

**NACAA-ECOS-EPA Initiative to
Improve the State Implementation Plan Process**

June 30, 2010

The way in which State Implementation Plans (SIPs) are developed and submitted by states and localities and evaluated and processed by the U.S. Environmental Protection Agency (EPA) has been an issue of considerable concern and discussion for a number of years. Now, with states and localities facing, or preparing to face, the challenge of achieving and maintaining revised health-based National Ambient Air Quality Standards for ozone, nitrogen dioxide, sulfur dioxide, lead and particulate matter (PM), the issue of improving the SIP process could not be timelier. Accordingly, the National Association of Clean Air Agencies (NACAA), the Environmental Council of the States (ECOS) and EPA are working collaboratively to make the SIP process more efficient and effective while ensuring the fulfillment of statutory responsibilities to attain the NAAQS as expeditiously as practicable.

The NACAA-ECOS-EPA initiative to improve the SIP process includes three main components:

- 1) Potential SIP Reforms: Compile the various recommendations EPA has received, including the January 2005 recommendations of the Clean Air Act Advisory Committee's Air Quality Management Work Group related to "Transforming the SIP Process" (see document at <http://www.epa.gov/air/caaac/aqm/report1-17-05.pdf>) and others; note those to which EPA has responded and how; identify and prioritize those worthy of further pursuit; and determine next steps.
- 2) State/Local Toolkit: Seek out noteworthy SIP efforts already underway across the country (e.g., Kaizen) and compile a "toolkit" of SIP best practices (e.g., procedural innovations and improvements for process management, streamlining of key steps, communications with and involvement of stakeholders) that have been demonstrated to reduce the time and resources historically associated with SIP preparation (by states and localities) and approval (by EPA).
- 3) Enhanced Federal Strategies: Pursue development and promulgation by EPA of rigorous federal measures that will reduce ozone and PM and their precursor emissions, and explore the viability of other national strategies from which states and localities could benefit.

A NACAA-ECOS-EPA workgroup will oversee these efforts and ensure that all interested NACAA and ECOS members and EPA staff are provided opportunities to contribute to this process.

NACAA-ECOS-EPA SIP Process Improvement Workgroup

May 2011

Sacramento, California – Larry Greene

Linn County, Iowa – Jim Hodina

Kentucky – John Lyons

Maryland – Tad Aburn

New Mexico – Mary Uhl

Nevada – Leo Drozdoff/Colleen Cripps

New York – Dave Shaw/Rob Sliwinski

Ohio – Bob Hodanbosi

South Carolina – Bob King/Robin Stephens

Wisconsin – Suzanne Bangert/John Melby/Bob Lopez

NACAA – Nancy Kruger

ECOS – Jim Blizzard

EPA – Carey Fitzmaurice (OAR)

EPA – Marcia Spink (Region III)

EPA – Josh Tapp (region VII)

EPA – Laura Bunte (OAQPS)

Potential SIP Process Improvements

1. Assure that EPA guidance is issued in time for state and local agencies to use it in developing their plans.
2. Facilitate redesignation and maintenance plan submittals by eliminating unnecessary documentation.
3. Develop and institute regional approaches to SIP planning. Such approaches would
 - include providing technical assistance and model rules so that adjoining states are not doing duplicative work and
 - allow for the submittal of one copy of technical documentation rather than requiring each state to develop state-specific documents.
4. Promote use of weight of evidence demonstrations for planning and implementation, relying less on modeling and more on monitoring and tracking progress.
5. To the extent possible, align SIP submittal dates for various pollutants.
 - Where possible, align schedules for new/revised NAAQS to facilitate transition to multi-pollutant air quality management.
 - Promote the selection of regulatory approaches and control strategies that maximize multi-pollutant cobenefits.
6. Improve communications. Programs are needed to
 - build support among constituencies,
 - make transparent actions that differ from the past,
 - ensure better interaction among EPA air divisions (e.g., to coordinate deadlines),
 - build trust among EPA headquarters, regions, states and local agencies and
 - share knowledge of successful SIP reforms.
7. Create a protocol/checklist for the development of attainment SIPs. This protocol/checklist would
 - provide for all parties to decide in advance the analyses and tools to be used in a SIP as well as what minimum requirements the SIP should contain and
 - incorporate a system for early EPA comment so that submitted plans are more likely to be approvable.

8. Allow letter approval or certifications for minor SIP revisions. This would allow such minor revisions to be made quickly, avoiding the time-consuming requirements of *Federal Register* publication.
9. Simplify the reporting process for innovative and voluntary measures.
10. Provide training that would
 - assist states developing nonattainment SIPs for the first time and
 - train EPA personnel to enable them to provide timely answers on SIP, MACT and NSPS questions and determinations.
11. Allow states to determine the most appropriate mechanisms for seeking comment from the public about SIP amendments (including whether or not to hold a hearing and the possibility of using online methods of notice).
12. Accept electronic SIP submittals instead of requiring multiple hard copies.
13. Create an online clearinghouse of approved SIPs and an online SIP-tracking database for SIP submittals.