



## Agency Priority Goal Action Plan

# Improve Air Quality by Implementing Pollution Control Measures to Reduce the Number of Nonattainment Areas

### Goal Leader:

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# Overview

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## Goal Statement

- **Improve air quality by implementing pollution control measures to reduce the number of nonattainment areas.** By September 30, 2019, EPA, in close collaboration with states, will reduce the number of nonattainment areas to 138 from a baseline of 166.

## Challenge

- EPA's authority to approve a state's request to redesignate nonattainment areas hinges on the state meeting the minimum requirements of the Clean Air Act (CAA), which include:
  - A demonstration that the area has air quality that is attaining the National Ambient Air Quality Standards (NAAQS);
  - Establishing that pollution reductions are due to implementing permanent and enforceable measures;
  - A 10-year maintenance plan that includes contingency measures to be triggered in the event of a re-violation of the NAAQS; and,
  - Satisfying any other applicable and outstanding attainment planning and emissions control requirements.

## Opportunity

- A number of nonattainment areas have attained a NAAQS or are close to attaining a NAAQS, which is a key step toward redesignation.

# Leadership

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# Goal Structure & Strategies

- **Strategy 1: EPA will work with air agencies\* to facilitate submittal of timely and approvable attainment plans (as a means of bringing areas into attainment) and redesignation requests, as appropriate.**
  - Develop and provide data, analysis, and technical tools and assistance to industries, states, communities, and tribes to meet CAA obligations and other statutory requirements.
  - Focus on ways to improve the efficiency and effectiveness of the State Implementation Plan/Tribal Implementation Plan (SIP/TIP) process, including the Agency's own review process, with a goal of maximizing timely processing of state/tribal-requested implementation plan actions.
  - Continue tracking air quality improvements through the collection of monitoring data.
- **Strategy 2: Through collaboration with state, local and tribal air agencies, EPA will take actions to improve air quality in nonattainment areas so these areas can expeditiously attain the NAAQS. EPA will:**
  - Operate effective nationwide and multi-state emissions control programs, including:
    - The acid rain program and the cross-state air pollution rule, which address global, national, and regional air pollutants from the power sector and other large stationary sources;
    - National mobile source emissions standards, which address emissions from highway and off-road vehicles, small engines, locomotives, and marine vessels; and
    - New source performance standards and preconstruction permit review program, which ensure the best demonstrated emission control technologies are installed as industrial infrastructure is modernized.
  - Fulfill its NAAQS implementation oversight role using tools available under the CAA to hold states accountable for fulfilling attainment planning responsibilities. Example actions include:
    - Taking action on state implementation plans (SIPs); and
    - Determining whether an area has attained a NAAQS by the required attainment date.

*\*Air agencies refer to air pollution control agencies at the state and tribal level.*

# Goal Structure & Strategies, continued

- **External factors**
  - Under the CAA, states are responsible for initiating the redesignation process, a process that demands time and resources from states which may be limited for such purposes.
  - The CAA does not require states to request redesignation, and in some cases states may determine that undertaking the optional process is not a priority.
  - *Proposed mitigation action:* Regular communication between EPA regional offices and state air agencies to discuss prioritizing redesignation requests and identifying solutions to challenges/disincentives that may create barriers for states to request redesignation.

## **EPA Lean Management System (ELMS)**

- EPA continues to deploy its new EPA Lean Management System (ELMS) to achieve the results set forth in the Strategic Plan. As part of ELMS, EPA has conducted multi-day process improvement events to make significant progress in specific priority areas, including permitting, identified in the Strategic Plan.
- Visual management is a major aspect of ELMS that is being used to ensure that improvements from the events are achieved and will be sustained over time. Poster boards with regularly updated performance data serve as visual management for monitoring progress towards meeting the targets set forth in the Strategic Plan, while additional poster boards are being used to track the work flow necessary to achieving the targets. Managers and staff have weekly stand-up huddle meetings in front of their visual management boards to discuss the performance and flow of the process.
- In addition, National Programs and Regional Offices hold Monthly Business Review meetings to go over both the strategic measures tracked on scorecards, and the implementation plans that track progress on Strategic Plan and priority area projects identified for EPA under President Trump's Executive Order on a Comprehensive Plan for Reorganizing the Executive Branch. The Administrator and Chief of Operations hold quarterly performance reviews to monitor overall progress on the agency's Strategic Plan and priority area projects.
- ELMS is designed to ensure that EPA regularly monitors progress toward meeting targets and takes immediate action if expected performance is off track.

# Summary of Progress – FY 2018 Q1

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- During the first quarter of FY 2018, as expected, no existing nonattainment areas were redesignated to attainment. The overall goal is on track.
- Specific Q1 activities included:
  - EPA Regional offices held calls/meetings with their respective state air agencies and discussed planning and redesignation priorities.
  - EPA issued memorandum on “Supplemental Information on the Interstate Transport State Implementation Plan Submission for the 2008 Ozone National Ambient Air Quality Standards under Clean Air Act Section 110(a)(2)(D)(i)(I).”
  - EPA issued Findings of Failure to Submit for 2008 ozone NAAQS nonattainment areas with overdue SIP elements (82 FR 58118; December 11, 2017).
  - EPA continued to operate nationwide and multi-state programs, the acid rain program and the cross-state air pollution rule; national mobile source emissions standards; new source performance standards; and preconstruction permit review program.

# Summary of Progress – FY 2018 Q2

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- During the second quarter of FY 2018, three nonattainment areas were redesignated to attainment:
  - 2008 Lead NAAQS: Chicago, IL
  - 2008 Lead NAAQS: Granite City, IL
  - 2008 Lead NAAQS: Delta, OH
- The Q2 goal was for four areas to be redesignated to attainment. A fourth redesignation was signed on March 29, published in the Federal Register on April 4, 2018, and will be effective May 4, 2018, so the overall APG is on track.
- Specific Q2 activities included:
  - EPA regional offices held calls/meetings with their respective state air agencies and discussed planning and redesignation priorities.
  - EPA issued memorandum on “Information on the Interstate Transport State Implementation Plan Submissions for the 2015 Ozone National Ambient Air Quality Standards (NAAQS) under Clean Air Act (CAA) Section 110(a)(2)(D)(i)(I)” to help states meet their Good Neighbor obligations for the 2015 ozone NAAQS (March 27, 2018).
  - EPA issued Findings of Failure to Submit for 2012 PM2.5 NAAQS Moderate nonattainment areas with overdue SIP elements (83 FR 14759; April 6, 2018). The findings establish a deadline by which states will become subject to sanctions unless they submit plans to address their PM2.5 NAAQS nonattainment areas.
  - EPA continued to operate nationwide and multi-state programs for the acid rain program and the cross-state air pollution rule; national mobile source emissions standards; new source performance standards; and preconstruction permit review program, all of which play a role in reducing emissions of criteria pollutants.

# Summary of Progress – FY 2018 Q3

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- During the third quarter of FY 2018, one nonattainment area was redesignated to attainment:
  - 1987 PM<sub>10</sub> National Ambient Air Quality Standards (NAAQS): Sheridan County, WY
  - In order to meet the Q3 goal, four nonattainment areas needed to be redesignated to attainment. In Q3, Sheridan County, WY (1987 PM<sub>10</sub> NAAQS) was redesignated to attainment. Two additional redesignations (Troy, AL (2008 Lead) and Chico, CA (2006 PM<sub>2.5</sub>) were signed prior to the end of Q3 and will become effective in Q4.
  - EPA will continue to work with all states with qualifying nonattainment areas to facilitate timely redesignation requests.
- Specific Q3 activities included:
  - EPA regional offices held calls/meetings with their respective state air agencies and discussed planning and redesignation priorities.
  - EPA continued to operate nationwide and multi-state programs for the acid rain program and the cross-state air pollution rule; national mobile source emissions standards; new source performance standards; and preconstruction permit review program, all of which play a role in reducing emissions of criteria pollutants.
- Additional Q3 information related to National Ambient Air Quality Standards (NAAQS) attainment:
  - EPA and the Department of Justice continue to engage with the D.C. Circuit Court of Appeals regarding the timeline for its response regarding the February 2018 decision in South Coast Air Quality Management District v. EPA, No. 15-1115 (D.C. Cir. 2018). This decision could prompt additional work with states regarding redesignation requests.



# Summary of Progress – FY 2018 Q4

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- During the fourth quarter of FY 2018, 3 nonattainment areas were redesignated to attainment:
  - Troy, AL (2008 Lead)
  - Chico, CA (2006 PM2.5)
  - St. Louis-St. Charles-Farmington, MO-IL (2008 Ozone)
    - MO part redesignated FY 2018 Q4; IL part redesignated FY 2018 Q2
  - EPA will continue to work with all states with qualifying nonattainment areas to facilitate timely redesignation requests.
- Specific Q4 activities included:
  - EPA Regional offices held calls/meetings with their respective state air agencies and discussed planning and redesignation priorities.
  - EPA continued to operate nationwide and multi-state programs for the acid rain program and the cross-state air pollution rule; national mobile source emissions standards; new source performance standards; and preconstruction permit review program, all of which play a role in reducing emissions of criteria pollutants.
- Additional Q4 information related to National Ambient Air Quality Standards (NAAQS) attainment:
  - The D.C. Circuit Court of Appeals denied EPA's request for rehearing regarding the February 2018 decision in *South Coast Air Quality Management District v. EPA*, No. 15-1115 (D.C. Cir. 2018). The result of the final decision is that states responsible for 35 areas designated nonattainment for the 1997 ozone NAAQS must do additional work to qualify these areas for redesignation.
- Overall in FY 2018, EPA took final action on state requests to redesignate 11 areas to attainment. The effective date for all but four of the areas occurred by September 30, 2018. Looking ahead, EPA is reviewing its projections for FY 2019.

# Key Milestones

- **Strategy 1:** EPA will work with air agencies to facilitate submittal of timely and approvable attainment plans (as a means of bringing areas into attainment) and redesignation requests, as appropriate.

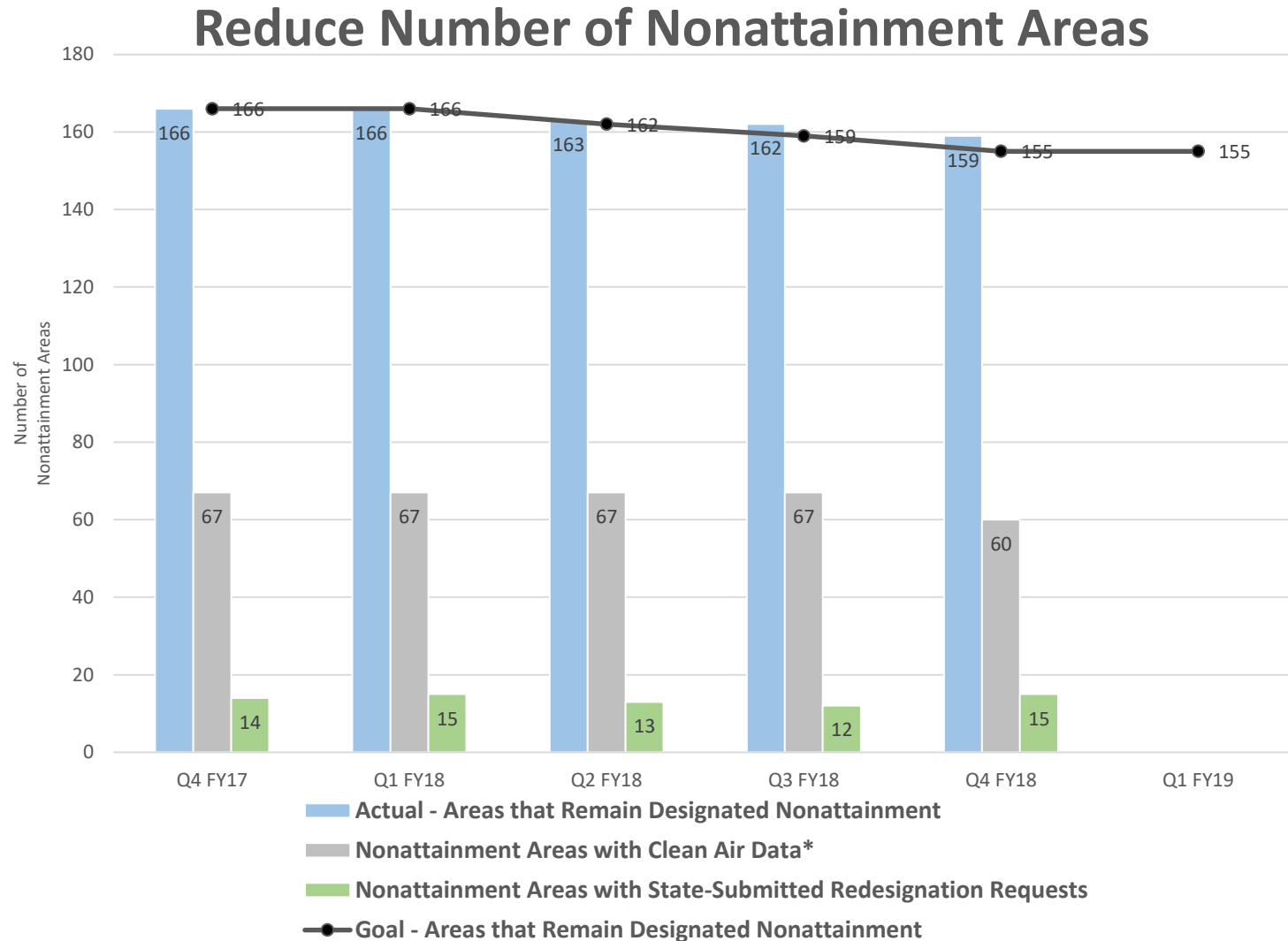
Milestone Summary					
Key Milestone	Milestone Due Date	Milestone Status	Change from last quarter	Owner	Comments
Regional offices hold calls/meetings with their respective state air agencies and discuss planning and redesignation priorities.	Quarterly	Met	No change	OAR/OAQPS	<ul style="list-style-type: none"> <li>• Regional offices met or exceeded the milestone for Q4 FY18.</li> <li>• At September 18-19, 2018, WESTAR/WRAP Meeting, EPA presented an update on state progress on redesignating areas to attainment.</li> </ul>
Improve the efficiency and effectiveness of the SIP/TIP process, including the Agency's own review process, with a goal of maximizing timely processing of state/tribal-requested implementation plan actions.	Q4 FY18	On-going	No change	OAR/OAQPS	<ul style="list-style-type: none"> <li>• Regional and headquarters offices continued to make progress toward developing and piloting visual management systems and standard work products to meet the objectives of the EPA Lean Management System.</li> </ul>
Continue to track air quality improvements through collection, analysis, and reporting of monitoring data.	Annual	On-going	No change	OAR/OAQPS	<ul style="list-style-type: none"> <li>• In July 2018, EPA released its annual report on air quality, <i>Our Nation's Air: Status and Trends Through 2017</i>, which documents the improvements in air quality across the United States over more than 45 years. This report highlights that, between 1970 and 2017, the combined emissions of six key pollutants dropped by 73%, while the U.S. economy grew more than three times (<a href="https://www.epa.gov/air-trends">https://www.epa.gov/air-trends</a>).</li> <li>• On August 13-16, 2018, EPA hosted the National Ambient Air Monitoring Conference in Portland, Oregon. EPA presentations linked the FY 2018-2022 EPA Strategic Plan goals to the importance of high quality measurements.</li> </ul>

# Key Milestones

- **Strategy 2:** Through collaboration with state, local and tribal air agencies, EPA will take actions to improve air quality in nonattainment areas so these areas can expeditiously attain the NAAQS.

Milestone Summary					
Key Milestone	Milestone Due Date	Milestone Status	Change from last quarter	Owner	Comments
Provide tools and guidance documents (as necessary).	Quarterly	Met	No change	OAR/OAQPS	<ul style="list-style-type: none"> <li>• EPA continued discussions with interagency reviewers regarding its draft final implementation/SIP requirements rule for the 2015 ozone NAAQS.</li> <li>• On July 12, 2018, EPA issued the final air agency guidance titled, <i>2016 Revisions to the Exceptional Events Rule: Update to Frequently Asked Questions</i> (<a href="https://www.epa.gov/sites/production/files/2018-09/documents/updated_faqs_for_exceptional_events_final_september_2018.pdf">https://www.epa.gov/sites/production/files/2018-09/documents/updated_faqs_for_exceptional_events_final_september_2018.pdf</a>).</li> <li>• August 13, 2018, EPA distributed to air agencies for informal 60-day review the draft guidance titled <i>Guidance on the Preparation of Exceptional Events Demonstrations for Stratospheric Ozone Intrusions</i>.</li> </ul>
Operate nationwide and multi-state programs, the acid rain program and the cross-state air pollution rule; national mobile source emissions standards; new source performance standards; and preconstruction permit review program.	Quarterly	Met	No change	OAR	EPA continued progress toward improving the clarity of a variety of permitting regulatory provisions to streamline permit application reviews. A draft policy clarification on source determinations was posted for public comment in September 2018.
Take appropriate oversight actions required by the Clean Air Act (as necessary).	Quarterly	Met	No change	OAR/OAQPS	No new oversight actions in Q4.

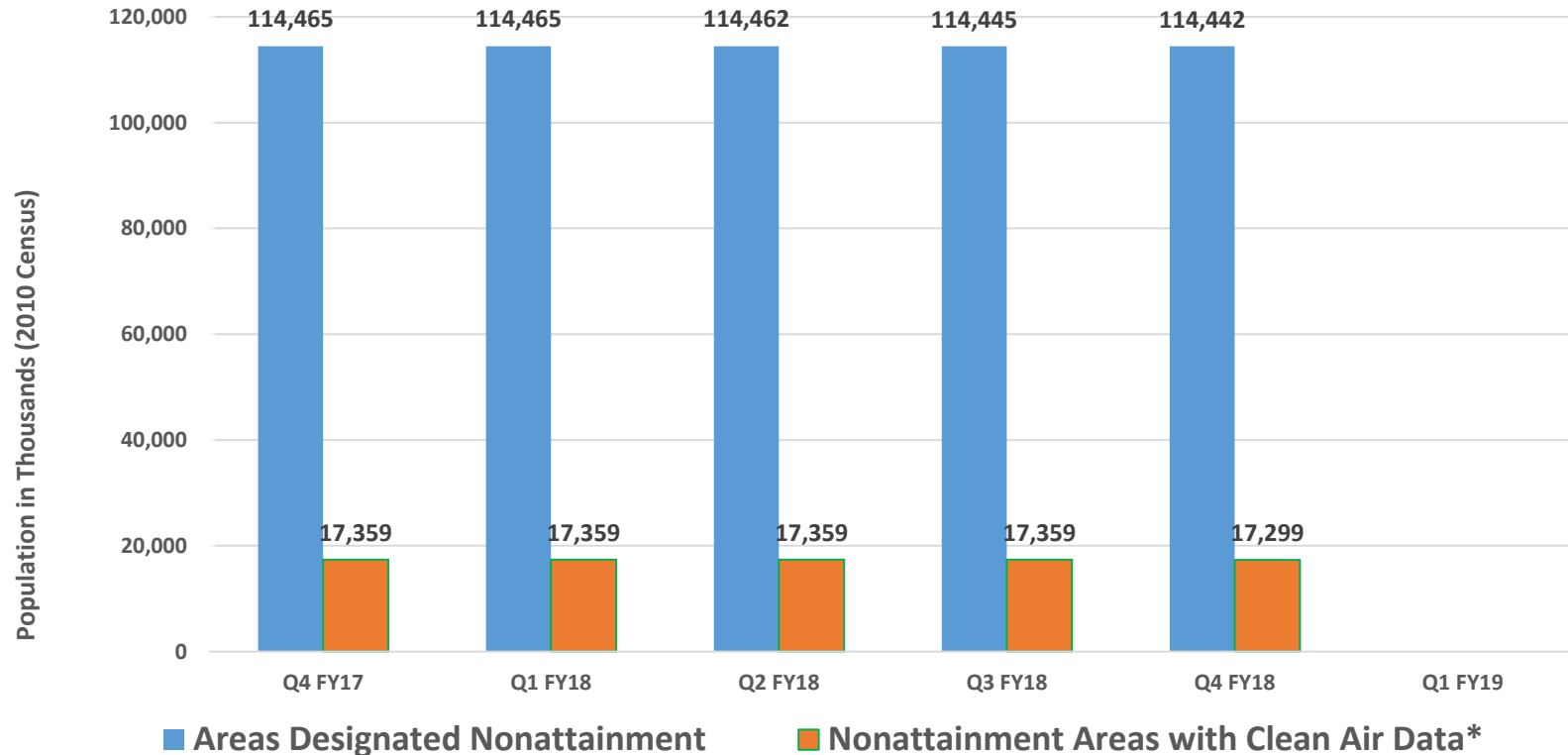
# Key Indicators



*\*Clean air data is a key step to redesignation to attainment, which can occur once an area's air quality attains the federal standard.*

# Key Indicators

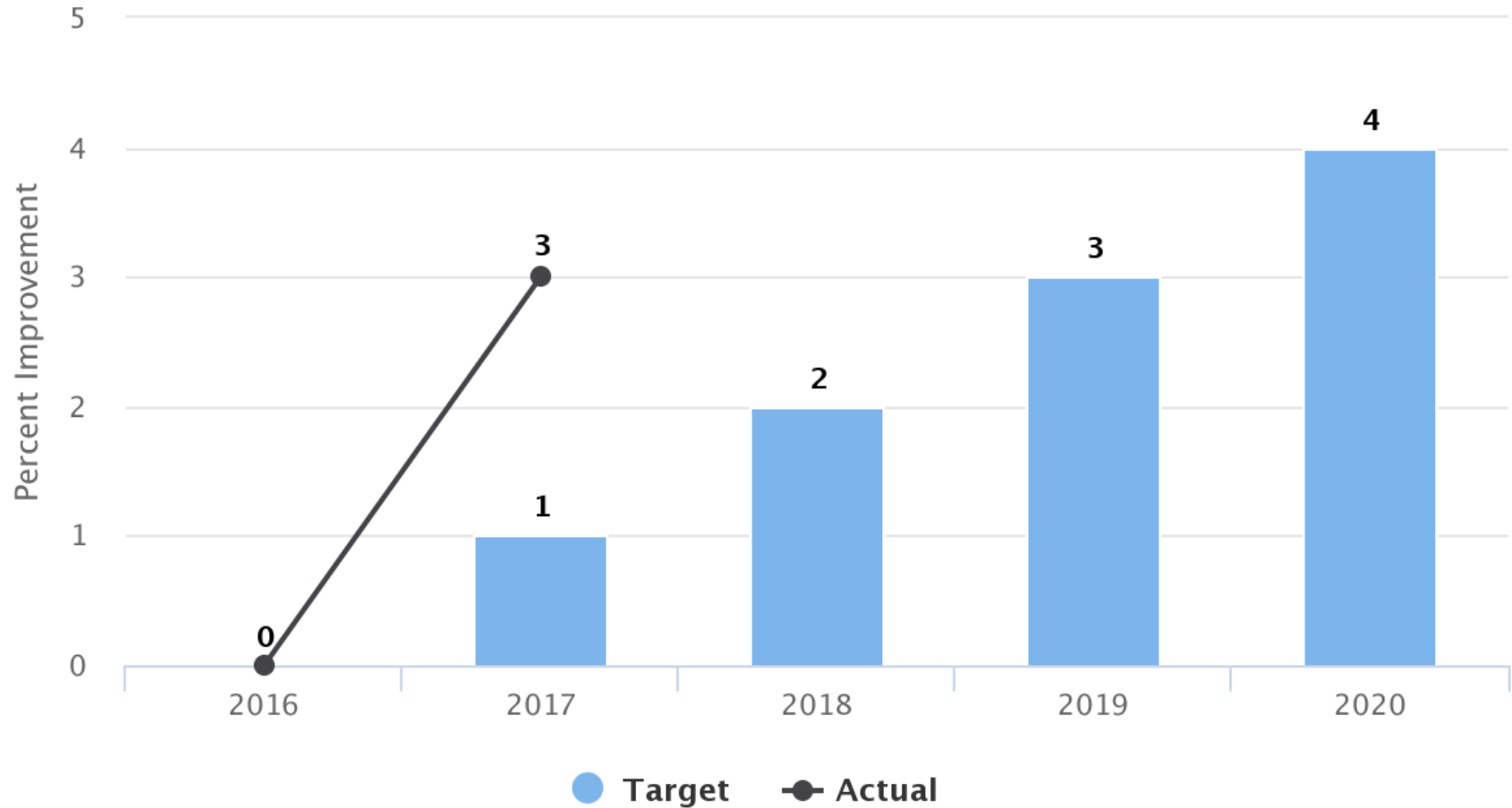
## Population Living in Areas Designated Nonattainment



*\*Clean air data is a key step to redesignation to attainment, which can occur once an area's air quality attains the federal standard.*

# Key Indicators

## Percent of Measured Air Quality Improvement in Counties Not Meeting the NAAQS from a 2016 Baseline

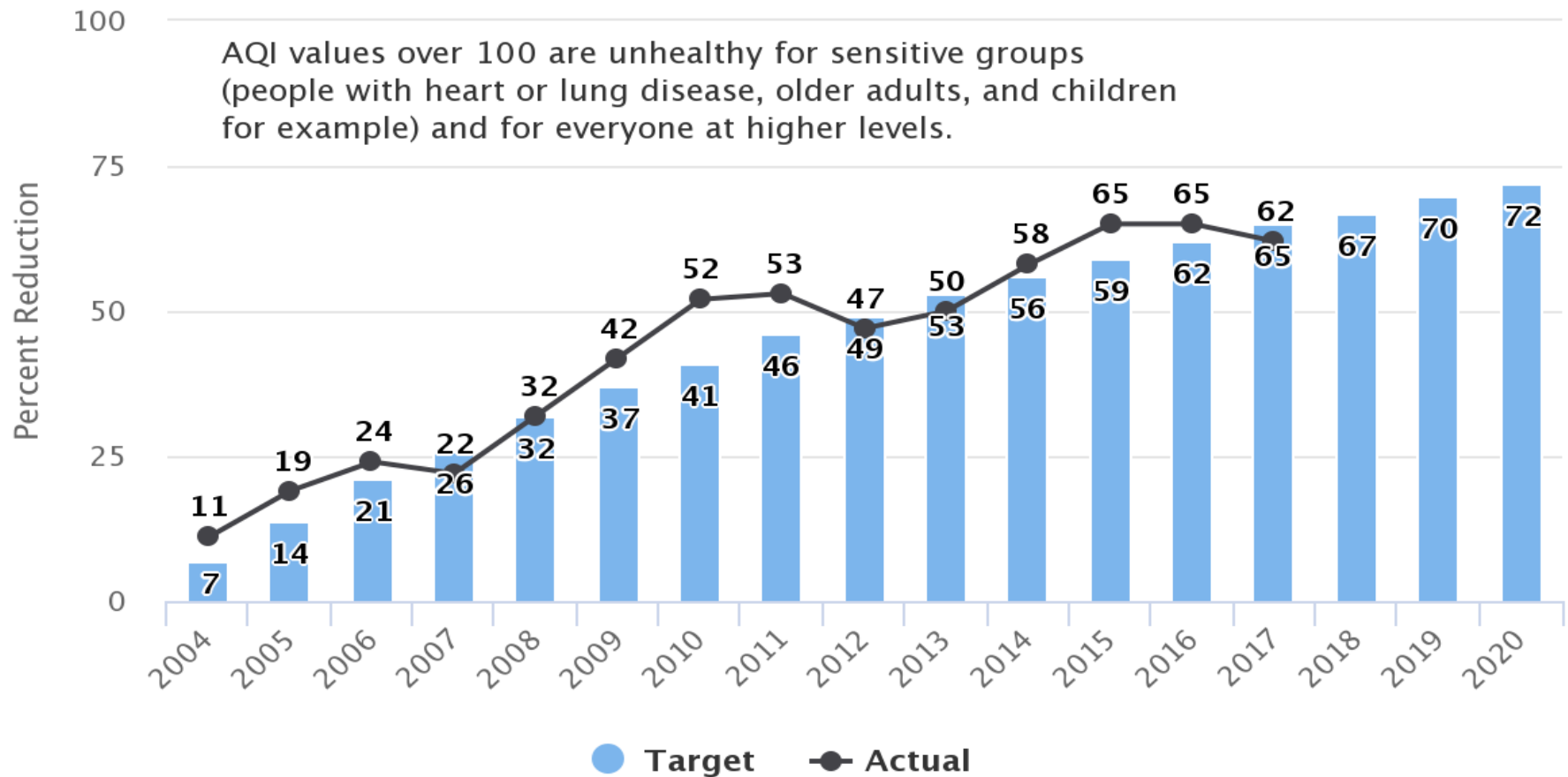


\*Data for the “actual” update is available August of the following year.

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# Key Indicators

## Cumulative percent reduction in the number of days with Air Quality Index (AQI) values over 100



\*Data for the “actual” update is available August of the following year. Cumulative percent reduction is calculated from the baseline year 2003. This includes both nonattainment and attainment areas.

# Data Accuracy and Reliability

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## Measurement and Baseline:

- The nonattainment area metric will track the status of the baseline of 166 areas designated nonattainment for non-revoked National Ambient Air Quality Standards (NAAQS) at the end of FY 2017 (9/30/2017). New areas designated nonattainment after 10/1/2017 will not be added to the baseline, but starting in FY 2019 these areas will be tracked. The other air quality indicators will rely on data from EPA's Air Quality System and other information.

## Data Sources:

- The EPA Green Book, a public accessible website - <https://www.epa.gov/green-book>
- Federal Register notices documenting EPA final action on state redesignation requests.

## Methodology:

- EPA's monthly Green Book publication includes a summary of nonattainment areas, taking into account all final redesignation actions published in the Federal Register.
- Prior to publishing a new monthly Green Book report, an EPA contractor runs a quality assurance check.
- A Data Quality Record has been developed for the strategic measure associated with this Agency Priority Goal: <https://www.epa.gov/sites/production/files/2018-05/documents/dqr-1-1-nonattainment-areas.pdf>.



# Additional Information - Contributing Programs

## **Organizations:**

- Office of Air and Radiation (OAR)
  - Office of Air Quality Planning and Standards (OAQPS)
  - Office of Transportation and Air Quality (OTAQ)
  - Office of Atmospheric Programs (OAP)
- Regional offices
- State, local, and tribal air agencies (S/L/T)

## **Program Activities:**

- S/L/T develop State/Tribal Implementation Plans
- EPA develops regulations and guidance, as necessary, to facilitate S/L/T implementation
- EPA provides technical assistance and tools, as necessary, to facilitate S/L/T implementation

## **Regulations:**

- EPA regulations addressing NAAQS and NAAQS implementation include 40 CFR Parts 49 thru 99
- Air quality management and emissions limiting regulations established by other federal and state agencies, as applicable

## **Policies:**

- EPA and S/L/T policies related to NAAQS implementation (e.g., Procedures for Processing Requests to Redesignate Areas to Attainment, etc.)

## **Other Federal Activities:**

- Transportation conformity – DOT/FHWA (Federal Highway Administration)
- Fire management – USDA (U.S. Forest Service), DOI (Park Service)
- International pollution management treaties – Department of State

## **Stakeholder / Congressional Consultations**

- The nonattainment redesignation process is a federal and state partnership; EPA works with states and tribes to establish priorities including redesignations