

FY 2014 OAR EXTERNAL COMMENTS AND RESPONSE TO COMMENTS

Comment from State, Tribe, or Other Stakeholder	Commenter(s)	Location in Draft Guidance	NPM Response	Action Taken in Final Guidance
Issue Area: General Comments - Agriculture				
Finalize emissions estimation methodologies for animal feeding operations (AFOs) to use to determine whether such operations are subject to the Clean Air Act	NACAA	2.1.2.3	EPA will continue development of draft CAFO emissions estimation methodologies and associated implementation tools for CAFO owners/operators. In April 2013, we received recommendations from the SAB on our draft emission estimation methods for two types of animal feeding operations.	No change
Issue Area: General Comments - Enforcement				
Work with state and local air agencies to devise air enforcement reporting requirements that are not overly burdensome and minimize resource demands while meeting EPA oversight requirements (i.e., assure EPA that delegated agencies are meeting federal grant commitments are provide information for the public that demonstrates state agency air pollution control program compliance and enforcement activities at stationary sources); and Modernize the Air Facility System , while minimizing agency resource demands required to enter data, operate and maintain the system.	NACAA	NA	To manage the national air stationary source compliance monitoring and enforcement program, the EPA Office of Enforcement and Compliance Assurance (OECA) has established a set of minimum data requirements (MDRs). As discussed in the currently approved OMB Source Compliance and State Action Reporting (Renewal) Information Collection Request (ICR), the compliance and enforcement information collected from state and local air agencies is a well established process. OECA reaches out and extensively consults with our state/local partners in development of the MDRs to ensure that the Agency meets its responsibilities such as ensuring effective and consistent compliance and enforcement programs by the delegated agencies and to minimize the state/local reporting burden by obtaining only the information that is critical for our needs. In acknowledging the increased resource constraints	No change

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			<p>now being encountered by the state/local agencies, OECA is also currently reviewing underlying guidance documents such as the Timely and Appropriate (T&A) Enforcement Response to High Priority Violations (HPVs) Policy and the Clarification Regarding Federally-Reportable Violations for Clean Air Act Stationary Sources to determine if the state/local reporting burden can be reduced to a greater degree. The delegated agencies and various air associations such as NACAA have been included in this review and their input is being taken into account. While striving to minimize the reporting burden, the Agency is cognizant of the requirement to continue obtaining the information necessary for multiple purposes such as using data to assist in implementing national programs and enforcement efforts, understanding the ability of regulated entities to comply with regulations and permits, supporting better targeting and enhanced enforcement strategies, and informing the Agency oversight responsibilities.</p> <p>OECA also appreciates and values the involvement of NACAA members in the AFS modernization process to date. Burden reduction was identified as a fundamental principle of the AFS modernization effort, and we believe the modernized AFS will result in burden reduction for NACAA members through such things as improved usability, eliminating duplicate data entry, and making data easier to retrieve from the new system. Also, NACAA members will not be responsible for the operation and maintenance of the modernized system; rather, EPA will maintain this responsibility. We remain committed to working with NACAA members during</p>	

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			the design and development of ICIS-Air.	
Issue Area: General Comments – Energy Efficiency and Renewable Energy				
Support state and local efforts to deploy energy efficiency and renewable energy.	NACAA	NA	We will continue to work with state and local governments to account for energy efficiency (EE) and renewable energy (RE) in their ozone SIPs. In particular, we’re encouraging interested states to use the process and the supporting analytical resources highlighted in the EE/RE in SIPs Roadmap. We will continue to work through NACAA to help states quantify the emissions benefits of EE/RE. Additionally, we’re using insights from 3 states that are participating in a pilot through NESCAUM to enhance policy and analytic capabilities in preparation for formal SIP submittals. In the near future, we’ll be asking states for their input on two new analytical resources that will help them understand the estimated impacts of EE/RE policies on emissions. Finally, we are working with 50 Climate Showcase Communities across the U.S. who are demonstrating innovative, cost-effective and replicable strategies to reduce GHGs, often leveraging EE/RE.	No change
Issue Area: General Comments - Direct Funding and Support of Local Air Pollution Control Agencies				
There are a number of issues covered in this document and whereas we certainly have opinions on these issues, the purpose of this letter is to address one primary topic, that being the direct funding and support of local air pollution control	RAPCA	NA	EPA recognizes the important role that local air pollution control agencies serve, many of which receive direct federal grants to carry out significant implementation activities. The OAR NPM Guidance identifies the types of activities that are the responsibilities of Headquarters, regions, tribes, and	No Change

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agencies.			<p>state and local air agencies. When EPA provides guidance to air agencies, we define those as state, tribal, or local air pollution control agencies.</p> <p>In order to carry out a national system of environmental protection, EPA and state environmental agencies work together. CAA Section 302(b) refers to the designation of agencies by the Governor or elected officials and their role in charging local air agencies with specific responsibilities under the Act. Clearly, local agencies have a role in implementing air programs. EPA continues to be mindful of the unique opportunities to address air pollution at the local level and we will continue to work with both state and local agencies recognizing the challenging fiscal environment.</p>	
Issue Area: General Comments - Recognize Resource Limitations and Need for Flexibility				
All NPM guidance documents should include a statement regarding both potential state and federal resource limitations and that explicitly allows for exploration of flexibility in state-region negotiations to fit local priorities in recognition of these limited resources.	ECOS	Introduction; pg 1-2	Included in OAR NPM Guidance.	No change
Issue Area: General Comments - Delineate Expected State Activities with Increased Coordination and Collaboration				
All NPM offices should employ a uniform format throughout each NPM guidance document of identifying activities by audience, with help of OCFO. Such an approach will aid state readers to quickly identify expected state activities for	ECOS		OAR NPM Guidance includes Appendix C: State and Local Agency Activities.	No change

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various programs.				
It would help EPA to engage states and localities in consistent and meaningful ways, especially early on, when the agency initiates the development of rules, guidance and other policies and processes. EPA should also provide flexibility to its co-regulators to determine where to target scarce resources.	NACAA	Overview, pg 1	We are constantly seeking ways to improve our collaboration with air agencies and to engage them in developing rules and policies early in the process. We agree with providing flexibility for air agencies in determining where to target scarce resources and have reflected this in the guidance – e.g., “Regions can tailor work expectations and resource allocation to meet local circumstances, and work with air agencies to do the same.”	No change
NACAA appreciates EPA’s recognition that state and local air agencies are co-regulators and should have a say in the decisions that affect the air program. State and local agencies should be given flexibility when meeting commitments for enforcement activities such as inspections. The guidance should state that identification of priorities within a region will be accomplished collaboratively among federal, state and local officials.	NACAA	Introduction (Guidance, pgs 1-2)	<p>Thank you for the positive comment on the introduction to OAR’s NPM Guidance. We have also shared the enforcement-related comment with EPA’s Office of Enforcement and Compliance Assurance (OECA). Please refer to OECA’s final FY 2014 NPM Guidance for a discussion of compliance and enforcement related expectations for FY 2014 and associated flexibilities for state and local agencies.</p> <p>EPA is engaged in ongoing discussions with state and local air agencies regarding opportunities for using the flexibility provided in the CAA Stationary Source Compliance Monitoring Strategy to address local air pollution and compliance problems/priorities. The Agency welcomes such continued collaboration.</p>	No change
Issue Area: Other General Comments				
EPD would like to acknowledge and commend EPA’s Office of Air and Radiation (OAR) on the improvements it has made to the National Program Manager Guidance. The streamlined	The Air Protection Branch of Georgia		Thank you.	No change

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<p>focused format is a significant improvement over versions from years past.</p>	<p>Environmental Protection Division</p>			
<p>On page 1, OAR makes the statement: <i>The guidance provides the basis for negotiations between HQ and regions and between regions and air agencies as to resource allocation and expected performance. Specific expectations and deliverables will be as established through negotiations in grant agreements between regions and air agencies.</i></p> <p>In the second bullet, OAR goes on to state: <i>OAR recognizes that there will not be enough resources to do everything and that not all programs and requirements apply in the same way everywhere. The highest priority work is that related to meeting statutory, regulatory, and court-ordered requirements. Regions can tailor work expectations and resource allocation to meet local circumstances, and work with air agencies to do the same, as long as priority work continues.</i></p> <p>EPD couldn't agree more with OAR's position, but must take exception to these statements because, at least in our experience, there is little to no negotiation with our regional office when developing our Air Partnership Agreement. For the past several years, Region IV posts their expectations in an electronic form on their web site, EPD then agrees or disagrees with the proposed expectations, and then the Region sends us a letter of conditional approval. The</p>	<p>The Air Protection Branch of Georgia Environmental Protection Division</p>	<p>Office of Air and Radiation Introduction Pg. 1</p>	<p>In order to streamline the grants process, the Region 4 Air Planning Agreement (APA) is in electronic format with identical commitments for each state and local agency except where a particular program does not apply. For example, not all local programs in Region 4 have authority for Prevention of Significant Deterioration/New Source Review, so the commitments that address those programs are not initially loaded for those particular agencies. The commitments that are loaded for each agency are then negotiated during the process.</p> <p>As mentioned earlier, those commitments include National Program Manager priorities (both OAR and OECA), Regional priorities, SIP requirements, etc. The Regional Priorities are commitments which generally outline elements needed to implement a program delegated to a state or local agency or promote the use of compliance tools available to these agencies. Of the 52 commitments in the APA, eight (15%) are categorized as Regional Priorities. The APA negotiation process recognizes the concerns about limited resources at the state or local level. As we go through the process, an agency may either agree to the commitment or not agree to the commitment for that particular grant cycle. The reason that a commitment which was not agreed to in a particular cycle continues to appear in subsequent cycles is that it continues to be an important element of the program for consideration for the Agency at the</p>	

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<p>expectations we have disagreed with in the past continue to show up year after year, clearly indicating that there is little room for actual negotiation.</p> <p>Also, as we have commented in the past, there are a significant number (approximately 50%) of the expected activities that the Region proposed for us to do in our Air Planning Agreement that did not appear as state/local expected activities in the NPM guidance document. So, at least in our experience, the NPM does not serve as much of a basis for the start of negotiations.</p> <p>We are hopeful, that as the next phase of improving and making the NPM more meaningful, that OAR will communicate their expectations to the Regions to use the NPM as a true basis and to actually engage in meaningful negotiations with the states, so that the final grant agreements are a true reflection of the expectations for the upcoming fiscal years activities.</p>			<p>Regional or national level. We do not view a "yes" or "no" commitment to continue in perpetuity, rather that the commitment is to be renegotiated each grants cycle.</p> <p>When specific commitments are no longer applicable such as when deadlines have already passed and been met, they are removed from the APA. Each year as we draft the APA, we review the individual commitments to make sure that they are still applicable, that they have a regulatory or statutory basis, and that they fit into the national and Regional priorities. EPA Region 4 each year provides a draft set of commitments and opportunity to discuss the APA with the state and local agencies. The final APA for the state and local agencies only obligates the agencies to those items that are finalized upon completion of negotiations.</p>	
<p>EPA should address the complex issue of background ozone, the definition and the impact background ozone may have on attaining the lowered ozone standard. International background is a complicated matter that has significant impact on how states proceed and how this issue is addressed with stakeholders.</p>	<p>Texas Commission on Environmental Quality</p>	<p>General Comment</p>	<p>EPA agrees that these are both important issues. They are being addressed in the ozone NAAQS review and the ozone implementation rule.</p>	<p>No change</p>
<p>EPA should identify and discuss in more detail the guidance that is applicable to specific state and local programs. Texas is a State Implementation</p>	<p>Texas Commission on Environmental</p>	<p>Section 1, pg. 1</p>	<p>On page 1, the guidance provides the basis for negotiations between HQ and regions and between regions and air agencies as to resource allocation and</p>	<p>No change</p>

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<p>Plan (SIP) - approved state, and the guidance is not clear as to which measures, if any, EPA believes to apply to TCEQ's air permitting program. States with SIP-approved programs may have their own permitting targets and goals, and it would not be appropriate for such programs to be subject to duplicative or conflicting performance measures. If EPA disagrees with this viewpoint, EPA should explicitly address this issue in the guidance, and provide justification as to why these types of performance measures should apply to SIP-approved states.</p>	<p>Quality</p>		<p>expected performance. Specific expectations and deliverables will be established through negotiations in grant agreements between regions and air agencies. EPA does not expect all air agencies to undertake all activities listed, and there may be activities not listed that will be appropriate in certain grant agreements.</p>	
<p>The OAR Introduction indicates that the prioritization process within the NPM document was established by the EPA/State Priorities Workgroup, which consisted of representatives from ECOS, NACAA, and EPA. TCEQ notes that many states do not belong to ECOS or NACAA and not all states affected by this proposed document had direct input into its content and priority list. In order to achieve national consistency, it would be helpful if all affected states and programs have the opportunity to be involved in the document's creation, or at least be provided with developmental drafts before being given a final draft release for comment with a short comment period.</p>	<p>Texas Commission on Environmental Quality</p>	<p>Section 1, pp. 1-2</p>	<p>Informing the EPA/State Priorities Workgroup, ECOS and NACAA identified workgroup members and nominated Georgia, Kansas City KS, Michigan, New York, Oregon, and Virginia as representatives. As we move forward collaboratively to update the "working priorities list," EPA will look to state associations to identify workgroup representatives; and, we will work with them to ensure there is opportunity for comment on updated priorities. We agree that providing adequate time for review and comment is important.</p>	<p>No change</p>
<p>OAR acknowledges there will not be enough resources to do everything in the draft document and that some programs and requirements will not apply nationally. The document also suggests that EPA regions will work with their air agencies to</p>	<p>Texas Commission on Environmental Quality</p>	<p>Section 1, pg. 1</p>	<p>The tailoring of grant agreements is best left between the Regions and the grant recipients. We state that not all activities in the guidance apply to all States.</p>	<p>No change</p>

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<p>tailor work expectations and resources. Therefore, this guidance should specifically direct regions to tailor expectations to consider state resources, reflect a state's status (delegated or approved), and acknowledge requirements adopted into approved SIPs.</p>				
<p>We appreciate the revised layout and summaries found in the draft guidance for FY 2014.</p> <p>As resources continue to be lost, reprioritization of air quality work is an ongoing need. Further, it is important to limit the mandatory requirements to those that pay the greatest dividends. We presume that EPA's most important expectations are specified in the national program manager guidance. It would be helpful for EPA to ensure careful alignment of regional grant requirements with the national priorities specified in the NPM guidance, absent compelling environmental/public health reasons to do otherwise.</p>	<p>Metro 4/SESARM</p>	<p>NA</p>	<p>Thank you. We have included our most important expectations in the guidance. To the extent possible, Regions want to ensure that regional grant requirements are aligned with our National Areas of Focus.</p>	<p>No change</p>
<p>Issue Area: Reduced Mercury Emissions from Electric Arc Furnaces</p>				
<p>The U.S. EPA, in collaboration with the states, should improve the effectiveness of the final NESHAPS rule for Electric Arc Furnace (EAF) Steelmaking Facilities by including provisions that augment the existing rule's recordkeeping and reporting, mercury emissions testing, monitoring and verification requirements, and other measure that ensure reduced mercury emissions from these facilities.</p>	<p>ECOS</p>	<p>OAR draft FY14 NPM guidance; pg 10</p>	<p>EPA appreciates that this issue is a priority for the states. It is one of a number of air toxics rulemakings that is pending. EPA how to prioritize these rulemakings in light of statutory and court deadlines, expectations about opportunities to improve public health and other factors.</p>	<p>No change</p>

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Issue Area: Air Toxics Emissions Inventory				
<p>In section 2.5.4 (“Expected State and Local Agency Activities” for Air Toxics Program Implementation), the first item is “<i>Prepare to submit data to the integrated 2014 emissions inventory due December 2015.</i>” Is this the same as the 2014 National Emissions Inventory (NEI) identified on page 5 (section 2.1.4.3) under the NAAQS section? If it is the same inventory, then we suggest the agency use consistent terminology. If it is a different inventory, we recommend this be clarified in the guidance.</p>	<p>NACAA</p>	<p>Guidance, page 11</p>	<p>Reference changed under section 2.5.4.</p>	<p>Change made.</p>
Issue Area: National Ambient Air Quality Standards (NAAQS)				
<p>EPA states it will continue to work closely with air agencies on all aspects of implementing the NAAQS. TCEQ finds that past engagement to develop regulations and guidance has not been effective. For example, EPA has not provided sufficient guidance for states to implement the PM_{2.5} standards into the new source review (NSR) permitting programs but continues to include performance measures relating to PM_{2.5} NSR implementation in PPG agreements. In December 2010, EPA granted TCEQ’s petition to reconsider portions of the October 20, 2010, rulemaking for Prevention of Significant Deterioration (PSD) for Particulate Matter Less Than 2.5 Micrometers (PM_{2.5})—Increments, Significant Impact Levels (SILs) and Significant Monitoring Concentration (SMC), but has not acted further on the petition,</p>	<p>Texas Commission on Environmental Quality</p>	<p>Section 2.1.1, pg. 3 and Section 2.1.2.3, pg. 4</p>	<p>EPA appreciates comment from TCEQ. However, we disagree with the TCEQ position that performance measures relating to PM_{2.5} NSR implementation should not be included in PPG agreements. All PSD permits must be reviewed for compliance with the PM_{2.5} requirements within the context of existing rules and guidance. The PM₁₀ Surrogate Policy is no longer in effect; thus, all permits must address PM_{2.5} directly.</p> <p>With regard to the 2010 EPA grant to address the TCEQ petition for reconsideration, we agreed to re-propose 3 provisions contained in the PSD PM_{2.5} Increments, SILs, and SMC Rule. The rule to re-propose was initiated but then delayed to await a Court decision on a judicial challenge to the PM_{2.5} SILs and SMC. As a result of the January 22, 2013</p>	<p>No change</p>

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<p>nor committed to a timeline for doing so.</p> <p>In March, 2013, EPA finally provided draft PM_{2.5} modeling guidance in an attempt to mitigate significant technical implementation challenges, but EPA has not provided a single-source model needed to conduct highly complex PM_{2.5} permit modeling, and has not begun rulemaking to update the Guideline on Air Quality Models (40 CFR 51, Appendix W). EPA was quite clear in notifying states that while EPA asked for comment on the draft modeling guidance, EPA staff would not provide any response to comments.</p> <p>TCEQ recommends that EPA not develop or require performance measures for new NAAQS until needed implementation rules and guidance documents are provided. In addition, well-thought-out implementation processes before a new NAAQS is adopted would be very helpful in implementing any new NAAQS into NSR permitting programs and to ensure that required source impact analyses are conducted in a nationally consistent manner.</p>			<p>Court decision, there is no longer a basis for proceeding with the re-proposal rule on its own. First, the PM_{2.5} SMC was declared unlawful by the court and it would be inappropriate to re-propose. Second, the definition of “baseline area” involves the use of the PM_{2.5} SIL value to determine the boundaries for a PM_{2.5} increment baseline area. It would not be appropriate to re-propose the definition relying on the existing PM_{2.5} SIL until the PM_{2.5} SILs are reconsidered in accordance with the court remand.</p> <p>Finally, the interpretation of what emissions must be considered in comparing to the PM_{2.5} SIL is contained in paragraph (k)(2) of the PSD regulations, which has been vacated by the court. The EPA will address this issue when it revises paragraph (k)(2) to address the PM_{2.5} SILs provision.</p> <p>The PM_{2.5} modeling guidance provides a more comprehensive methodology for addressing PM_{2.5} impacts, even though new modeling techniques are not yet available for states and sources to use for completing the required air quality impact analysis. As new techniques and models are developed, we will incorporate them into the process for estimating a source’s air quality impacts.</p> <p>EPA appreciates TCEQ’s recommendation. EPA has been working with states through the NACAA-EPA PM_{2.5} Implementation Work group and the EPA/NACAA/ECOS SIP Reform Workgroup to understand the implementation guidance and rule lead times needed by states. From these workgroups, EPA intends to institutionalize state engagement and</p>	

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			implementation planning to future processes. Therefore, EPA believes these performance measures are appropriate.	
In addition to implementing the good neighbor provision of the Clean Air Act, HQ should prioritize providing guidance on how states should address CAIR in their existing SIPs and how CAIR will be administered moving forward.	Texas Commission on Environmental Quality	Section 2.1.2.1, pg. 3	The Court of Appeals for the DC Circuit provided clear direction that EPA must continue to administer CAIR. Unless the DC Circuit's decision in EME Homer City v. EPA is reversed or otherwise modified by the Supreme Court, EPA will continue to administer CAIR as promulgated and enforce existing CAIR SIPs and FIPs until a valid replacement rule is developed and implementation plans ensuring compliance with any requirements in the replacement rule are in place.	No Change
The deadlines to submit 2010 NO ₂ and 2010 SO ₂ infrastructure SIPs are January 22, 2013 and June 2, 2013, respectively. These are therefore due in FY2013, and will be well past due by FY2014.	Texas Commission on Environmental Quality	Section 2.1.2.3, pg. 3	Agreed. Activity 1 under section 2.1.2.3 is deleted.	Change made
EPA Headquarters and regional offices should consider moving reduction of backlogged SIP submissions up their priority list. The SIP backlog is a perennial issue; however, the backlog only continues to grow, which leads to uncertainty for states and the regulated community.	Texas Commission on Environmental Quality	Section 2.1.2.3 and 2.1.3.2, pg. 4	The reduction of backlogged SIPs is a high priority for EPA. The position of the priority in the list of activities does not indicate its relative priority to other activities in the list. The Agency has established a Key Performance Indicator that annually sets targets and measures success in reducing the SIP backlog. EPA, ECOS and NACAA are discussing the use of best practices and other approaches to address the SIP backlog and prevent future SIPs from becoming backlogged. We have also been in discussions regarding the development of a joint strategy or strategic planning document to guide future actions to address backlogged SIPs. Therefore, EPA does not believe any changes are	No change

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			needed to the listed activities.	
Regional Offices should prioritize review of exceptional event flagging, especially when making final designations. The length of time it takes EPA to review and provide a decision to states on the acceptance of flagging has been an ongoing issue.	Texas Commission on Environmental Quality	Section 2.1.3.1, pg. 4	<p>Generally, EPA Regions will prioritize action on exceptional events flags and demonstrations to address those impacting near term regulatory decisions first. For example, if flags and demonstrations could have a direct impact on the final designations decision for an area, EPA Regions would prioritize action on them. When a NAAQS is revised or finalized, EPA promulgates the schedule by which data flagging and documentation for related exceptional events would be due. The promulgated schedule balances the time needed for states to flag and submit demonstrations and the time EPA needs to process them to be timely for designations decisions. States and EPA Regions should work closely together to ensure flags, demonstrations, and ultimate exceptional events decisions are possible within this timing.</p> <p>Additionally, on May 10, 2013, EPA signed and issued the “Interim Guidance to Implement Requirements for the Treatment of Air Quality Monitoring Data Influenced by Exceptional Events,” to streamline and improve the efficiency and effectiveness of the exceptional event demonstration preparation and review process.</p>	No change
Attainment demonstration SIPs for the 2008 ozone standard are not due until FY2015. Although development will begin by FY2014, it is not a priority to submit them in FY2014, well before the deadline.	Texas Commission on Environmental Quality	Section 2.1.4.1, pg. 5	That is correct. Attainment Demonstration SIPs for the 2008 ozone NAAQS are not due until July 20, 2015. The proposed SIP Requirements Rule for the 2008 ozone NAAQS attempts to provide flexibility for when these SIPs are submitted, but they can be	Change made

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			submitted no later than July 20, 2015.	
<p>While we appreciate the commitment to finalize policy to address air quality impacts from prescribed burns, it is critical that the exceptional events flagging guidance documents and rules receive continued input for revision. Predicted drought conditions can likely lead to more uncontrolled wildfires and the impact on areas reaching the ozone standard will be increasingly critical. The importance of continued understanding of this factor and impact is important. The Guidance/Rulemaking statement must be more inclusive</p>	<p>Texas Commission on Environmental Quality</p>	<p>Section 2.1.2.1, pg. 3</p>	<p>On May 10, 2013, EPA signed and issued the “Interim Guidance to Implement Requirements for the Treatment of Air Quality Monitoring Data Influenced by Exceptional Events.” This guidance resulted from a multi-year effort to identify and address concerns raised by air agencies and other interested parties in implementing the 2007 Exceptional Events Rule (EER) and included both an informal comment period and a formal public notice and comment period following a Federal Register Notice of Availability. Upon signing the Interim Guidance, EPA simultaneously announced its intent to pursue rule revisions to the 2007 EER through a notice and comment rulemaking process, which will include an opportunity for all interested parties, including those that commented during the 2012 public comment period, to raise any issues or concerns.</p> <p>In May 2013, EPA announced that it is currently developing a separate draft guidance document addressing the preparation of demonstrations to support data exclusion requests for wildfire-related events that may have affected ozone concentrations. EPA anticipates preparing this guidance within the same timeframe as the EER revisions and we will provide an opportunity for stakeholder input on this guidance.</p>	<p>No change</p>
<p>Agencies need implementation guidance in a more timely fashion after each NAAQS is finalized. This includes PM_{2.5}, ozone, and SO₂.</p>	<p>Metro 4/SESARM</p>	<p>2.1.2. 2.1.3.</p>	<p>We are working with the Regions and the states to develop timely guidance for NAAQS implementation. EPA is also working with NACAA and ECOS to determine how to best provide for the issuance of</p>	<p>No change</p>

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<p>EPA should continue to work with agencies to address the transport obligations of the Clean Air Act in a reasonable way. We appreciate recent efforts of EPA to solicit input on the issue and encourage continued dialogue with the agencies.</p> <p>EPA should continue its efforts to evaluate the circumstances surrounding prescribed fires and offer every accommodation that is possible. Prescribed fires reduce the threat of out-of-control wildfires and resultant emissions. They are also necessary for forest and agricultural land management and for habitat restoration.</p> <p>EPA should consult closely with states during the NAAQS attainment/nonattainment designation process to ensure that all unique factors in specific areas are adequately considered before official designations are finalized.</p> <p>We encourage EPA to continue working with the states and locals on programs promoting early attainment of NAAQS. This includes the Ozone Advance and PM advance programs.</p> <p>We appreciate EPA’s recent efforts to invite collaboration on rulemaking. States and locals have significant experience implementing requirements and understand the most cost-effective ways to implement emission control requirements. Continued consultation with our agencies is important.</p> <p>We appreciate the efforts of EPA to develop a new</p>			<p>timely guidance (e.g., NACAA/ ECOS/EPA Work Group on SIP Reform).</p> <p>We have also committed to the states to work together to address the CAA mandate to address the transport of air pollution. We recently held several teleconference and in-person listening sessions with the States to lay the foundation for addressing transport, and plan to have future discussions.</p> <p>In May 2013, EPA released interim guidance for treating air quality data influenced by “exceptional events,” and plans to undertake future actions, including revisions to the 2007 Exceptional Events Rule. In addition, we have indicated our intent to revise the 1998 Interim Air Quality Policy on Wildland and Prescribed Fires, along with necessary air agency engagement.</p> <p>EPA is working closely with States during the NAAQS designation process. The designation process follows specific technical criteria to ensure that the process is fair and transparent and allows for a very fact specific analysis.</p> <p>In April, following consultation with state agencies, we issued guidance for area designations for the 2012 PM2.5 NAAQS.</p> <p>We agree with the value of the Advance Programs and will continue to work with interested organizations.</p> <p>EPA is working with NACAA and ECOS to determine how to best provide for air agency engagement (e.g.,</p>	

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<p>national learning management system (APTI-Learn). There are occasional missed opportunities for additional collaboration. The resources of the agencies should be called upon during all critical decision making. The LMS is functional from a student standpoint but needs considerable enhancement to make it fully a Learning Management System.</p> <p>We encourage EPA to continue to address the SIP process by improving flexibility and efficiency and reducing the backlog of unaddressed SIP submittals. We understand that there will always be a necessary backlog to some degree, but reductions in the legacy backlog continue to need to occur.</p>			<p>NACAA/ ECOS/EPA Work Group on SIP Reform). EPA has undertaken a number of state engagement activities over the past couple of years, such as the NACAA/EPA Implementation Workgroup for PM2.5, and the Full Cycle Analysis Project.</p> <p>We continue efforts to improve the APTI LMS. We are working with the MJOs to prioritize revisions to the LMS to improve its functionality within available personnel resources.</p> <p>EPA is working with NACAA and ECOS on ways to improve the SIP process and reduce the SIP backlog (e.g., NACAA/ ECOS/EPA Work Group on SIP Reform).</p>	
Issue Area: Regional Haze				
<p>Reference is made in the two cited sub-sections to due dates for second 10-year regional haze SIPs. We believe the date in 2.2.2.3. is incorrect and the date in 2.2.3.6 is correct. If the intention in 2.2.2.3. is to indicate the internal EPA due date for guidance for 2018 regional haze SIPs, that is much too late to serve the needs of the agencies. If EPA will require a similar process to what was required for the 2007 SIPs, EPA needs to be developing guidance now for the states to use towards development of the 2018 SIP packages. Some states will need to have their draft packages essentially complete by July 2017 in order to have time for sharing the drafts with EPA, federal land</p>	<p>Metro 4/SESARM</p>	<p>2.2.2. 2.2.3.</p>	<p>The July 2018 date is correct. Thank you for your input.</p> <p>We agree that leveraging work on criteria pollutants and regional haze is important, and we look forward to working air agencies on how to best accomplish this.</p>	<p>Change made</p>

Comment from State, Tribe, or Other Stakeholder	Commenter(s)	Location in Draft Guidance	NPM Response	Action Taken in Final Guidance
<p>managers, and the public in advance of what we believe to be the July 31, 2018 submittal deadline.</p> <p>We encourage EPA to identify ways to leverage work on criteria pollutants towards the requirements of future regional haze SIPs. Resources will likely not allow the same level of effort in the next round of regional haze SIPs that was used in the last round.</p>				
<p>If the second 10-year regional haze SIPs are due in July 2018, December 2017 is far too late to complete guidance for those SIPs.</p>	<p>Texas Commission on Environmental Quality</p>	<p>Section 2.2.2, pg. 6</p>	<p>Item 3 in section 2.2.2 inadvertently references December 2017 as the due date for the second 10-year regional haze SIPs. It will be corrected to July 31, 2018, which corresponds with item 6 in section 2.2.3 immediately following. In the event that we issue guidance to support the development of these SIPs, we will do so in a timely manner.</p>	<p>Change made</p>
<p>Issue Area: Title V and New Source Review Permitting and Appendix A Measure Text</p>				
<p>EPA identifies six basic areas of expected state and local agency responsibility. EPA should also identify and clearly address the measures and national targets that apply to state and local programs. The guidance is not clear whether or not the OAQPS measure relating to the percentage of major NSR permits issued within one year of permit application applies to a SIP-approved state such as Texas. TCEQ contends that this requirement should not apply to a SIP-approved state. States that operate under SIP approved programs may have their own NSR permit processing targets and goals. These measures may</p>	<p>Texas Commission on Environmental Quality</p>	<p>Section 2.3.4, pg. 8, and Appendix A, OAQPS P001, P09, P11, P19, P20, and P21, pg. 3-4</p>	<p>The purpose of and the responsibility for addressing the measures and national targets that apply to state and local programs may not be clear.</p> <p>The measure (P001) is reported by OAR as a single number based on information contained in the RBLC. It does not identify individual state programs but is a measure of a specific statutory requirement for which EPA oversight is expected. P20 and P21 are also measures that pertain to EPA oversight of the permit process, rather than performance of individual state permitting programs.</p> <p>Measures P09, P11, and P19 are all measures of</p>	<p>No change</p>

Comment from State, Tribe, or Other Stakeholder	Commenter(s)	Location in Draft Guidance	NPM Response	Action Taken in Final Guidance
<p>be included in state statute, rule, or policy. The expectation of SIP approved states is that they will be able to develop specific language, with their respective EPA regional office, and are not potentially held to a double standard of meeting an EPA requirement in addition to their own. If EPA does not agree with this viewpoint, EPA should explicitly address this in the guidance, and provide justification as to why these types of performance measures should apply to SIP-approved states.</p>			<p>permits issued by the EPA Regional Offices—not permits issued by SIP-approved States.</p>	
<p>We understand that EPA must have an oversight program for Title V permitting. To the extent that the NPM guidance is designed for grant and non-grant activities, inclusion of Title V requirements in the guidance is appropriate. However, if the NPM guidance is intended to drive grant conditions, it may be inappropriate to include Title V expectations in this document.</p>	<p>Metro 4/SESARM</p>	<p>2.3.2. 2.3.3. 2.3.4.</p>	<p>Besides informing the development of grant requirements, this guidance is used to communicate all priorities and expectations even those in the Title V program. The only Title V priorities are those that relate to issuing data for TOPS, issuing permits, and participating in program evaluations.</p>	<p>No change</p>
<p>Issue Area: Ambient Air Monitoring</p>				
<p>Our agencies continue to have concern about resources required to meet expanded monitoring obligations. We appreciate the fact that EPA worked with the agencies to defer some monitoring deadlines, but we are concerned about funding implications of federal budget constraints related to the sequestration and any other funding cuts that EPA may be planning to impose. Adequate funding of this important program is required, along with proper prioritization, cost-</p>	<p>Metro 4/SESARM</p>	<p>2.4.2. 2.4.3. 2.4.4.</p>	<p>EPA will continue to encourage use of Section 103 funds as appropriate for the development of new monitoring networks and other unique monitoring approaches. EPA has also worked with states to develop phased approaches to deploying new or expanded networks. EPA encourages air agencies to optimize their monitoring networks, including pursuing appropriate disinvestments, to be more responsive to current and future needs, which should be done as part of the 5-year network assessments</p>	<p>No change</p>

Comment from State, Tribe, or Other Stakeholder	Commenter(s)	Location in Draft Guidance	NPM Response	Action Taken in Final Guidance
<p>sharing, and phase-in of monitoring requirements.</p> <p>It remains helpful that EPA support newer monitoring requirements including those for PM_{2.5} via the Section 103 funding mechanism. Many states advocate for continuation of Section 103 funding as is currently being done. Whatever EPA's ultimate plan is, agencies should not be subjected to net loss of funding for monitoring. EPA should not reduce grant awards to reflect any match requirements for new funding approaches.</p>			<p>(next due in July 2015) and, as necessary, the annual network reviews.</p> <p>Since the late 1990's, the funding for the monitoring of fine particles (PM_{2.5}) has been awarded to states using EPA's authority under section 103 of the Clean Air Act. Section 103 authority allows full federal funding for the establishment of monitoring networks. Now that the PM monitoring network has "matured," it is time for the funding to transition to section 105 authority which is more in line with established programs.</p>	
<p>Consider utilizing state and local government, environmental laboratories to provide assistance and collaboration in accomplishing OAR's goals of ambient air monitoring for criteria pollutants and toxics. These laboratories have the expertise and capabilities to conduct the necessary monitoring and evaluation while being geographically located in a way to conduct effective evaluations.</p>	<p>Assoc. of Public Health Laboratories</p>	<p>p. 9 et seq., p. 12 et seq.,</p>	<p>Many of these labs are already collaborating. We offer national contracts as a convenience.</p>	<p>No change</p>
<p>Issue Area: Air Toxics Program</p>				
<p>Consider utilizing state and local, government, environmental laboratories for accomplishing OAR's air toxics goals. These laboratories can assist in monitoring, method development, and analyses needed for these priorities.</p>	<p>Assoc. of Public Health Laboratories</p>	<p>p. 10 et seq.</p>	<p>Some states already utilize state laboratories. For efficiency and convenience of other states, we offer national contracts that are optional for the states to use in lieu of their own labs.</p>	
<p>This guidance should specifically reflect a state's status (delegated or approved), and acknowledge requirements adopted into approved SIPs. Under Section 2.5.4, "Expected State and Local Agency</p>	<p>Texas Commission on Environmental</p>	<p>Section 2.5.4, pp. 11-12</p>	<p>Section 112(l) of the Clean Air Act offers states the option to receive delegation of standards promulgated under section 112. The NPM guidance does not mandate that any state must assume</p>	<p>No change</p>

Comment from State, Tribe, or Other Stakeholder	Commenter(s)	Location in Draft Guidance	NPM Response	Action Taken in Final Guidance
<p>Activities,” items 2 and 3 should clearly provide flexibility to assume implementation of toxic standards and residual risk standards in recognition of state resources, applicable laws and rules, and delegated responsibilities. In addition, to facilitate delegation discussions, EPA should provide guidance concerning specific delegation responsibilities for these programs before they can be accepted and incorporated into a state's SIP.</p>	<p>Quality</p>		<p>delegation of any standard that they do not have the resources to implement.</p>	
<p>Issue Area: Mobile Source Programs</p>				
<p>The majority of our agencies encourage timely completion of the Tier 3 light-duty vehicle and fuel standards. Mobile source emission reductions are a key component of strategies to maintain compliance with current standards and move towards compliance with future tighter standards, if any. Much work has been done to reduce emissions from the stationary source and mobile source sectors. Completion of the Tier 3 regulations will contribute towards continued maintenance as well as improved air quality in metropolitan areas with higher VMTs that have difficulty meeting the NAAQS.</p>	<p>Metro 4/SESARM</p>	<p>2.8.2.</p>	<p>EPA agrees that mobile source emission reductions are a key component of strategies to maintain compliance with current air quality standards and move towards compliance with any future tighter standards. Recognizing this, the Agency has identified the completion of the Tier 3 vehicle emissions standards addressing gasoline sulfur as a top priority.</p>	<p>No change</p>
<p>Issue Area: Tribal Programs</p>				
<p>An addendum to Federal (HQ & Regional Office) Activities: <i>“Provide support for tribes on the Quality Assurance Project Plan (QAPP) Process and act on QAPP submittals in a timely manner.”</i></p>	<p>Region 6 Tribal Planning Subcommittee</p>	<p>Section 2.9.2, page 17.</p>	<p>This action is consistent with the latest version of the OAR Tribal Air Agenda and will be incorporated.</p>	<p>Change made</p>

Comment from State, Tribe, or Other Stakeholder	Commenter(s)	Location in Draft Guidance	NPM Response	Action Taken in Final Guidance
<p>An addendum to Federal (HQ& Regional Office) Activities:</p> <p><i>“Provide training and support to Regional Project Officers to understand Tribes and their unique cultures.”</i></p>	<p>Region 6 Tribal Planning Subcommittee</p>	<p>Section 2.9.2, page 17.</p>	<p>EPA currently provides annual training to employees on working effectively with tribal governments. OAR encourages EPA tribal air program staff to attend the National Tribal Air Quality Forum to familiarize themselves with Tribes and their unique culture.</p>	<p>No change</p>
<p>An addendum to Federal (HQ & Regional Office) Activities:</p> <p><i>“Provide training and support for tribes to understand, assess, and respond to Climate Change.”</i></p>	<p>Region 6 Tribal Planning Subcommittee</p>	<p>Section 2.9.2, page 17.</p>	<p>This action is consistent with the latest version of the OAR Tribal Air Agenda and will be incorporated.</p>	<p>Change made</p>
<p>An addendum to Expected Tribal Activities:</p> <p><i>“Attend training, develop plans, and develop or acquire capability to understand, assess, and respond to Climate Change.”</i></p>	<p>Region 6 Tribal Planning Subcommittee</p>	<p>Section 2.9.3, page 18.</p>	<p>This action is consistent with the latest version of the OAR Tribal Air Agenda and will be incorporated.</p>	<p>Change made</p>
<p>Issue Area: SIRG Program</p>				
<p>As the cause of as many as 15% of all lung cancer deaths, radon is a serious public health issue that can be largely prevented through effective testing, notification and disclosure policies. The U.S. EPA’s approach to reducing exposure to radon has been impeded by its reliance on voluntary programs. The 2008 U.S. EPA OIG report stated, “Nearly two decades after passage of the Indoor Radon Abatement Act of 1988 (IRAA), exposure to indoor radon continues to grow.” The report recommended that the U.S. EPA use its authority granted under IRAA to reduce exposure to radon</p>	<p>American Association of), Cancer Survivors Against Radon (CanSAR)</p>	<p>Section 4.1, Pages 23-25</p>	<p>EPA does use its authority under IRAA to reduce exposure to radon. EPA believes that, in combination with efforts at the state and local levels, federal-level voluntary methods are appropriate to this issue. EPA also believes that, when imposed at the appropriate level of government, regulatory approaches to radon risk reduction may be warranted and often effective. An example is the enactment of building codes which require radon-resistant techniques in new-home construction. Historically, the authority to impose such restrictions was exercised at the state and local level.</p>	<p>No change</p>

Comment from State, Tribe, or Other Stakeholder	Commenter(s)	Location in Draft Guidance	NPM Response	Action Taken in Final Guidance
<p>and prevent radon-induced lung cancer.</p> <p>The June 2011 U.S. EPA Federal Radon Action Plan aims to reduce radon exposure in homes, schools and daycare facilities, as well as new construction. The plan contains an array of current federal government actions to reduce radon exposure and a series of new commitments for future actions. Although the actions outlined in the plan are important steps in reducing exposure to radon, additional policy actions are necessary. Our requests for consideration of inclusion in the action plan are as follows:</p> <ol style="list-style-type: none"> 1. Requiring testing, notification and disclosure on all buildings with federally-insured mortgages; 2. Requiring testing, notification and disclosure on all public buildings, including schools, daycare facilities and workplaces; 3. Requiring testing, notification and disclosure on all tenant-occupied buildings; 4. Requiring testing, notification and disclosure prior to occupancy for all new construction. 5. Increasing the State Indoor Radon Grant (SIRG) categorical grant from \$8.0 million to \$12.0 million in FY2014 to allow state programs to continue vital education and outreach efforts; and 6. Funding a \$3.0 million dollar grant program to allow a non-profit partner to establish important environmental justice projects, sustain the development of professional standards and credentials, and increase 			<p>The goal of IRAA, stated in Section 301, is to “reduce radon levels in all buildings to that of ambient outdoor air.” The level of radon in outdoor air averages about 0.4 pCi/L. Radon mitigation methods currently available can significantly reduce the public’s exposure to radon from high levels to appreciably lower levels, well below our recommended action level of 4pCi/L in many cases. They cannot typically or reliably achieve a level as low as 0.4 pCi/L in a given dwelling, and certainly not in all dwellings. Lacking technologically or economically feasible ways to meet the statutory goal, the regulatory authority offered by Section 310 to meet the provisions of IRAA will not enable its achievement.</p> <p>EPA agrees that more policy actions are needed in the Federal Radon Action Plan. In response to each of the suggested additions to the Plan raised by AARST EPA notes the following points:</p> <ol style="list-style-type: none"> 1. AARST and other interested NGO’s and stakeholders could raise this idea with federal mortgage insurers. EPA agrees that such an approach would greatly reduce radon exposure. 2. This is beyond the scope of the FRAP, as most public buildings are not owned or operated by the federal government. The FRAP included only federally owned or influenced buildings, and specifically focused on homes, schools and daycare centers (not workplaces). 3. This is beyond the scope of the FRAP, except for 	

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<p>research and development initiatives. Support for the development and implementation of these policies will provide an important component in preventing cancer mortality and lessening the burden caused by radon-induced lung cancer on our healthcare system. Another important item to note is implementation of these policies will create the demand needed for thousands of new jobs in the housing sector for radon testing, mitigation and new construction. Until this critical public health issue is addressed, Americans will continue to die from a disease that is largely preventable through development and implementation of effective testing, disclosure and notification policies.</p>			<p>federally owned/financed tenant occupied buildings. There has been some progress with HUD’s multifamily housing radon rule, and into other HUD programs. AARST, other NGO’s, and stakeholders should raise their ideas with HUD. EPA agrees that requiring testing and fixing in more HUD-influenced housing would have a major impact.</p> <p>4. This is beyond the scope of the FRAP as such requirements would go well beyond the scope of the federal government.</p> <p>5. and 6. Appropriations levels and newly funded programs are beyond the scope of the FRAP and fall in the purview of the Agency’s congressional appropriators.</p>	
Issue Area: Radiation				
<p>Consider utilizing state and local, government environmental laboratories to conduct efforts related to radon protection and community outreach efforts. These laboratories can be resources for direct outreach to those at-risk for radon exposure.</p>	<p>Assoc. of Public Health Laboratories</p>	<p>p. 23 et seq.</p>	<p>Agree. However, to our knowledge, very few state and/or local labs have the necessary capacity to make these types of measurements. Most state and local radon programs contract out these services to the commercial industry.</p>	<p>No change</p>
<p>Consider utilizing state and local environmental laboratories for assistance in conducting laboratory analyses related to radiation protection efforts.</p>	<p>Assoc. of Public Health Laboratories</p>	<p>p. 29 et seq.</p>	<p>Agree, see page 31, Section 5.1.2, No. 3. EPA’s National Analytical Radiation Environmental Laboratory continues to lead this effort by conducting the following activities with commercial and state laboratories: laboratory pilot program; performance testing and evaluation; lab capacity audits and assessments, radio-chemistry and MARLAP trainings</p>	<p>No change</p>

Comment from State, Tribe, or Other Stakeholder	Commenter(s)	Location in Draft Guidance	NPM Response	Action Taken in Final Guidance
			courses.	
Consider utilizing APHL and state and local, government environmental laboratories as a partner in Homeland Security preparedness and response efforts. APHL and its members work closely with the ERLN, LRN-R, and other LRN sections to provide laboratory preparedness and responses activities within the National Response Framework.	Assoc. of Public Health Laboratories	p. 31 et seq.	Agree. See comment above.	No change
Issue Area: Continuing Air Program				
NACAA appreciates EPA’s explicit acknowledgement that the funding should support “continuing air programs,” as well as “expanded core state/local agency work.” While addressing new efforts is important, the increase in funds should also be used to address some of the deficits in state and local resources that have existed for many years and support continuing activities that have been underfunded.	NACAA	Appendix B, page 1	Thank you.	No change
Issue Area: Grant Assistance to Co-Implementors				
We appreciate the proposed budget amount which includes a proposed increase of \$21.5 million in STAG funding to the local and state agencies for the air program.	Metro 4/SESARM	Appendix B, 1. Table B-1	Thank you.	No change

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Issue Area: Ambient Monitoring				
Please see above about funding, prioritization, cost-sharing, and phase-in.	Metro 4/SESARM	Appendix B. 1. A. Continuing Air Program Page 2	See response to earlier question.	No change
Issue Area: Monitoring				
EPA should continue to work with state and local agencies to prioritize new monitoring equipment purchases and implementation over the next several years, and ensure that expectations for new monitoring are consistent with the funding available to support that monitoring both in amount and in timing. NACAA also recommends that EPA continue to work with the NACAA/EPA Joint Monitoring Steering Committee in determining the best use of scarce resources, including identifying opportunities for disinvestment of existing monitoring activities and providing realistic estimates of the associated cost savings.	NACAA	Appendix B, page 2	EPA is committed to working with the NACAA/EPA Joint Monitoring Steering Committee to address monitoring priorities and corresponding resource needs. In addition, EPA encourages air agencies to optimize their monitoring networks, including pursuing appropriate disinvestments, to be more responsive to current and future needs, which should be done as part of the 5-year network assessments (next due in July 2015) and, as necessary, the annual network reviews.	No change
Issue Area: Allowance Trading Program				
NACAA recommends that EPA fund the administration of the Clean Air Interstate Rule (CAIR) nitrogen oxide (Nox) Ozone Season Trading Program in the same way that the Acid Rain program is administered - using funds from EPA's own operating budget, not state and local air	NACAA	Appendix B, page 2	The Acid Rain program is authorized and funded by the Clean Air Act Amendments of 1990. In contrast, regional air programs such as the CAIR seasonal NOx trading program for controlling the interstate transport of pollution do not have their own funding source. These programs have been created by EPA to	No change

Comment from State, Tribe, or Other Stakeholder	Commenter(s)	Location in Draft Guidance	NPM Response	Action Taken in Final Guidance
grants.			enable the affected states to comply more cost-effectively with the “good neighbor” requirements of CAA section 110(a) (2)(D)(i) than they could do on their own without the benefits of interstate allowance trading and centralized emissions tracking, quality assurance, and monitor certification systems. Accordingly, EPA has asked affected states that participate in an interstate emissions allowance trading program administrated by EPA to satisfy the CAA section 110(a) (2)(D)(i) requirements to share the program costs. Each year, EPA contributes 14 – 16 FTE for program administration, monitor certification, compliance determination, and assessment whereas the participating states contribute a portion of their Sec 105 funds towards the implementation and operation of the centralized allowance trading and emissions tracking systems. For over a decade, all the affected states in each of three successive interstate air pollution control programs have participated in these regional air programs and contributed towards the “shared cost” of program administration with EPA.	
Funding of the CAIR NO _x ozone season allowance trading program continues to be imposed on the states. We have previously commented and continue to do so that this funding should be borne by the EPA budget as is done for the Acid Rain Program. Further, it is of note that EPA does not fund the states and locals in the Southeast based on work load and program cost but instead continues to use an antiquated allocation formula. However, EPA distributes the cost of the CAIR NO _x trading program based on the proportion of units	Metro 4/SESARM	2.7. and Appendix B, Table B-2	Please see EPA’s response to NACAA’s comment above on why EPA and the affected states share the program costs for administering interstate air pollution control programs such as the CAIR NO _x ozone season allowance trading program. Program administration costs for source monitor certification; emissions reporting, quality assurance, and tracking; source compliance determination; and allowance accounting and transfers are directly proportional to the number of affected sources (units) in the program. Therefore, EPA believes that it is most	No change

Comment from State, Tribe, or Other Stakeholder	Commenter(s)	Location in Draft Guidance	NPM Response	Action Taken in Final Guidance
<p>subject to the rule in the Southeast versus the entire country. The Southeast receives about 12% of the national STAG funds for the air program, but is required to pay nearly 29% of this trading program. The Southeast encourages EPA to rectify this disparity, if it intends to continue charging the states for operation of this program.</p>			<p>appropriate and equitable to allocate the states' collective share of total program administration costs to the individual states participating in the EPA-administered centralized allowance trading and emissions tracking systems in proportion to the number of units subject to the rule and reporting emissions in each state.</p>	
<p>Issue Area: Clean Air Act Training</p>				
<p>While EPA indicates that it is directing \$2M in STAG funds for training, which NACAA approves, it does not specify EPA's financial commitment from agency funds for training. NACAA believes that EPA should support the training program from its own operating budget.</p>	<p>NACAA</p>	<p>Appendix B, page 5</p>	<p>EPA continues to support the CAA training program funded through STAG. EPA will also continue to provide in-kind support and assistance to the training program from EPA's operating budget.</p>	<p>No change</p>
<p>Please see previous comment about enhancement of the LMS.</p> <p>EPA must engage all agencies, regardless of MJO affiliation, in planning training activities, funding of those activities, and allocation of costs among the regions and states.</p>	<p>Metro 4/SESARM</p>	<p>Appendix B. 1. A. Continuing Air Program Page 5</p>	<p>EPA is committed to working with the NACAA/EPA Joint Training Committee to address training priorities and corresponding resource needs.</p>	<p>No change</p>
<p>Issue Area: Diesel Emission Reduction Program</p>				
<p>NACAA believes more funds should be available for the DERA program. Future DERA activities should not be funded through the STAG account. Instead, NACAA suggest that the grants be provided through one EPA's other accounts.</p>	<p>NACAA</p>	<p>Appendix B, page 5</p>	<p>EPA appreciates NACAA's support for the DERA program, to reduce emissions from the legacy fleet of diesel engines. Unfortunately, the Agency has to make tough choices to allocate limited resources. We will continue to ensure that funds for the DERA program are used in the most effective manner possible to</p>	<p>No change</p>

Comment from State, Tribe, or Other Stakeholder	Commenter(s)	Location in Draft Guidance	NPM Response	Action Taken in Final Guidance
			<p>protect human health and the environment, by targeting older engines that negatively affect sensitive populations and those who are disproportionately impacted by diesel emissions.</p> <p>Congress appropriates the DERA funding through the STAG account. EPA does not control how the funds are provided.</p>	
<p>Issue Area: Streamlining Grants for STAG Awards to Co-Regulator Organizations</p>				
<p>Metro 4 and SESARM appreciate the assistance of EPA in streamlining the competition policy for awarding grants to MJOs.</p>	<p>Metro 4/SESARM</p>	<p>Appendix B. 2. Page 7</p>	<p>Thank you</p>	<p>No change</p>
<p>As EPA works with grants to states, locals, and MJOs, it should limit grant conditions to those most critical to the mission of the grant recipient and the purpose of the project. EPA should work with grant recipients to design grant conditions and reporting requirements that make sense with consideration of environmental and human health needs and available resources.</p>	<p>Metro 4/SESARM</p>	<p>Appendix B. 2. Page 7</p>	<p>The Office of Grants and Debarment is currently conducting a “Lean” review on all the different stages of the grants process in an effort to minimize administrative burdens on our state, local, MJOs and tribal recipients. This effort was begun in response to states and tribes voicing their concern about the increase of time and effort put upon their organizations in managing federal grants. Full implementation of changes as a result of the review is expected to be completed by FY 2015.</p>	
<p>Issue Area: Section 103 PM 2.5 Funding Transition to Section 105 Funding</p>				
<p>ECOS opposes the U.S. EPA shifting PM2.5 monitoring funding away from 100 percent federal funding under Section 103 grants to cost-share funding under Section 105 grants.</p>	<p>ECOS</p>	<p>Page 830 of FY14 President’s Budget request</p>	<p>Since the late 1990’s, the funding for the monitoring of fine particles (PM2.5) has been awarded to states using EPA’s authority under section 103 of the Clean Air Act. Section 103 allows full federal funding for the establishment of monitoring networks. Now that the</p>	<p>No change</p>

Comment from State, Tribe, or Other Stakeholder	Commenter(s)	Location in Draft Guidance	NPM Response	Action Taken in Final Guidance
		for the U.S. EPA	PM monitoring network has “matured,” it is time to transition to section 105 authority which is more in line with established programs. EPA will work closely with state/local/tribal agencies on a smooth transition of the PM2.5 program from §103 to §105.	
Funding for the PM 2.5 monitoring program should continue under Section 103 authority. Additionally, state and local agencies will face new and/or expanded monitoring requirements to address NO2 and air toxics. Since these are either monitoring start-ups or expansions, it is critical that they be adequately funded under Section 103 authority.	NACAA	Appendix B, page 2	EPA will work closely with NACAA and the state/local/tribal agencies on a smooth transition of the PM2.5 program from §103 to §105. Where feasible, EPA will pursue the use of §103 to fund new monitoring requirements.	No change
Continue to provide funding for the PM 2.5 monitoring network from Section 103.	Rhode Island Department of Environmental Management, Office of Air Resources	Ambient Monitoring Appendix – page 9 of 25	EPA understands the current economic difficulties being faced by states and the difficulty expected with the transition of PM2.5 funding to §105. We will continue to work closely with state/local/tribal agencies on a smooth transition that will still provide for an adequate monitoring network.	No change
Issue Area: Allocation of §105 Grants				
The agencies which comprise the membership of Metro 4 and SESARM continue to request that EPA institute use of the new allocation formula for awarding STAG funds among the regions. The Southeast consists of 8 state agencies and 17 local agencies that conduct the bulk of the air pollution control work in the region. The demographics of the region clearly indicate that, over the past several decades, there has been a shift of	Metro 4/SESARM	Appendix B. 3. Pages 8-9	EPA intends to move to the revised allocation formula in FY 2014 although Congressional report language has prohibited EPA from implementing a revised allocation methodology since FY 2011. In moving to a revised allocation, the Agency must assure that STAG funds are targeted to the most pressing air quality problems and that the integrity of all state/local air program operations are maintained. While EPA has requested an increase in STAG	No change

Comment from State, Tribe, or Other Stakeholder	Commenter(s)	Location in Draft Guidance	NPM Response	Action Taken in Final Guidance
<p>population and business activity to the region. Our 25 agencies have considerable investment of organization and resources in the region for the purposes of maintaining air quality where it is acceptable and improve it where it is not. These factors suggest that our workload may equate to more than 20% of the national workload. However, our agencies receive about 12% of the national STAG funding while being asked to support the CAIR NO_x trading program at a cost allocation that is more than double our regional grant allocation. We have previously shown flexibility by accepting EPA’s proposal to phase in the new allocation formula. While we continue to deserve immediate phase-in, we continue to be willing to accept a moderate phase-in period. We encourage EPA to work with Congress to resolve this problem as the 2014 EPA budget markup occurs.</p>			<p>resources for FY 2014, if funding remains static, EPA has indicated that shifts will be limited so as to minimize the impact. This allocation approach will be phased in over a multi-year period to minimize disruptions to state and local program operations and can be re-evaluated based on updated data, changes in air quality, or changes in available funding.</p>	
<p>EPD reiterates its comments from last year with regards to OAR’s discussion related to the categorization and allocation of Section 105 grants. While we support the agencies position to finally begin to update the air grant allocation consistent with the approach it laid out in January 2010, we still are concerned with the proposal that the update be phased in over a multi-year period and be moderated such that no region would experience a decline of more than 5% of its prior year funding level. Our position, as stated in the April 11, 2011 and July 18, 2011 letters submitted by the 8 commissioners of the Southeastern environmental agencies, and submitted for the</p>	<p>The Air Protection Branch of Georgia Environmental Protection Division</p>	<p>Appendix B Section 3. Categorization and allocation of §105 grants pp. 8-9</p>	<p>Please see response above to Metro 4/SESARM.</p>	<p>No change</p>

FY 2014 OAR EXTERNAL COMMENTS AND RESPONSE TO COMMENTS

Comment from State, Tribe, or Other Stakeholder	Commenter(s)	Location in Draft Guidance	NPM Response	Action Taken in Final Guidance
<p>record as comments on last year’s NPM, that this continued delay is an untenable situation for the southeastern agencies. Consistent with the Southeast’s larger and growing proportional share of the national air pollution control workload, EPA should immediately increase the Southeast’s proportional share of the annual Section 105 grant allocation to allow Region 4 states to respond more effectively to the region’s air quality challenges.</p>				