

YEAR 2023 IN REVIEW

September 6, 2023

Dear NACAA friends,

It's my sixth year in the corner office at the National Association of Clean Air Agencies (NACAA). When I started, I asked all the agencies to send me fridge magnets from where they were, and we proudly display them on the fridge in the office in Washington. I started with the magnets because I recognized that our state and local agencies share so much and work so closely together that they're like a family, and one thing families do is post things they're proud of on their fridges! Another thing families do? They write letters to each other when they're apart, and it's that time of year again! So here's a letter rounding up all the things we're proud of doing together since last summer.

But what is NACAA, and why should you be proud of it? We're a family of 157 state, city and county agencies that implement the Clean Air Act. Our members come from every size, type, and constituency, from Arizona to Anchorage; from Miami to Massachusetts; from Hawaii to Harris County. Our association's team in Washington DC exists to improve *your* capabilities and increase *your* effectiveness in those state and local agencies. How do we do that? By fostering community among our agencies, but also by sharing information, support, expertise and resources with and among our agencies. NACAA is also an advocacy organization, and what we advocate for is *you*. We advocate for your agencies and your missions with EPA, on Capitol Hill, with the Federal government, in the courts, with industry, and with other organizations. We're in your corner, and we're always hungry to do more with and for you. Here are some examples from the past year, along with some ideas for what comes next...

NACAA creates a shared voice for our agencies

The experts who work at NACAA's state and local agencies are world leaders in the work y'all do, and we find our best success when we don't go it alone. Our twelve committees are where NACAA's agencies come together to develop policy, resources, answers, and skillfully implement the Clean Air Act. These committees give you the information you need to do your job, and also offer a chance to be a part of a community of clean air leaders, and of friendship. And our committees develop our technical and policy comments on EPA proposals for rulemaking, guidance, and other actions. Our comment process gives every agency a way to ensure their voice is heard and included. You can find all our comments on NACAA's policy webpage (<https://www.4cleanair.org/policy>). If you'd like to be more involved with NACAA's committees - especially in a leadership role - I'd love to explore the possibilities with you. We need you!

It was a busy year for comments. This year our Climate Change Committee wrote comments on EPA's proposal to regulate greenhouse gases (GHGs) from the power sector; its implementing regulations under Section 111 of the Clean Air Act, the agency's oil and gas rule, and on proposed GHG reductions from combustion turbines. Our Criteria Pollutants Committee developed a host of comments on the National Ambient Air Quality Standards (NAAQS), including advancing your agencies' views and needs on the ozone and PM standards, contingency measures, disapprovals of some State Implementation Plans (SIPs), regional haze, wood stoves, and other issues. With the historic wildfire smoke events that occurred this year, the committee served as an information sharing hub for agencies seeing air quality concerns, and has begun a conversation around exceptional events that should help shape national policy. Our Enforcement Committee continues to work on modernization of EPA's digital tools for enforcement, including the Integrated Compliance Information System (ICIS) and the Enforcement and Compliance History Online (ECHO) tool. Our Mobile Sources and Fuels Committee wrote comments on EPA's Heavy Duty Truck proposal (urging them to be timely and robustly protective), on EPA's proposal to revise greenhouse gas emission standards for model year 2023 through 2026 light-duty vehicles, and urged greater ambition from EPA's proposal to adopt particulate matter emission standards for aircraft engines. We also went to the mat to support California's Clean Air Act authorities for setting mobile source standards, and for the states who choose to go that route. Finally, we continued our press for federal measures to improve the ability of our agencies to reach and maintain attainment with the NAAQS, and continued to advocate for protective standards for sources like locomotives, aircraft, and ocean-going ships. Our Permitting and New Source Review Committee authored comments in support of EPA's proposed "Reconsideration of Fugitive Emissions Rule." Our Air Toxics Committee led the development of NACAA comments on EPA's Mercury and Air Toxics Standards (MATS), as

well as on two regulations intended to address emissions of ethylene oxide from commercial sterilizers and the synthetic organic chemical manufacturing industry (also known as “the HON”). The committee also provided members with information about the status of EPA’s development of Risk and Technology Review and other standards. Finally, the committee sent a letter to EPA regarding the agency’s community outreach effort on ethylene oxide that took place in the spring and summer of 2022, expressing concerns about the way EPA handled the project and making recommendations for improving future public outreach efforts.

We want our agencies to be able to offer their insights and on-the-ground needs during the design phase, and NACAA’s committees worked to develop policy from the earliest stages through finalization for a number of EPA rulemakings. In 2023, we saw particular focus on IRA implementation (particularly on the Climate Pollution Reduction Grants, or CPRG), the power plant GHG proposal, the heavy-duty truck rule, the oil and gas sector methane rule, the Mercury and Air Toxics Standards and on ethylene oxide emissions from several source categories. But NACAA members did more than draft, negotiate, and finalize policy comments – NACAA provided a forum for members to provide early input to EPA before the rulemaking process started. For example, at NACAA’s recommendation, EPA staff engaged in a series of in-depth, topical discussions with a subcommittee of our Permitting and New Source Review Committee as EPA considered whether and how to craft rules or guidance to reform minor source permitting requirements. These discussions took place at the front end of the decision making process, and helped to shape EPA’s plan to develop guidance on this issue. NACAA’s expert Monitoring Steering Committee worked with EPA’s monitoring staff and the leader of EPA’s Air Quality Assessment Division on a series of meetings about the most pressing ambient monitoring issues affecting state and local air agencies. NACAA facilitated ongoing discussions with EPA as it works to develop an Asset Management Framework for the national monitoring networks, and supported the rollout of funds from the American Rescue Plan (which NACAA helped get into law) to our agencies to make improvements to our air monitoring networks. We hope these successful models can inform future NACAA engagement with EPA in their decision making processes!

NACAA advocates for your teams and your missions

When the biggest challenges come knocking, there’s nothing like having people in your corner – and the people in your corner are NACAA. For example, this year’s wildfires and soaring temperatures underscore the urgency of the climate crisis, but they also create new challenges for agencies addressing air pollution, creating exceptional events, the conditions for more ozone formation, and reverses in some areas of years of air quality improvement. NACAA has not only been a place for agencies to work together to address these issues, but a locus for continued advocacy for federal actions to do their part of our co-regulatory dance, including strengthening federal measures and focusing on efforts that yield environmental improvements. NACAA remains at the forefront of advocacy for EPA action on both fronts, and to expand its portfolio of measures to include programs that reduce emissions from locomotives, nonroad diesel engines, oceangoing vessels and aircraft. In Congress we helped overcome efforts to undo rules that reduce NOx emissions from trucks, and helped keep clean air an issue with bipartisan support.

Back in 2022, NACAA was involved in getting language into the “Inflation Reduction Act” (IRA) that would advance the mission and goals of our members. This year, NACAA worked to make the IRA a resource for its members by sharing information and convening agencies to inform EPA’s administration of those programs, including additional funding for state and local governments under Clean Air Act Sections 103 and 105, new funding for our agencies to plan for and implement reductions in GHG emissions under the CPRG, funding to purchase low-emission or zero-emission equipment, and to improve our compliance with federal emission standards. We supported implementation of grants to help states adopt greenhouse gas and zero-emission standards for vehicles under Section 177 of the CAA, and shared information for agencies trying to receive and implement “Greenhouse Gas Reduction Fund” grants, and for state and local funding to deploy and maintain fenceline air monitoring, screening air monitoring, National Air Toxics Trends Stations, and other air toxics community monitoring. NACAA was instrumental in getting these programs and funds added to the IRA, and we’re so proud to see our community deploy those resources so effectively.

That's not the only funding story from this year, though. In addition to the IRA, NACAA's professional staff has been active on Capitol Hill for the last 40 years advocating for increases in the regular, annual appropriations that provide federal funding for state and local agencies to implement the Clean Air Act. This year we again adopted a position recommending significant increases in federal grants to state and local air agencies and flexibility on how those grants are used. NACAA shared these recommendations with decisionmakers on the Hill and at EPA. We wrote to EPA prior to the release of the Administration's recommendations, urging significant grant increases. We also submitted House and Senate testimony, wrote letters to the House and Senate appropriators, developed a model letter and background materials for the members to communicate to Congress, kept the members apprised of the President's budget request and subsequent Congressional actions, and developed and updated a chart illustrating the Status of FY 2024 appropriations bills. For FY 2024, the administration's budget called for significant increases, while the Congressional numbers have not. We are hopeful that over the next few months, Congressional negotiations will result in at least level funding for state and local air grants. We'll remain your strongest advocates on Capitol Hill, with EPA, and with the Federal government, and we hope this underscores the value of your investment in having a presence in our nation's capital.

NACAA's community supports each other with information and expertise

Our association is a great place for agencies to talk and learn with each other. Our committees regularly unpack the kinds of problems your agency is probably facing, and they provide a terrific network to turn to for solutions and ideas. When wildfires affected the Eastern and Central parts of the country, NACAA facilitated connections with Western agencies that had experience responding to these smoke events, and in communicating with the public and the Federal Government about them. We also continue to work on exceptional events demonstrations, advocating to remove barriers and burdens as more and more agencies face those situations. And the experts in other agencies really do have a lot of the answers to the questions you're facing, when we come together to share what we know! One of the main draws at NACAA meetings are our "agency spotlights" that showcase the best practices and lessons learned by our NACAA members on issues like community engagement, electric vehicle integration, voluntary programs, aircraft-based monitoring, and other topics. We also run local agency issues forums and provide tons of opportunities to trade stories and build your network at these meetings! (The next one is October 18-19 in beautiful Alexandria, Virginia – I hope we'll see you there!)

NACAA's work extends to other government agencies and beyond rulemaking at EPA's Office of Air and Radiation. We maintain close ties with EPA's Office of Research and Development and work with them and other media associations on issues like PFAS. Our Board of Directors and Committee Chairs toured the EPA's National Vehicles and Fuels Lab in Ann Arbor, Michigan this summer, and met with the team there to seek common ground on future rules. Our Enforcement Committee remains a key player in modernizing EPA's reporting and tracking systems for violations. Our Climate Committee has connected with Federal agencies like Transportation, Energy, and Treasury on issues like green hydrogen and other alternatives to carbon fuels. Our Monitoring Committee worked with the Government Accountability Office as it began studying the ways in which state and local agencies are using air quality sensors. NACAA also regularly meets with the White House, including the Office of Management and Budget's Office of Information and Regulatory Affairs whenever a rule goes for interagency review, to advance the views of the members.

Another key service NACAA provides is creating and nourishing partnerships between our agencies and other stakeholders and decisionmakers who can help our work. Outside of the public sector, NACAA convened new conversations and discussions with the power sector, vehicle manufacturers, battery makers, academics and top-level decisionmakers in private industry. For example, we continued regular interactions with the Edison Electric Institute on its initiatives in the power and electrification space. We turned to multinational battery manufacturers to learn about electrification technologies for transport. And we partner with environmental and public health groups in ways that advance your missions: for example, working in cooperation with the American Lung Association (ALA), NACAA obtains, and provides to members the day before it is released, an embargoed copy of ALA's annual *State of the Air* report, to

offer a “heads up” of what the report contains. NACAA also continued to co-host the NASEO-NACAA Volkswagen Settlement Working Group effort, including quarterly calls that are the only forum for state agencies to turn to for crowd-sourced answers to their questions. NACAA took over streamlining, updating and maintaining the mailing list and preparing the agendas for these calls.

We continue to regularly update our Clean Air Act litigation chart, which tracks the status and filings in every Clean Air Act case on the docket of the U.S. Court of Appeals for the District of Columbia Circuit (because the D.C. Circuit hears all petitions for review of Clean Air Act actions of “national scope and effect,” the vast majority of cases challenging CAA rules are filed in this court). If you aren’t already familiar with this resource, you can check it out on Air Web (https://www.4cleanair.org/event_meeting_notes/d-c-circuit-caa-litigation-chart/)! In 2023, we were also pleased to undertake an updated NACAA Title V Fees Survey. Forty state and local air agencies participated in the survey, providing members with a wealth of information about how agencies are currently handling permit fees under Title V of the Clean Air Act, and you can find a link to the results on Air Web (<https://www.4cleanair.org/Air Web/>)

Our Public Outreach Committee provided a place for agencies to talk about how their public facing efforts can advance environmental justice outcomes, how agencies go about communicating clean air issues in multiple languages, how online tools are revolutionizing regulatory communications, and what best practices agencies have for leveraging social media in their clean air work. (By the way, NACAA’s social media handles are @WeAre4CleanAir, and we’re happy to amplify your agency’s communications online.)

This year, NACAA also launched our new LinkedIn site and have posted and amplified dozens of jobs at your agencies and connected them with qualified candidates. Send us your listings and we’ll post them on our jobs board (<https://www.4cleanair.org/job-postings/>) and promote them on LinkedIn (<https://www.linkedin.com/company/weare4cleanair/>).

NACAA’s Training Committee maintains the NACAA Training Resources Hub, a one-stop webpage accessible via Air Web (https://www.4cleanair.org/event_meeting_notes/nacaa-training-resource-hub-2/) providing listings of and links to classroom and virtual training opportunities for air agency staff offered by EPA, MJOs and other sponsoring organizations; online training resources; training sponsors; and NACAA’s training initiatives. NACAA’s Training Committee is still running its hugely popular bi-monthly “Coffee Break” series, and in 2023 shared information about how judicial review under the Clean Air Act works; about addressing workforce challenges; about federal funding programs to help your agencies; about working with Public Utility Commissions; about “green hydrogen”; and about the Congressional Review Act. (Recordings of and materials that accompany all Coffee Breaks are catalogued in the NACAA Training Resources Hub of Air Web.

The resource we’re most proud to offer is the commitment and expertise of the NACAA staff. Here’s who to go to if you need help with anything from NACAA... In addition to running the organization, talking to the Hill, to industry, to stakeholders and to the press, I also staff our Climate, Enforcement, and Agriculture committees. (If you need any support in any of these areas, I’m ready and willing to help!) Nancy Kruger, our Deputy Director, is your go-to resource for criteria pollutants and mobile sources issues, and is the brains behind our Coffee Break training webcasts. As well as managing the VW Settlement work, our longest-serving team member, Mary Douglas, handles Air Toxics and program funding, and can explain the whole appropriations process to anyone who wants to learn about it. Karen Mongoven is not only our lawyer but also our main expert on monitoring, modeling, and permitting issues. Our Operations Manager Stephanie Steigman keeps the wheels turning for our organization – she set up our new office in DC, she keeps our meetings and billing and audits and accounts going smoothly, and she also is our lead for our Public Outreach committee! Monique Faye handles all our member services, our social media, our online resources, and also was behind the replacement of our website last year! (If you need to post a job and get it broadcast on LinkedIn, Monique can help!) And everyone on the team is totally committed to your mission and success. Every day, your NACAA team in DC helps resolve individual member requests for assistance of various kinds – distributing emails to appropriate

committees, seeking information from the “NACAA network,” providing one-on-one information to members, doing research and connecting you with answers however we can. We love working with and for you.

Finally, if you need to dig deep into a library of clean air information, every Friday we keep putting out the *Washington Update* – your chronicle of everything going on in the world of air quality and climate that also offers a look ahead at the events coming up. We set up a searchable library of *Washington Update* issues that stretches back decades, which you can find online on Air Web (<https://www.4cleanair.org/the-washington-update-newsletter/>). My favorite part of every week here is writing articles and sending out the *Washington Update*, and if you’d like to get someone on that list, drop me an email and I’ll get them added!

Looking ahead

This year, our State Co-President, Tracy Babbidge from Connecticut and our Local Co-President, Mark Buford from Mt. Vernon, Washington, have been focused on making NACAA as effective as possible at delivering our core services: sharing information, support, expertise and resources, nurturing community and advocating for our members. Looking ahead, EPA and the Hill have well-known ambitions to advance their regulatory agendas, so our committees will have a full plate of policy and technical issues to address. We’ll continue to focus on bringing value to your agencies, increasing your capability and effectiveness, and advocating for your work and your missions.

In the last year we stayed on budget, and received an unqualified audit with no deficits, findings or material weaknesses, keeping alive our perfect multidecade streak as a low-risk auditee. We expect the same for this year, and plan to keep NACAA dues level for another year despite inflation and increasing costs for things like healthcare. (NACAA agency dues have remained unchanged since 2018.)

While the hybrid meeting format expanded the audience coming to NACAA meetings, our next NACAA Fall Membership Meeting on October 18-19 in Old Town Alexandria, Virginia will be our first return to an all in-person event since before the pandemic. We’re retuning to that format so that we can focus on making the meeting as valuable as possible to the people in the room. But we’re not leaving anyone behind – we’ll be adding to our offerings to serve a broader community of folks who have other needs or who may not be able to come to NACAA’s membership meetings. Starting in Fall 2023, we’re investing in bi-monthly or quarterly in-person and virtual meetings, trainings and workshops, including those modeled after our successful joint Permitting and Enforcement Workshop series, on a variety of topics. If you have ideas for what would be useful, I’d love to hear them!

Looking ahead, 2024 is bursting with opportunities and we can’t wait to grab them with both hands. Friends, the NACAA staff is your team and we’re so proud of you and the work that you do. If there’s anything we can do to make that work easier or better, or if you just feel like connecting, never hesitate to reach out – we love to hear from you! It was a good year for our work advancing the protection of clean air for all, and I’m looking forward to achieving even more together in the year ahead.

Wishing you well,



Miles E. Keogh, NACAA Executive Director