

# Progress on SIP Reform

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# We've come a long way!

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The efforts of the SRWG have made a difference already:

- Increased communications between regions and states through routine calls/meetings and engaged regions and states in more substantive discussions on SIP issues.
- Individuals are now accountable for actions on SIPs.
- Regions know the state priority SIP actions and do best to meet those priorities.
- Significant effort to clear policy issues in order to allow path forward for regions to complete actions.

# Discussion Overview

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1. Relevant Background
2. Progress on Meeting Commitments
3. Best Practices for Processing SIPs Efficiently

# Relevant Background

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- EPA/NACAA/ECOS commitment document was formalized in February 2014 to address the SIP backlog.
- The document contained six main commitments and a set of best practices.
- All parties recognized that some of the commitments were stretch goals but well worth striving to meet.

# NACAA-ECOS-EPA Commitments

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1. EPA will clear the existing SIP backlog (as of October 1, 2013) by no later than the end of 2017, and manage the review of all other SIPs consistent with Clean Air Act deadlines.
2. Consistent with the commitment above, each EPA Region will establish, with the agreement of each state in the Region, a four-year management plan to set the priorities and rate of progress for a) clearing the existing SIP backlog (as of October 1, 2013) by no later than the end of 2017, and b) managing the review of all other SIPs consistent with Clean Air Act deadlines.
3. EPA and States will identify common impediments to timely processing of SIPs and, to the extent practicable, address those impediments uniformly across all regions by using tools, such as EPA's national SIP issues management dashboard.
4. EPA will include additional detail when tracking the progress of SIPs.
5. EPA will ensure that the agency's SIP consistency and elevation processes are transparent and inclusive with the States.
6. The NACAA-ECOS-EPA SIP Reform Workgroup will reconvene annually to review progress in clearing the SIP backlog.

The commitment document also outlined a set of best practices.

# Commitment 1: SIP Processing

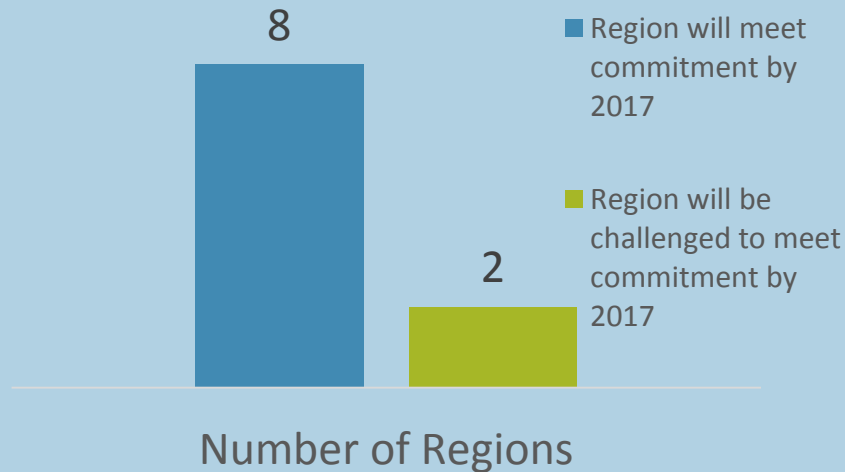
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a. EPA will clear the existing SIP backlog (as of October 1, 2013) by no later than the end of 2017

b. EPA will manage the review of all other SIPs consistent with Clean Air Act deadlines

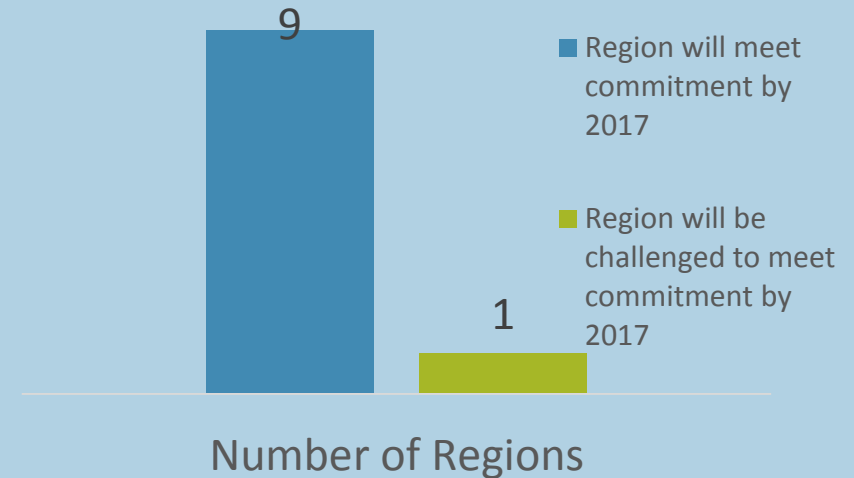
# Clearing and Preventing Backlog SIPs

## Clearing the Historical Backlog by 2017



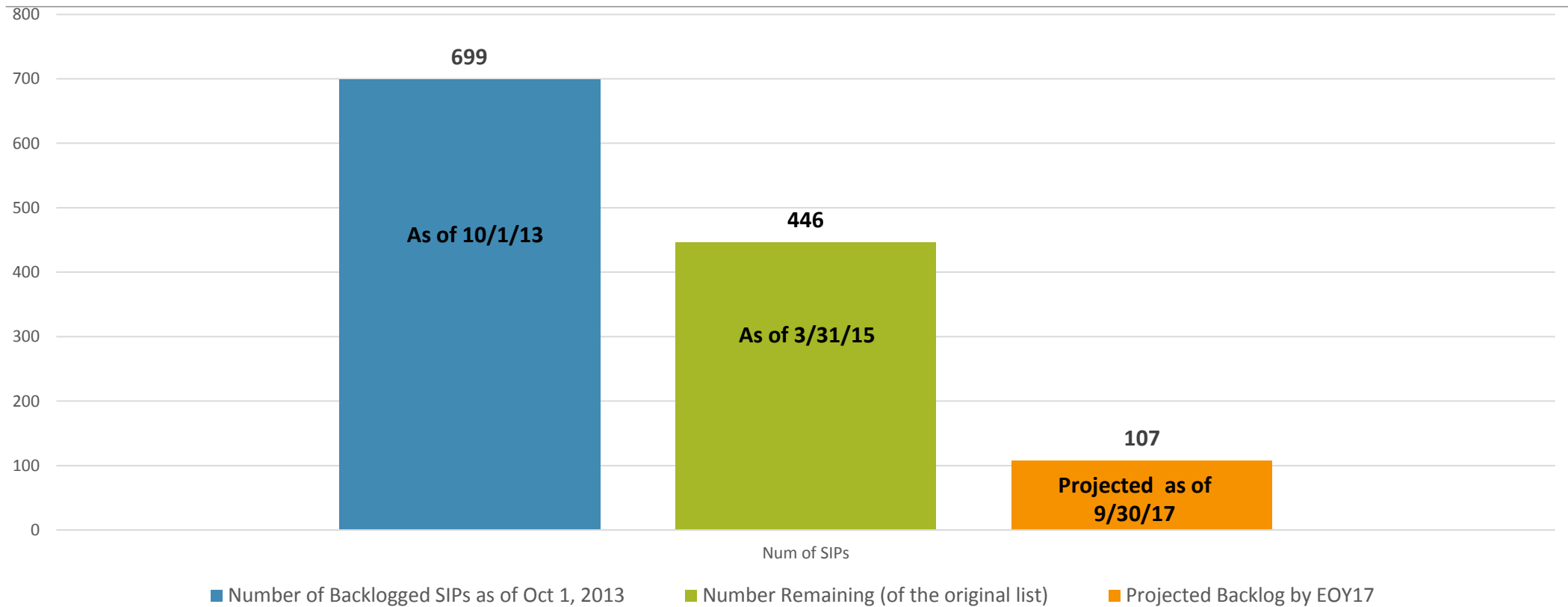
The two regions that will be challenged to meet the goal by 2017 have made it a priority to address the SIP backlog and are making progress toward meeting the goal.

## Acting on “New” SIPs within CAA Timeframes



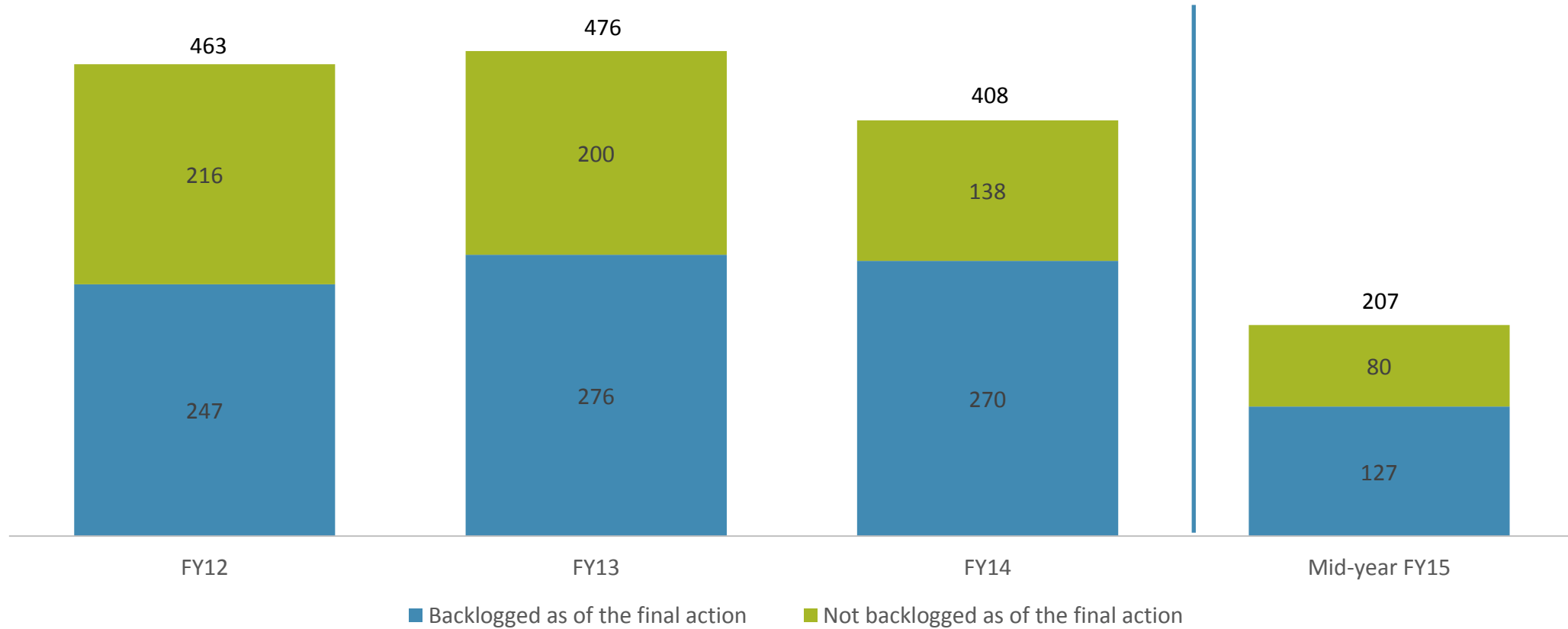
The one region that will be challenged to meet this commitment has expressed that by focusing resources on backlogged SIPs, this may prevent them from acting on new SIPs within CAA timeframes.

# Clearing the Historical Backlog by 2017



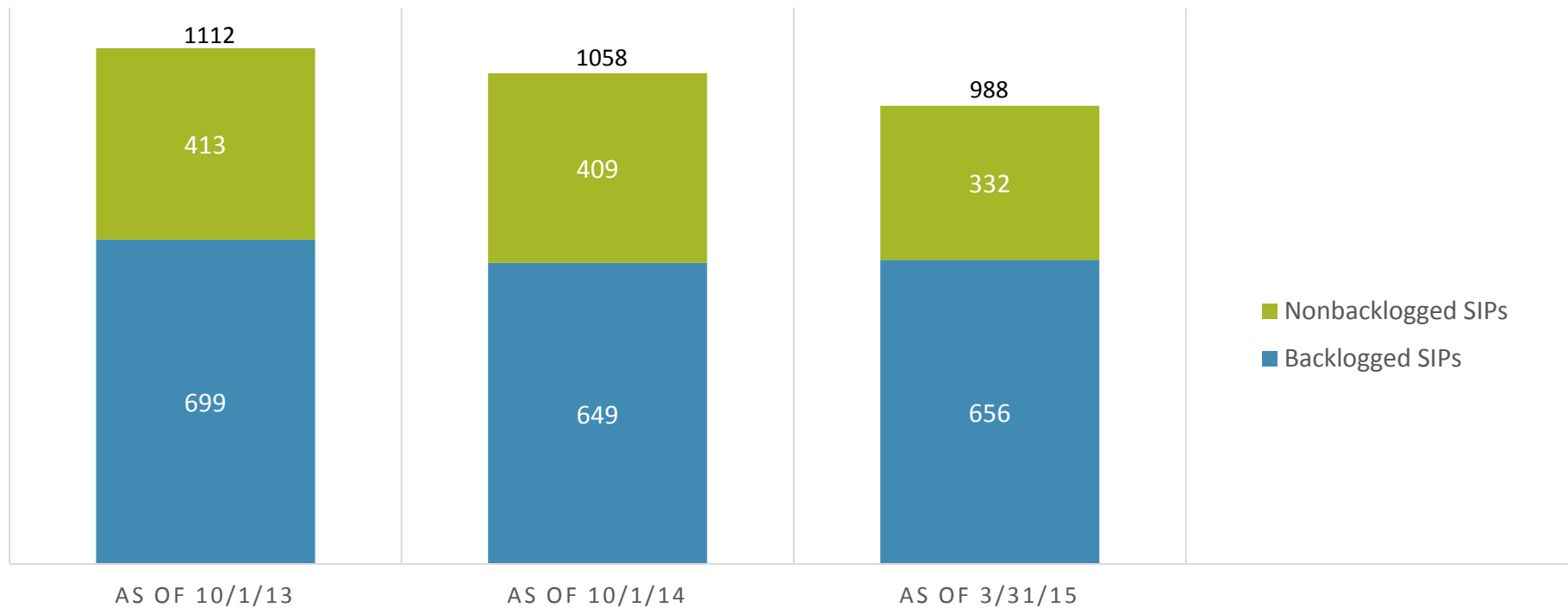


# Annual Actions on SIPs (as of March 31, 2015)



# Trend in Total Active SIPs

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# Commitment 2: Tools and Indicators

Each EPA region will establish, with the agreement of each state in the Region, a **four-year management plan** to set the priorities and rate of progress for meeting the commitment. Each plan shall include, among other things, processes for:

a. collaboratively prioritizing each SIP and/or type of SIP and a commitment to process the higher-priority SIPs first;	b. consistent, collaborative and mutually beneficial communication between the Region and each state including routine, scheduled conference calls;	c. routinely providing each state (including upon request) reports on the status of the SIP; and	d. working cooperatively and early to resolve any identified deficiencies in the state's SIP submittals.
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# Tools and Indicators to Track Progress

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AirTrax	Regional database used by Regions 1-8 to track SIPs consistently (R9/10 anticipated to join)
National SIP Tracking Report	Provides an at-a-glance snapshot of the status of pending SIPs for all regions
Key Performance Indicator (KPI)	A region by region annual commitment to act on a certain number of SIPs
4-year Plans	Consistent tactical plans across the regions that lay out a framework, in most cases, for completing actions on backlogged SIPs by 2017 and to act on all other SIPs consistent with CAA timeframes

# 4-year Plans in Place

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- Every region has a plan in place which prioritized SIP actions with the state; Regions committed to communicating the status of the plans routinely
- Regions and states are working cooperatively to resolve issues early
- 4-year plans help regions and states be more accountable and help to strategically plan workload for timely submittals and action on SIPs

# Commitment 3: Addressing Impediments

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*EPA and States will identify common impediments to timely processing of SIPs and, to the extent practicable, address those impediments uniformly across all regions by using tools, such as EPA's national SIP issues management dashboard.*

# Addressing Impediments to SIP Processing

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Full Cycle Analysis Project (FCAP)

Backlog Assessment Team (BAT) Initiative

Management of Policy Issues (Dashboard)

# Commitment 4: Improve tracking

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EPA will include additional detail when tracking the progress of SIPs (through AirTrax), including:

## Priority

Level of priority (as a qualitative assessment) the SIP is being given

## Category

General category of the SIP, by criteria pollutant and date of NAAQS, as well as a subcategory

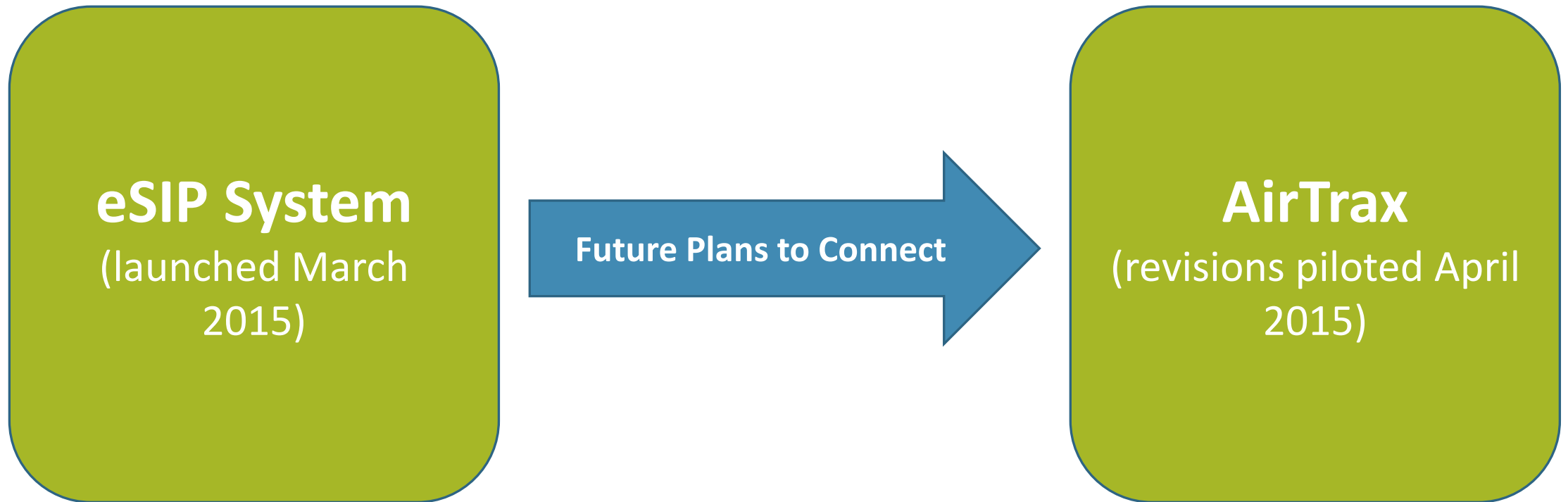
## Target Dates

Targeted dates for Federal Register notices on proposed and final SIP actions



# AirTrax and Electronic SIP Submissions

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# Electronic SIP Submissions

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## eSIP System Launched March 2015

- EPA's preferred option for SIP submissions
- Piloted with 14 states and 6 regions over 9 months
- 100 test SIPs submitted
  
- Users registered: 201
- Number of states registered: 44
- <http://www.epa.gov/air/urbanair/sipstatus/efficiency.html>

## Commitment 5: Transparency and Inclusiveness

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*EPA will ensure that the agency's SIP consistency and elevation processes are transparent and inclusive with the States.*

**Meeting commitment through 4-Year Plans**

# Commitment 6: Meet annually

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*The NACAA-ECOS-EPA SIP Reform Workgroup will reconvene annually to review progress in clearing the SIP backlog.*

# Discussion on Best Practices

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## Check in: How are we doing?

1. EPA and states acknowledge that addressing and preventing the SIP backlog will require mutual actions and commitments, and that regular and open communication is critical to reducing/preventing the SIP backlog and prioritizing EPA actions on SIPs.
2. EPA should understand states' administrative procedures for adoption of rules and regulations and for submission of SIPs so that EPA provides comment and input within the appropriate timeframes.
3. States should work to provide early drafts (prior to public comment period) of SIPs to EPA Regions with ample time for review and comment; the Regions will identify and discuss approvability issues, including key policy and legal concerns, early in the process.
4. EPA and states should have open discussions about substantive approvability issues. EPA will inform the affected state of its intended action as early in the SIP review process as possible.
5. For each region, EPA and states should ensure that there is a process in place for the state to elevate issues that cannot be resolved at the staff level (i.e., priorities, technical or policy disagreements, timelines, etc.).
6. For multi-state and multi-region areas, EPA and states should work together as early as possible.
7. EPA and states should communicate regularly on the status of SIPs, which could include approval, partial approval, disapproval, or withdrawal by the state.

# Best Practices Example

Muscatine, Iowa (22,800 population)

## Air Quality Issues

- Fine particulates
- Sulfur dioxide
- Air toxics

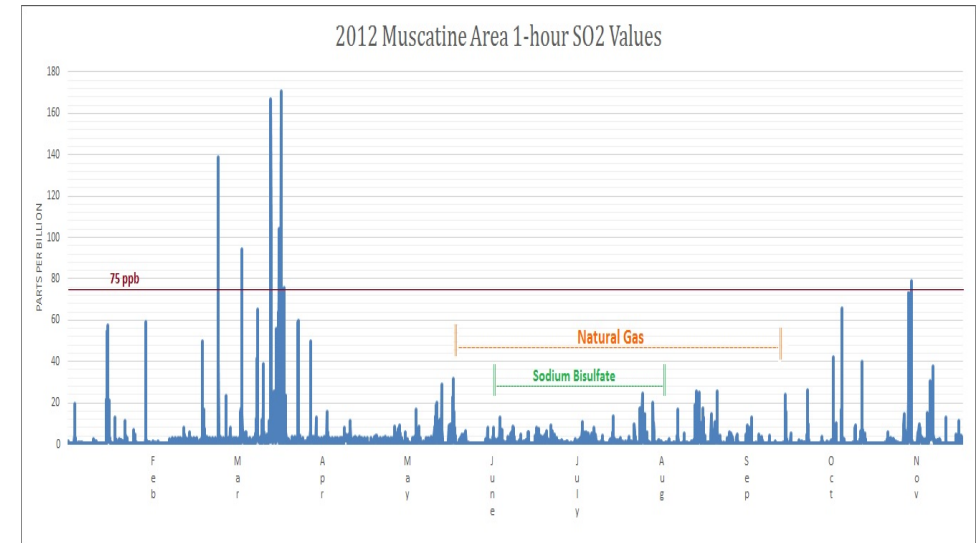
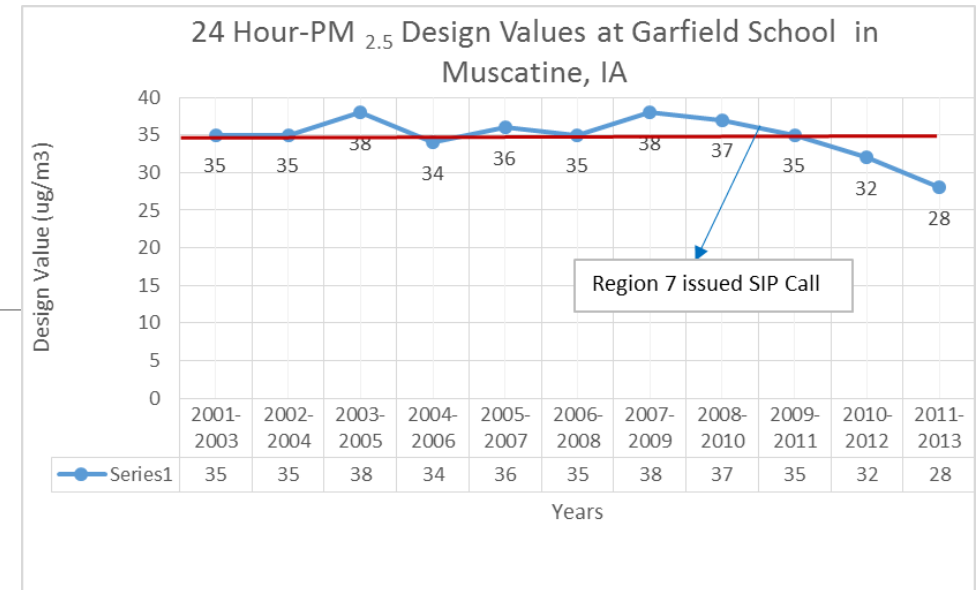


Strong community concern regarding air issues & featured in NPR's "Poisoned Places" Series

EPA Issued SIP Call in 2011 for violations of the 24-hour PM 2.5 NAAQS

Most significant source is Grain Processing Corporation (GPC)-- a wet-corn milling operation that manufactures ethanol and corn byproducts

Community engagement with local officials, environmental groups, and industry stakeholders in 2012



# Best Practices Example

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## Traditional Approach

- ✓ SIP requires attainment of 24-hour PM NAAQS by 2018
- ✓ Statutory Deadline for Action is 18 months and Region 7 averages 24 months to process SIPs
- ✓ Reduction from 1 pollutant per plan (SO<sub>2</sub> nonattainment SIP is due in April 2015 and attainment required in 2018.)

## Lean Approach

- ✓ Area is attaining the 24-hour PM NAAQS earlier than SIP required (2018) & no violations of annual PM standard
- ✓ Region 7 took final action in 9 months. A 50% reduction in processing time.
- ✓ Reduction of 6 pollutants in one plan and control strategy evaluation for PM will expedite attainment of SO<sub>2</sub>

### *How did we do this?*

1. *Solid partnership and clear expectations with the state*
2. *Involved with control strategy negotiations – emission reduction early*
3. *Collaborated on the development of the SIP*
4. *Strong community engagement*

# Discussion and Feedback

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1. What has worked well since the NACAA-ECOS-EPA SIP Backlog Reduction Commitment agreement was reached in February 2014?
2. What could be working better?
3. What should EPA and air agencies be focusing more on in the upcoming year?
4. How are EPA and air agencies implementing the best practices identified under the SIP Backlog Reduction Commitment Agreement?



# Impact of the Clean Power Plan on SIP Backlog Effort

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1. As EPA Regions work to address the existing SIP backlog and prevent any further backlog from accumulating, how will they ensure that state plans to address carbon pollution are approved quickly?
2. What work is being done to prepare for receiving and approving these plans?
3. What approach will the regions take?

# Additional Background

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## Timeline for 2012 PM<sub>2.5</sub> NAAQS Implementation Rules/Guidance/Tools

Action	After NAAQS Promulgation	Optimal Dates	Actual and (Planned) Dates
EPA promulgates 2012 PM <sub>2.5</sub> NAAQS rule	N/A	Dec-12	Dec-12
Share draft Designations Guidance memo with key co-regulators	2 months	Feb-13	Feb-13
Listening session for key co-regulators.	3 months	Mar-13	Mar-13
Draft permit modeling guidance	12 months	Dec-13	Dec-13
EPA issues Designations guidance	4 months	Apr-13	Apr-13
States submit Designation recommendations	12 months	Dec-13	Oct-13 - Mar-14
EPA issues proposed NAA SIP rules or guidance	12 months	Dec-13	(Sep-14)
Updated modeling guidance to address PM issues	12 months	Dec-13	(Dec-14)
Updated emission inventory guidance to address PM issues	12 months	Dec-13	(Sept-14)
"Final" permit modeling guidance	17 months	May-14	(May-14)
EPA promulgates final PM <sub>2.5</sub> area designations	24 months	Dec-14	(Dec-14)
Effective date of EPA designations	27 months*	Mar-15	(Apr-15)
EPA issues final nonattainment area SIP rules or guidance	27 months*	Mar-15	(Sep-15)
"Final" modeling guidance	27 months*	Mar-15	(Sep-15)
"Final" emission inventory guidance	27 months*	Mar-15	(Sep-15)
EPA and/or air agencies issue final SIP templates, toolkits, etc. to assist states with development of nonattainment area plans	27 months*	Mar-15	(Sep-15)
States submit Attainment plans	45 months	Sep-16	(Sep-16)