

**Status of FY 2021 Appropriations Bills**  
**Prepared by the National Association of Clean Air Agencies (NACAA)**  
**December 27, 2020**

	<b>Final FY 2020 Bill PL 116-94 (H.R. 1865) (signed December 20, 2019)</b>	<b>FY 2021 President's Request (February 10, 2020)</b>	<b>FY 2021 House Bill H.R. 7608 (passed July 24, 2020)</b>	<b>FY 2020 Senate Bill (announced November 10, 2020)</b>	<b>Final House-Senate Omnibus Bill – H.R. 133 (signed December 27, 2020)</b>	<b>NACAA Recom- mendations</b>
<b>EPA Budget</b>	\$9.057 billion	\$6.66 billion	\$9.38 billion	\$9.085 billion	\$9.237 billion	
<b>\$103/105 Grants</b>	\$228.2 million	\$151.9 million	\$253 million	\$228.2 million	\$229.5 million	\$315 million
<b>PM<sub>2.5</sub> Monitoring Under §103</b>	Yes	No, begins transition to Section 105	Yes	Yes	Yes	Yes
<b>DERA</b>	\$87 million	\$10 million	\$90 million	\$87 million	\$90 million	
<b>Targeted Airshed Grants</b>	\$56.3 million	\$0	\$56.3 million	\$58.3 million	\$59 million	
<b>Multipurpose Grants</b>	\$13 million	\$10 million	\$0	\$10 million	\$10 million (focus on PFAS)	
<b>Revised Formula of Regional Allocations</b>	No specific language	Will it be in National Program Guidance (it was last year)?	“[I]f EPA is proposing to change State allocation formulas for the distribution of appropriated funds, then EPA should include such proposals in the congressional justification.”	EPA is directed to allocate funds using the same formula as FY2015. EPA-OAR provided additional funds to states in FY2016 using balances. EPA is encouraged to do the same in FY2021 and provide those additional funds to the regions with the highest need. If EPA wishes to change the formula, it should submit a proposal in its FY2022 budget justification for the Committee's consideration.	EPA is directed to allocate funds using the same formula as FY2015. EPA-OAR provided additional funds to states in FY2016 using balances. EPA is encouraged to do the same in FY2021 and provide those additional funds to the regions with the highest need. If EPA wishes to change the formula, it should submit a proposal in its FY2022 budget justification for the Committee's consideration.	

House-Senate Omnibus Riders for FY 2021

- EPA is urged to work cooperatively with state and local air agencies to develop a final rule for the Cleaner Trucks Initiative addressing heavy-duty truck emissions;
- prohibition of any rules that would require the regulation of emissions from livestock.
- prohibition on EPA using funds to implement a mandatory greenhouse gas reporting system for manure management systems.

FY 2021 House Riders

- EPA to continue to regulate emissions of hazardous air pollutants from power plants under Section 112 (i.e., retain the Mercury and Air Toxics Standards);
- Prohibition on funding for EPA to finalize the proposed “Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources Review”;
- Prohibition on funding to finalize, implement or enforce EPA’s April 30, 2020, particulate matter NAAQS proposal;
- Prohibition on funding to implement, administer or enforce EPA’s July 15, 2020 revision to National Environmental Policy Act;
- Prohibition of rejection of grant applications that use the terms “global warming” or “climate change”;
- transfer \$1 million to Targeted Airshed Grants;

- expression of disappointment in EPA's guidance, "COVID-19 Implications for EPA's Enforcement and Compliance Assurance Program," because "the policies put into place are far in excess of what is appropriate and necessary..." EPA should modify it in accordance with specifics in the report language;
- EPA is urged to work cooperatively with state and local air agencies to develop a final rule for the Cleaner Trucks Initiative addressing heavy-duty truck emissions;
- additional resources for EPA's monitoring and compliance activities related to emissions of ethylene oxide. The committee urges EPA to engage with communities to adequately address their concerns and to incorporate validated monitoring data into its rulemaking (page 88 of report);
- prohibit EPA funds for finalizing or implementing the proposed rule entitled, "Strengthening Transparency in Regulatory Science" that EPA proposed on 4/30/2020; and
- \$450 million for DERA to be available until 9/30/2023 as part of supplemental funds for "Additional Infrastructure Investments." The provision would waive state grant loan matching requirements.

#### FY2021 Senate Riders

- prohibition of any rules that would require the regulation of emissions from livestock.
- prohibition on EPA using funds to implement a mandatory greenhouse gas reporting system for manure management systems.

#### Final FY 2020 Bill Riders (same as in FY 2019 bill)

- prohibition on the issuance of regulations calling for Title V permits for GHG emissions from biological processes associated with livestock production; and
- prohibition on issuance of a rule that includes mandatory reporting of GHG emissions from manure management.