issued. AFS will require the establishment of an AFS ID, the individual permit number, category, and event type for permit issued plus the date achieved. Permit Program Data Elements (PPDEs) include the Permit Number (ASPN), Permit Category (PMTC), and Permit Issuance Event Types (IF-Permit Issued and IR-Permit Renewal) and the date (PATY/PDEA).

- Automatic Generation of the Compliance Status for High Priority Violator (HPV) Pathways: Agencies have the option of using AFS software to generate the compliance status for sources with HPV pathways.

## 5. AGENCY ACTIVITIES, COLLECTION METHODOLOGY, AND INFORMATION MANAGEMENT

### (a) AGENCY ACTIVITIES

Activities performed by EPA personnel involve both EPA Regional and Headquarters staff. The Regional Offices generally serve as the primary liaison with respondents (and, if applicable, assume the primary role of any EPA reporting of data to AFS), while Headquarters staff focus on data system issues, data management practices, and other national program management activities. The EPA activities include[1]:

- Interaction with delegated agencies (e.g., answer respondent questions, train respondents on the use of the system, liaison with state and local agencies, participate in National AFS data management discussions, etc.)
- Audit and review of data submissions
- Data entry and verification
- Report preparation
- Program review (including review of AFS user needs and suggestions of software revisions, or identification for state and local agencies of best/efficient data management and quality assurance practices)
- Data interpretation and analysis (including targeting activities)
- Quality assurance guidance

### (b) COLLECTION METHODOLOGY AND MANAGEMENT

#### *(i) Overview*

The compliance and enforcement information collected from state and local respondents for entry into AFS is a well established process. Compliance and compliance action reporting to AFS and its predecessor, the Compliance Data System (CDS), has existed for the past 30 years. The MDRs have been developed as essential components of a compliance tracking program and have been adopted into state and local systems. Many states automatically update AFS from a local database, while some enter data into AFS directly. In some instances, EPA Regional Offices enter state and local agency compliance and enforcement data into AFS. Several EPA regional offices enter HPV data for state/local agency staff, whereas most regions have delegated data entry responsibility.

1 For purposes of estimating burdens, the first four items are considered the primary Regional Office activities and the last three items are considered the primary Headquarters activities.

EPA data collection guidance and technical support to the respondent reporting community during the past 30 years has focused on supporting these agencies in their collection methodology in order to minimize the total burden associated with meeting their reporting requirements, and the Agency will continue to focus on these efforts. The continued development of the UI to allow for batch upload of data from a variety of state and local agency data systems to AFS is a central component of the ongoing EPA effort to ease the burdens on agencies to report data to AFS. In addition, consultations with respondents confirms for EPA that AFS is perceived as an old system in which it is difficult to report, quality assure, and extract data. EPA has begun modernization efforts, with the completion of a Needs Analysis in 2003; an initial Closeness of Fit Analysis to OECA's Integrated Compliance Information System in 2004; a Modernization Workgroup in 2007, a Business Case Analysis in 2009 and an Alternatives Analysis in 2010 to take additional steps toward a modernized AFS. EPA will work with respondents to ensure that all the major reporting issues are dealt with in a modernized AFS.

EPA also has developed documents and memoranda to explain the collection and reporting of MDRs for AFS, such as user manuals. In addition to these documents, EPA provides services in support of optimizing the collection and reporting of AFS MDRs, including the following:

- An AFS telephone help line providing users with data collection transmittal and quality assurance, supplemented by Contractual, Regional and Headquarters staff.

- User training provided as requested and as funds allow.

- Flash Movie training materials available on the National Enforcement Training Institute (NETI) website (www.netionline.com).

- EPA has provided the UI to facilitate reporting by state/local agencies to the AFS. This program eliminates the need for costly support of a native conversion program. Over the last five years, EPA has provided almost $2,800,000 in grant dollars to help state and local agencies apply and use the UI for reporting to AFS. There are currently 17 users of the product. Users of the product indicate varying levels of resource savings.

- A national AFS user workshop designed to provide as much training as possible, as well as provide up-to-date information regarding data reporting and quality assurance.

- A national AFS Compliance Workshop where input is solicited from Regional representatives to improve data collection and reporting. Attendees are provided with reports regarding the EPA data analysis relative to program progress. The output of these meetings includes memoranda or best practices documents that are promulgated to state data collection and reporting respondents.

- A publicly-available EPA AFS Web site provides all users, as well as the general public,

with information on documents, manuals, training information, updates, etc. (http://www.epa.gov/compliance/data/systems/air/index.html). Additionally, a User-Only website is available with specific programmatic information (such as teleconference minutes, planning activities) designed to keep AFS users informed of any and all system updates. The website does not provide access to AFS.

- A monthly national webinar to disseminate news and information to all registered users.

- The AFS Business Rules, compiled in 2003 with user input. This document, used in tandem with system documentation, provides the user with a complete system and programmatic guide for using AFS.

- An EPA-sponsored Lotus Notes Quickr Site for AFS Users, providing a forum for discussion and information sharing.

EPA presents these tools in plain English to provide novice and experienced personnel with suggestions as to how their reporting burden can be minimized. More specific guidance is provided as each EPA Regional Office enters into specific agreements with state and local agencies on AFS reporting.

*(ii) Data Quality Checking Procedures*

AFS data are edited and validated by the system for range, context, and appropriate database record identification and cross referencing upon submission to AFS. On a monthly basis, EPA downloads data from AFS and loads it into multiple applications providing data to the public: the Online Tracking and Information System (OTIS) which provides powerful analysis capabilities to EPA and state and local agencies, the ECHO system and ENVIROFACTS. These systems maintain procedures for error resolution and correction, thereby improving the quality of data in AFS.

Many state and local agencies have written Standard Operating Procedures or have expanded Quality Assurance Project Plans that define their reporting process. These procedures contain a data correction mechanism, define data ownership, and outline each step taken to report timely, accurate, and useable data to AFS. Additionally, OECA's Office of Compliance has a Quality Management Plan requiring that data quality requirements are built into each legacy application and required of each respondent.

EPA reviews a comprehensive set of data retrievals on a cyclic basis to review state/local agency progress within the CMS, milestone completion with HPV pathways, and overall review of data elements for accuracy.

The State Review Framework (SRF) project will provide state/local agency reviews every four years, utilizing AFS MDR data to document activity for air compliance and

enforcement oversight.

*(iii) Machine and Processing Technology*

AFS resides on EPA's Enterprise Server (IBM System z9 computer) at the National Computer Center (NCC) in North Carolina and is accessible to all state and local agency users via a Host on Demand session via the Internet or through DynaComm communications software available to Federal users.

*(iv) Data Entry and Storage*

Once compliance data are submitted to EPA either directly online or via a batch update, the data are managed and maintained by EPA. EPA policy specifies the security and retention requirements for its databases, in addition to the specific program requirements and archiving protocols associated with each compliance data collection program. Users of AFS are required to maintain reportable MDR data in the system for at least five (5) years with the exception of data pertaining to HPVs and sources with minor formal enforcement actions. Sources with HPVs are to be kept in AFS regardless of operating status. Sources with minor formal enforcement actions should be maintained in AFS for at least three years, as AFS software does not allow deletion of actions less than three years old. Users are encouraged to archive permanently closed facilities after five years unless HPV activity is contained within the records. Additionally, the AFS Business Rules provide guidance for the archiving and deletion of old data.

*(v) Public Access*

The public may access AFS through:

- Freedom of Information Act requests made to EPA;
- "Browse" (read) only access to AFS non-confidential data. This requires an NCC user account and AFS non-confidential data access security clearance; and
- Review of AFS data available through EPA-supported Web sites such as ECHO (http://www.epa-echo.gov/echo/) and ENVIROFACTS (http://www.epa.gov/enviro/).

(c) SMALL ENTITY FLEXIBILITY

The respondents for this information collection activity are state, local, district, and Commonwealth environmental agencies. The Regulatory Flexibility Act (RFA), incorporated in the 1995 Paperwork Reduction Act, defines a "small governmental jurisdiction as governments of cities, counties, towns, townships, villages, school districts, or special districts with a population of less than 50,000." The state and local agencies covered by this renewal ICR are above that threshold, and therefore no small entities will be affected by this information

collection. The respondents defined as local agencies are recipients of Clean Air Act Section 105 grants, or have assumed reporting responsibility from their respective state agency.

(d) COLLECTION SCHEDULE

Since the 2005 ICR, AFS data from state and local agencies is collected on a 60-day schedule, associated with the Federal fiscal calendar. Regional and Federal data is to be reported to AFS on a monthly basis. Each month, data is extracted and provided to EPA systems for use in analysis and to provide data to the public. On a routine basis Regional and HQ EPA program staff develop trend and status reports utilizing AFS data and assess the completeness of the data submitted.

A normal data submission to AFS is composed primarily of action items (reference Table 1 of Section 4, Summary of National Minimum Data Requirements (MDRs)). State and local agencies would be including new sources, changes in classification or compliance status to existing sources and any other changes to the basic identification of the reportable universe (pollutants, operating status, attainment/nonattainment indicators, etc.). The inventory of sources may change (for example, many sources change processes and thus lower their emission levels resulting in a classification change from major to synthetic minor--or even minor) periodically, but is usually not a significant increase to data uploads.

## 6. ESTIMATING THE BURDEN AND COST OF THE COLLECTION

(a) ESTIMATING RESPONDENT BURDEN

Worksheet 1 reports the annual respondent burden estimates by burden activity. Worksheet 1 is derived from Appendix 1, Comments Received During the Public Comment Period Ending March 21, 2011; Appendix 2, Agencies Directly Contacted for Burden Estimates; and Appendix 3, State and Local Agency Classification by Size; plus activity assumptions discussed in Section 4(b)(ii) of this collection request. The respondent hour burden presented in this renewal ICR reflects the current and unchanged MDRs, as listed in Table 1 in Section 4(b) of this document. Based on the consultations identified in Section 3(c) and other data analyses, the burden estimates incorporate the following assumptions and findings:

- There are 99 respondents, with 6 small agencies from the State of California added. Appendix 3 identifies the list of respondents reporting to AFS.
- Changes to the documented reporting universe:
    - The category of Large Agencies remained the same at 13 agencies, however, totals of major sources were reduced in Missouri and increased in Alabama.
    - The category of Medium Agencies increased from 22 sources in the 2008 ICR to 37 agencies. AL was moved to the Large Agency category while added were:
        - TN Knoxville
        - ME

- MT
- ND
- CA Santa Barbara
- CT
- SD
- CA Bay Area
- NE
- UT
- MD
- HI
- WA
- OR
- DE
- MO

- The category of Small Agencies decreased from 58 agencies to 49 Agencies. The following agencies were added:
  - CA Feather River
  - CA Imperial
  - CA Kern
  - CA Mojave Desert
  - CA San Luis Obispo
  - CA Yolo Solano

- The basis of the reportable universe is 14,511 major sources (7% less than the 2008 ICR renewal, ~26% fewer than in the 2005 ICR renewal, and 32% fewer than in the 2001 ICR renewal), and 24,494 synthetic minor sources (sources with the potential to emit at the major threshold, but emit under this threshold due to process or operating restrictions). Also reportable are minor National Emission Standards for Hazardous Air Pollutants (NESHAP) sources (1,250 sources nationwide), any source included in the CMS universe for evaluation (opted-in sources used as a replacement for other sources) regardless of class, any minor source with an enforcement action < 3 years old, or any source with a High Priority Violation.

- The average respondent hours per response for reporting activities will depend on the number of sources for which a state or local agency must collect and report compliance and enforcement data. To reflect these differences EPA has grouped the agencies in three categories for purposes of this ICR based on the number of major sources that are in each state and local agency's jurisdiction, as defined in the following table:

| Respondent Size Category | Number of Facilities | Number of Agencies |
|---|---|---|
| Large | >350 Major Sources | 13 |
| Medium | 60-349 Major Sources | 22 |
| Small | 59 or fewer Major Sources | 58 |

This is a change of respondent size from previous renewals, based on the change in number of major sources in the large category and the increase of six small agencies from the State of California.

- A set of interview guides was created for estimating burden. The following guidelines were used for the guides:

**SYSTEM REPORTING SETUP AND IMPLEMENTATION**: Time and resources invested in equipment setup, implementation, and maintenance. Estimates of time spent to ensure communications software is working and hardware costs, if applicable. Reportable as time in hours and a dollar amount for equipment purchased for the sole purpose of entering AFS data. If an employee uses a state/local agency computer for more than just AFS data entry, equipment costs are not added to the burden estimate.

**DATA PREPARATION**: Preparation of data before data input. This category is used for Direct Entry agencies, agencies with specific data flows that are directly entered into AFS (HPV), batch states without a conversion program or batch states uploading AFS data that is not maintained in their own system. Time is reported in hours per year.

**DATA ENTRY (DIRECT/BATCH)**: Historic information is used to estimate data entry of Minimum Data Requirements (MDRs). Number of actions is multiplied by 1 minute then converted to hours per year. Universe upkeep is also included, consisting of maintenance of plant general, air program, and air program pollutant information. This time is based on the national average of sources in noncompliance. Review of FY2010 data show a national average of 10% of sources in violation. This would require changing the air program pollutant data to violation, and then, in time, back to compliance. These activities are added to times reported for data quality and review, training, meetings, and other data-related activities to compile a final burden total.

**BATCH FILE EXTRACTION**: This category is used for creation of new conversion programs in Batch Agencies only. It covers the time and resources spent for data mapping, conversion work, file creation and testing. Time is reported in hours per year. If an agency has an existing batch file extraction program, no burden is reported.

**CONVERSION FILE MAINTENANCE**: Estimates of time spent in maintaining an existing conversion program are reported in this category. Time is reported in hours per year. Users of the Universal Interface program will have no time indicated in this category, as the conversion program is maintained by EPA.

**CONTRACTOR ASSISTANCE**: If any time and resources spent are for contractual assistance versus state/local agency personnel, those resources should be reporting using this category. Report dollars spent per year.

**HPV OVERSIGHT**: Special data oversight of HPV cases is estimated at 10 minutes per month per case. Historic information of active cases during FY2010 will be used to estimate this burden.

**DATA QUALITY PROCEDURES**: Estimates reported in hours per year will reflect review of direct data entry and batch file compare and error reports. Estimates in this category reflected an increase due to a better understanding of time needed for quality assurance work. Our understanding of necessary quality assurance improved from the State Review Framework analysis.

**TRAINING AND INFORMATIONAL MEETINGS**: Estimates reported in hours of time spent in training, conferences, workshops, and other meetings concerning AFS data entry ONLY.

- Estimations from direct users of AFS used a conversion of activity from FY10, universe of sources, comments received from the Federal Register announcement and input from interviews. Actual numbers of Full Compliance Evaluations, Stack Tests, Notices of Violation, Enforcement Actions, and HPV activity were taken into account to reach an estimation of burden.

- Estimations from batch users were completed using the same base information used for burden estimate of direct users, but also took into consideration the process used within the agency for generation of a transfer file. Time necessary to create the batch file from a state system will vary on the complexity of a system. Universal Interface users have a streamlined effort of time with no maintenance costs and thus have a lower level of effort than state or local agencies that maintain their own conversion program.

(b) ESTIMATING RESPONDENT COSTS

*(i) Estimating Labor Costs*

The last column in Worksheet 1 reports the total costs of respondent burden activities. The costs reflect the use of appropriately skilled labor at $47.89 per hour. This hourly rate is in 2010 dollars reflecting average state/local government wages and

salaries taken from the Bureau of Labor Statistics, US Department of Labor web site at http://stats.bls.gov/NEWS.RELEASE/ECEC.T04.HTM. This average wage incorporates 95% of Management, Professional, and Related rates and 5% Office and Administrative Support rates from the Occupational Group of State and Local Government Employer costs per hour, to reflect the mix of skills required for data oversight. The 2008 ICR used a rate of $45.90 per hour. The burden cost by activity is computed as the product of burden hours and cost per hour. Added to cost are appropriate travel costs to meetings and workshops. The total annual burden cost for state and local agencies is estimated to be approximately $2.8 million. The burden per response is approximately 92 hours.

*(ii) Estimating Capital and Operations and Maintenance Costs*

There are no capital and maintenance costs associated with this reporting activity. State and local agencies maintain computers for their own tracking needs and this reporting activity only involves reformatting and transmission of that data. As necessary, EPA provided the equipment necessary for electronic transmission of data from state and local systems to AFS as part of an AIRS Connectivity Project prior to 1991.

(c) ESTIMATING AGENCY BURDEN AND COST

Section 5(a) identifies several Agency activities for this information collection. Worksheet 2 presents the Federal EPA burden and cost estimates for each of these activity categories. Hours are allocated for data base management on the basis of 1.5 full-time equivalent positions dedicated to AFS activities in each Regional Office and 2 full time equivalents at the Headquarters level. The estimates are based on information from Regional Offices and on prior experience with the program. Estimates are formulated on a monthly basis versus bi-monthly basis (every 60 days) required of state and local agencies. Cost estimates for Regional activities are based on the salary of a GS-12 (step 5) staffer in 2010. An overhead factor of 1.6 is applied, and an average locality adjustment pay is available via the Salary Table on the Office of Personnel Management's web site to determine a full loaded hour rate for Regional activities or $2,036,369 annually across the nation (http://www.opm.gov/oca/10tables/indexGS.asp). The cost also includes travel expenses for Regional employees to attend data meetings and workshops.

The bottom half of Worksheet 2 shows the burden and costs for EPA Headquarters staff. Direct labor costs are based on a GS-14 (Step 5) System Administrator, and a GS-13 (Step 5) Security Manager. The fully loaded staffing cost, with Washington DC locality pay, using the 1.6 benefit factor, is $355,037. The cost also includes travel expenses for Regional employees to attend data meetings and workshops.

## WORKSHEET 1
## ANNUAL STATE RESPONDENT BURDEN ESTIMATES

| Respondent Activities: Process, compile and review information; transmit information to AFS. Maintain records for AFS reporting compatibility. | Number of State/Local Agencies | Annual Responses (6x per year) | Annual Hours per Respondent | Total Hours | Total Cost |
|---|---|---|---|---|---|
| Small State/Local Agencies (less than or equal to 59 major sources) | 49 | 294 | 1,519.00 | 9,114.00 | $475,388.00 |
| Medium State/Local Agencies (60-299 major sources) | 37 | 222 | 2,593.08 | 15,558.50 | $772,784.33 |
| Large State/Local Agencies (greater than or equal to 300 major sources) | 13 | 78 | 4,951.92 | 29,711.50 | $1,595,014.89 |
| **Totals** | **99** | **594** | **9,064.00** | **54,384.00** | **$2,843,187.22** |

Total Cost is taken from Department of Labor statistics found at: http://stats.bls.gov/NEWS.RELEASE/ECEC.T04.HTM
Costs include median dollar amounts for travel costs to data management meetings and workshops.

**WORKSHEET 2**
**FEDERAL ANNUAL AGENCY BURDEN ESTIMATES**

| EPA REGION | # OF RESPONSES | HOURS PER RESPONSE | TOTAL HOURS | HOURLY COST | FULLY LOADED COST | TOTAL COST | |
|---|---|---|---|---|---|---|---|
| REGION 1 | 12 | 260.00 | 3,120.00 | $40.85 | $65.36 | $205,923.20 | Boston, MA |
| REGION 2 | 12 | 260.00 | 3,120.00 | $42.13 | $67.41 | $212,312.96 | New York, NY |
| REGION 3 | 12 | 260.00 | 3,120.00 | $39.86 | $63.78 | $200,981.12 | Philadelphia, PA |
| REGION 4 | 12 | 260.00 | 3,120.00 | $39.05 | $62.48 | $196,937.60 | Atlanta, GA |
| REGION 5 | 12 | 260.00 | 3,120.00 | $40.95 | $65.52 | $206,422.40 | Chicago, IL |
| REGION 6 | 12 | 260.00 | 3,120.00 | $39.50 | $63.20 | $199,184.00 | Dallas, TX |
| REGION 7 | 12 | 260.00 | 3,120.00 | $37.37 | $59.79 | $188,551.04 | Kansas City, MO |
| REGION 8 | 12 | 260.00 | 3,120.00 | $40.10 | $64.16 | $202,179.20 | Denver, CO |
| REGION 9 | 12 | 260.00 | 3,120.00 | $44.24 | $70.78 | $222,846.08 | San Francisco, CA |
| REGION 10 | 12 | 260.00 | 3,120.00 | $39.87 | $63.79 | $201,031.04 | Seattle, WA |
| **Totals** | **120** | **2,600.00** | **31,200.00** | | | **$2,036,368.64** | |

| EPA HEADQUARTERS | # OF RESPONSES | HOURS PER RESPONSE | TOTAL HOURS | HOURLY COST | FULLY LOADED COST | TOTAL COST | |
|---|---|---|---|---|---|---|---|
| SYSTEM ADMINISTRATOR | 12 | 173.33 | 2,080.00 | $57.13 | $91.41 | $192,128.64 | GS-14/5 |
| SECURITY MANAGER | 12 | 173.33 | 2,080.00 | $48.35 | $77.36 | $162,908.80 | GS-13/5 |
| **Totals** | **24** | **346.67** | **4,160.00** | | | **$355,037.44** | |
| **Total Federal Burden** | **144** | **2,946.67** | **35,360.00** | | | **$2,391,406.08** | |

Federal Wage Scales found at: http://www.opm.gov/oca/10tables/indexGS.asp
Fully loaded wage is hourly wage multiplied by 1.6. Total cost includes travel costs for meetings and workshops.

(d) ESTIMATING RESPONDENT UNIVERSE AND TOTAL BURDEN

See Worksheet 1 (above).

(e) BOTTOM LINE BURDEN HOURS AND COSTS

Worksheet 3 summarizes the total annual burden hours and costs for AFS collection activity. The data for Worksheet 3 represents totals computed across activities identified in Worksheets 1 and 2.

# WORKSHEET 3
# TOTAL BURDEN HOURS AND COSTS

| Respondent Type | Total Hours | Total Costs |
|---|---|---|
| 1. States/Local Agencies | 54,384 | $ 2,843,187 |
| 2. EPA Regions | 31,200 | $ 2,036,369 |
| 3. EPA Headquarters | 4,160 | $ 355,037 |
| **Totals** | **89,744** | **$ 5,234,593** |

(f) REASONS FOR CHANGE IN BURDEN

Under this renewal ICR, total annual state and local agency respondent burden has decreased to 54,384 hours, while the 2008 ICR estimated a total annual respondent burden of 73,073 hours. Thus, the total estimated annual decrease in respondent burden is 18,689 hours. No adjustment to the baseline count of hours is submitted. The following information is provided to account for burden difference:

- Reduction in the Major Source universe: The universe of Major Sources continues to reduce in size. The FY2010 universe was 14,511 major sources, the universe used for the 2008 ICR was 15,563 major sources, a difference of 7%. Universe figures will result in less reporting burden to report a smaller universe.

- Use of the Universal Interface software program: There were 17 agencies using the product. One state estimated they obtained a 30% savings in time using the UI. Not every state realizes the same amount of savings while using the product, as mapping and implementation depend upon the structure of the in-house database. However, a portion of the burden savings can be attributed to use of the UI.

- Consultations with states/local agencies reveal significant differences in estimated burdens. The burden estimated from one small state with direct data entry was twice as many hours than reported from the medium agencies with more than 75% more sources. Burden estimations were built on universe size and method of update to AFS: Direct user, batch user, or a UI batch user.

- Every agency has a different procedure for the collection, review, verification, entry, analysis and interpretation of data management procedures. What might take 20 hours in one agency may take 30 or more hours in another due to internal procedures, management practices, and the relative skill and experience of the user. Many of the agencies interviewed totaled the FTE hours expended in their agency and divided those hours amongst the ICR Burden Estimate categories.

- None of the agencies interviewed used outside contractors for any data management work. In the past, contractor work has proven to be more labor intensive and more expensive than work completed by state or local employees.

- All agencies interviewed noted lack of resources available for data management activities. All agencies report that data management responsibilities are collateral duties for staff, and while the agencies would like to spend more time on quality assurance and review, there is not enough time available with dwindling resources.

(g) BURDEN STATEMENT

The average burden per response for this collection of information is estimated to be 92 hours, though this estimate varies according to the type of respondent. Reporting by state and local environmental agencies on source compliance and enforcement actions is estimated based on the number of major sources in the state/local area. On a yearly basis using median counts, a small state/local agency spends an average of 31 hours per 60 days reporting to AFS. A medium state/local agency spends an average of 70 hours and a large state/local agency will spend around 381 hours per 60 days reporting to AFS, for a total of 54,384 hours per year for the transmittal, management and quality assurance of their data. EPA will require a total of 35,360 hours per year for EPA oversight, data quality assurance, reporting, and other Agency activities, for an overall total of 89,744 hours for both Federal and state/local agency effort.

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An

agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15.

To comment on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, EPA has established a public docket for this ICR under Docket ID No. EPA-HQ-OECA-2010-0777, which is available for online viewing at www.regulations.gov, or in person viewing at the OECA Docket in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Ave., NW, Washington, DC. The EPA/DC Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202)566-1744, and the telephone number for OECA Docket is (202)566-1752. An electronic version of the public docket is available at www.regulations.gov. This site can be used to submit or view public comments, access the index listing of the contents of the public docket, and to access those documents in the public docket that are available electronically. When in the system, select "search," then key in the Docket ID Number identified above. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, D.C. 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-OECA-2010-0777 and OMB Control Number 2060-0096 in any correspondence.

# APPENDIX 1

## COMMENTS RECEIVED DURING THE COMMENT PERIOD ENDING MARCH 21, 2011

1 Mr. Arthur Marin, Executive Director
Northeast States for Coordinated Air Use Management (NESCAUM)
89 South Street, Suite 602
Boston, MA 02111

2 Trina L. Vielhauer, Acting Director
Division of Air Resource Management
Bob Martinez Center
2600 Blair Stone Road
Tallahassee, FL 32399-2400

# APPENDIX 2

# CONSULTATIONS WITH STATE/LOCAL AGENCIES TO CONTACT FOR ICR RENEWAL

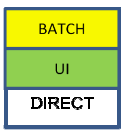
| Contact | Organization | Telephone | # of Major Sources | Method of Reporting to AFS | Contact Email |
|---|---|---|---|---|---|
| Ken Mangelsdorf | South Coast Air Quality Management District | 909 396-2420 | 495 (large) | Online Direct | kmangelsdorf@aqmd.gov |
| Michelle Flores | TX Commission of Environmental Quality | 512 239-0471 | 1418 (large) | Batch | miflores@tceq.state.tx.us |
| Jon Trout | KY Department for Environmental Protection | 502 564-3999 | 290 (medium) | Batch-Universal Interface | Jon.trout@ky.gov |
| John Morrill | MN Department of Natural Resources | 651 296-6157 | 305 (medium | Batch | John.morrill@pca.state.mn.us |
| Arch Crouse | CO Department of Public Health and Environment | 303 692-3156 | 284 (medium) | Batch | arch.crouse@state.co.us |
| Stephen Ours | DC District Department of the Environment | 202 535-2600 | 34 (small) | Online Direct | stephen.ours@dc.gov |
| Marilyn Seymore | ID Department of Environmental Quality | 208 373-0211 | 58 (small) | Online Direct | marilyn.seymore@deq.idaho.gov |
| Cindy Shubatt | IA Linn County Public Health | 319 892-6000 | 11 (small) | Online Direct | Cindy.shubatt@linncounty.org |
| Ted Burns | RI Department of Environmental Management | 401 222-2808 | 39 (small) | Online Direct | Ted.burns@dem.ri.gov |

# APPENDIX 3

## STATE AND LOCAL AGENCY CLASSIFICATION BY SIZE
## 99 AGENCIES

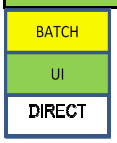
**SMALL = <59 MAJOR SOURCES**

| AGENCY | MAJORS | AGENCY | MAJORS |
|---|---|---|---|
| AMERICAN SAMOA | 0 | CA-MONTEREY BAY | 19 |
| NV-WASHOE | 2 | OR-LANE | 19 |
| WA-BENTON | 2 | AL-HUNTSVILLE | 20 |
| MARIANNAS PROTECTORATE | 4 | WA-NORTHWEST | 20 |
| WA-YAKIMA | 5 | VI | 21 |
| CA-FEATHER RIVER | 6 | VT | 21 |
| CA-KERN | 6 | CA-SAN DIEGO | 26 |
| CA-SAN LUIS OBISPO | 6 | CA-VENTURA | 28 |
| IA-POLK | 9 | NV-CLARK | 28 |
| NM-ALBUQUERQUE | 9 | NC-ASHEVILLE | 30 |
| WA-SPOKANE | 9 | NV | 30 |
| NC-FORSYTH | 10 | WA-PUGET SOUND | 33 |
| CA-IMPERIAL | 11 | DC | 34 |
| IA-LINN | 11 | PA-ALLEGHENY | 34 |
| NC-MECKLENBURG | 11 | TN-MEMPHIS | 36 |
| AZ-PINAL | 14 | KY-JEFFERSON | 37 |
| CA-YOLO SOLANO | 14 | AL-JEFFERSON | 38 |
| AZ-PIMA | 15 | AZ-MARICOPA | 39 |
| CA-SACRAMENTO | 15 | PA-PHILADELPHIA | 39 |
| NE-LINCOLN-LANCASTER | 15 | RI | 39 |
| GU | 16 | NH | 44 |
| WA-OLYMPIC | 16 | PR | 49 |
| WA-SOUTHWEST | 16 | CA-MOJAVE DESERT | 50 |
| TN-NASHVILLE | 17 | ID | 58 |
| TN-CHATTANOOGA | 18 | | |



**MEDIUM = 60-349 MAJOR SOURCES**

| AGENCY | MAJORS | AGENCY | MAJORS |
|---|---|---|---|
| TN-KNOX | 60 | WY | 167 |
| ME | 66 | NM | 169 |
| CA-CARB | 69 | WV | 192 |
| MT | 69 | AR | 202 |
| ND | 69 | CA-SAN JOAQUIN | 257 |
| CA-SANTA BARBARA | 75 | VA | 273 |
| CT | 83 | IA | 274 |
| SD | 86 | CO | 284 |
| CA-BAY AREA | 90 | MS | 288 |
| NE | 116 | KY | 290 |
| UT | 119 | KS | 300 |
| MD | 127 | MN | 305 |
| HI | 131 | OK | 306 |
| WA | 132 | TN | 307 |
| OR | 135 | MO | 314 |
| AZ | 139 | NJ | 317 |
| MA | 144 | SC | 322 |
| AK | 149 | NC | 346 |
| DE | 162 | | |




**LARGE = >350 MAJOR SOURCES**

| | |
|---|---|
| AL | 371 |
| FL | 405 |
| GA | 406 |
| NY | 448 |
| MI | 459 |
| CA-SOUTH COAST | 495 |
| WI | 500 |
| IL | 502 |
| LA | 520 |
| PA | 634 |
| IN | 669 |
| OH | 725 |
| TX | 1418 |