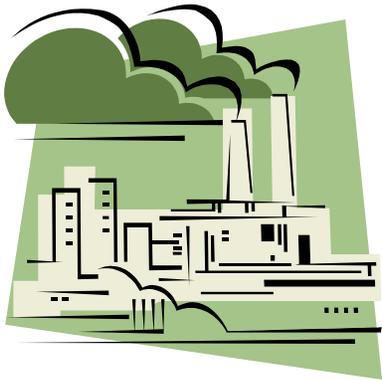




Planning for Clean Air An Introduction to the “SIP Process”

SIP 101



The many faces of Air Pollution!



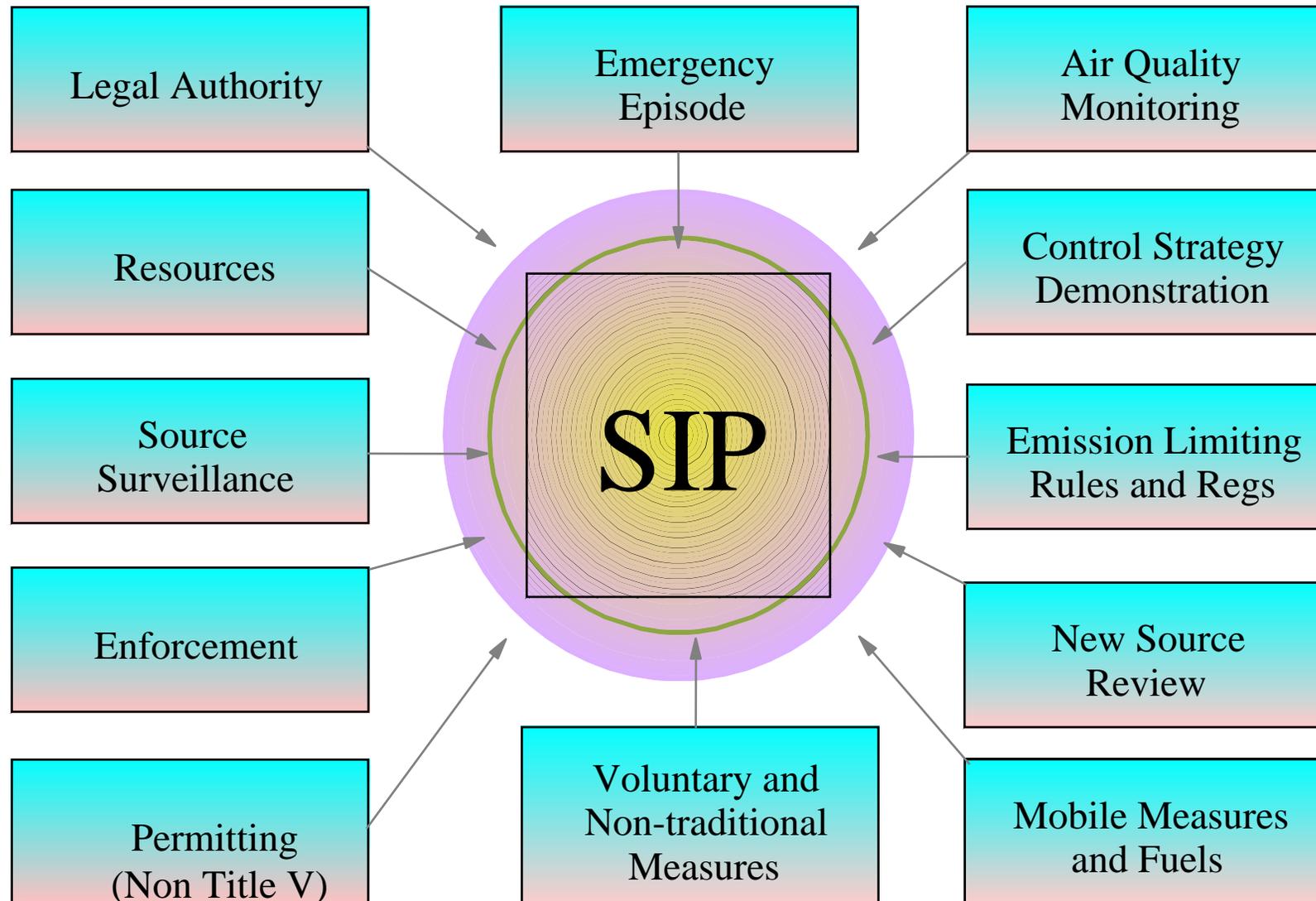
What is a State Implementation Plan?

It's a plan for "clean air!"

- Clean Air Act requires a general plan to achieve the NAAQS in all areas of the country and a specific plan for each nonattainment area.
- Each state is responsible for developing plans to demonstrate how standards will be achieved, maintained, and enforced.
- These enforceable plans are developed by States (and locals).



Components of the SIP





The SIP: A Living Document

- Revised by State as necessary
- Addresses unique air pollution problems in State
- Keeping the SIP updated is a continuous process
- Each revision approval is a federal rulemaking and must comply with Section 110 of the CAA

How does the SIP Process Work?

- ◆ CAA, court case, or EPA mandates a plan revision or State/Local decides to revise its own plan.
- ◆ State submits changes to EPA Regional Office.
- ◆ EPA reviews the SIP for completeness and approvability...propose in the Federal Register.

Hot off the press

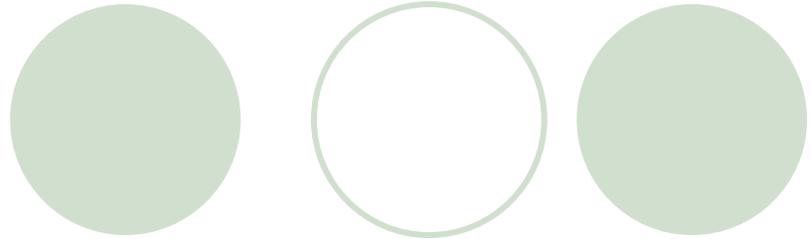




How Long Does A SIP Revision Typically Take?

- ❖ **Technical Evaluation** 6 months to 1 year
- ❖ **State Rulemaking** 6 months to 2 years
- ❖ **EPA Approval** 6 months to 18 months

What is the “Air Quality Management” process ?



- **Air Quality Management (AQM)** ... the process to relate National Ambient Air Quality Standard (NAAQS) air quality measurements to emissions data ... determine the reductions & control measures needed to meet the NAAQS.
- AQM is the approach, or pathway to translate measured air quality problems into a regulatory clean air plan, or State Implementation Plan (SIP).
- SIPs are the framework to provide for control measures that “clean the air” and achieve or maintain the standards.

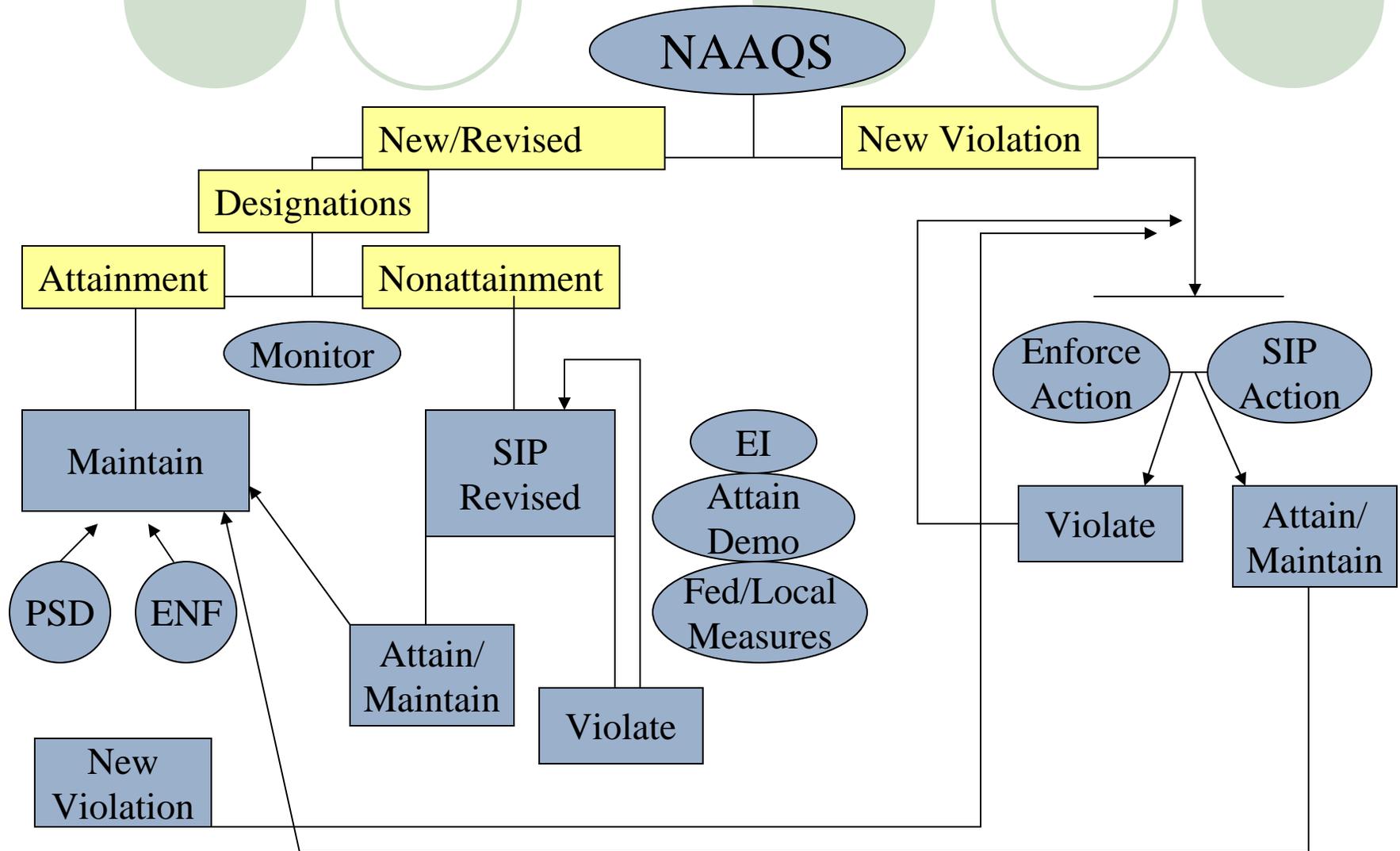


What is the “Air Quality Management” process ?



- **Emission inventories, monitoring and air quality models are central to air quality management, they are tools that help to:**
 - understand cause of an air quality standard violation
 - develop control strategies to reach attainment
 - demonstrate that selected strategies will lead to attainment
 - assess whether progress is made toward reaching standard

What is the "air quality management" process ?





Types of Submittals

- **Drafts (not required)**
- **Prehearings**
- **Finals**
- **Request for parallel processing (not required)**

Review Time

- 🕒 **Drafts** (30 days or more)
- 🕒 **Prehearings** (at least 30 days, as required by Subpart F of 40 CFR Part 51)
- 🕒 **Finals** (6 months to determine complete, 12 months after to act on)
- 🕒 **Requests for parallel processing**





Submitting a Revision

- Drafts: Can be submitted via email or hard copy
- Prehearings:
 - Accepted via email to meet 30-day review requirement
 - Must be followed with a hard copy
- Finals: Must be submitted to Regional Administrator (hard copy)
- Parallel Processing: Must be submitted to Regional Administrator (hard copy)



Items to be included in the Submittal

- ✓ **Cover Letter**
 - Request EPA approval
 - Part of Clean Air Act being addressed
 - Sections/Rules being revised/added

- ✓ **Executive Summary**
 - Detailed description of rules being revised/added
 - Why revisions/addition are being made
 - NAAQS affected; rationale for requesting change
 - Intended effect of revision/addition

- ✓ **NO SURPRISES / NO GUESS WORK**



**The Completeness
Determination Versus
Approvability**

The SIP Approval Process

- **Appendix V of 40 CFR Part 51 sets the minimum criteria for determining whether a State submittal is an official submittal for purposes of review.**
- **SIP submittals come from State to EPA Regional Offices.**
- **EPA Regional Administrators have been delegated authority to approve most SIPs.**
- **EPA determines whether a SIP meets the requirements of the CAA and EPA regulations ... approve or disapprove in Federal Register.**

What are the steps in EPA's Rulemaking Process?

- Review state submittal (EPA Regions)
 - "Complete" findings
 - Partial approval
 - Limited approval/disapproval
 - Conditional approval
 - Approval
 - Disapproval



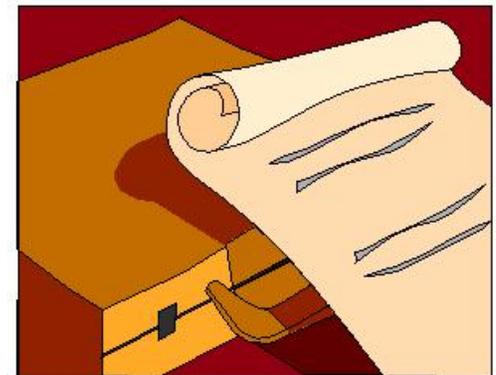
What are the steps in EPA's Rulemaking Process? (continued)

- Prepare technical support document
- Propose action in Federal Register
- Allow for comment period
- Response to comments
- Publish final action in Federal Register



Problems Impacting the Approval of SIPs

- ✘ Plans that do not meet CAA or EPA rules and Guidelines ... or not consistent with court case
- ✘ Regulations that are vague, missing test methods, or technical justification ... incomplete
- ✘ Regulatory relaxation without justification (section 110(I))



What Happens if a Required SIP Revision is Not Submitted or is Disapproved?

- New Source Review permitting sanctions:
 - After 18 months sanctions clock
 - 2 to 1 offset
- Highway funding sanctions:
 - After 24 months sanctions clock
- Federal Implementation Plan (FIP):
 - Within 24 months
 - Not permanent



Summary ...How the SIP process works

CAA or court case mandates plan submittal, or State/Local decides to revise its own SIP

State/Local prepares and adopts plan after public hearing

State submits SIP to EPA Regional office

EPA reviews SIP for completeness ... if complete ... propose in FR

EPA approves/disapproves plan after considering public comments

After SIP approval, the plan becomes Federally enforceable

If SIP Federally mandated and disapproved ... then FIP promulgated

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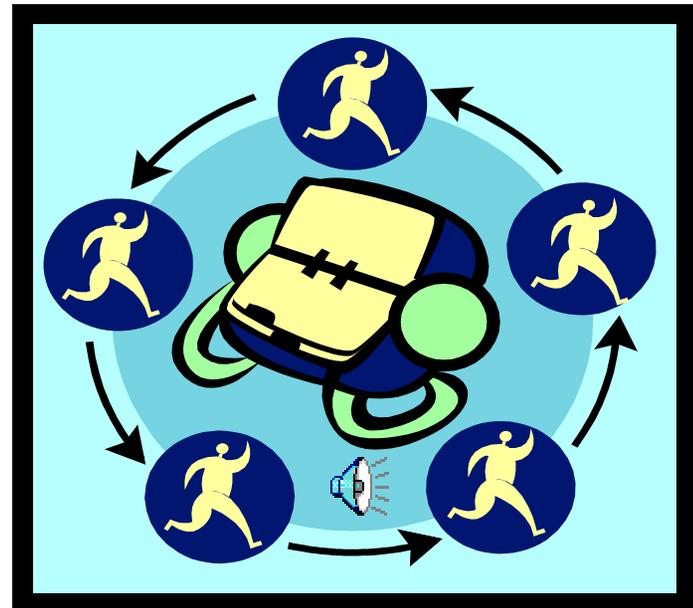
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The End

