

AIR, TOXICS & RADIATION
MANAGEMENT DIVISION

REGION III

OFFICE OF AIR & RADIATION
REGIONAL OFFICE REVIEW

JANUARY 24, 1990

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REGION III & OFFICE OF AIR & RADIATION
REGIONAL OFFICE REVIEW
JANUARY 24, 1990

#52342954

9:30-10:00 a.m.	Introductions, Regional Organization and Agenda Overview
10:00-10:30 a.m.	Getting Ready for the New Clean Air Act (ESD participation)
10:30- 11:10 a.m.	Radiation/Radon Issues
11:10-11:20 a.m.	Break
11:20-12:05 p.m.	Enforcement Issues
12:05-1:05 p.m.	BBL with senior staff (Section Chiefs, etc.)
1:05-1:50 p.m.	All Hands Meeting
1:50-2:35 p.m.	Ozone/CO
2:35-3:05 p.m.	West Virginia Issues
3:05-3:15 p.m.	Break
3:15-4:00 p.m.	New Source Review
4:00-4:30 p.m.	Review Wrap-up/Team Discussion
4:30-5:00 p.m.	Exit Discussion w. RA/DRA

U.S. EPA Region III
Regional Center for Environmental
Information
1650 Arch Street (3PM52)
Philadelphia, PA 19103

REGION III

"SNAPSHOT" INFORMATION

- o Five States, One District in the Region
 - Population: 34 Million (est.)
 - Air Pollution Control Agencies: 5 States, 1 District, 17 Locals
- o Pollutant of greatest concern: Ozone, Carbon Monoxide
 - 1988: 9 areas received Ozone SIP calls;
 - 1 District, 2 CMSA's, 6 MSA's
 - 5 areas received CO SIP calls;
 - 1989: 12 areas received Ozone SIP calls;
 - 10 MSA's, 2 Counties - (est. pop. 17.3 mil.)
 - 4 areas received CO SIP calls;
 - 1 District, 1 CMSA, 2 MSA's - (est pop. 8 mil.)
- o PM₁₀:
 - 1 Group I area
 - 9 Group II areas
 - 6 Group III areas (Each State plus the one District)
- o Section 105 grant money available to Region:
 - FY '89--\$11.1 M (Preliminary Allocation/Appropriation does not include increase to FY '90 Appropriation -- Region received \$431 K (11%) of the \$4.0 M additional allocation.)
 - FY '90--\$11.5 M (From proposed 5/4/89 Allocation)
 - High National priorities:
 - Ozone/CO : \$589K
 - PM₁₀ : \$251K
 - Asbestos : \$194K
 - 313 data : \$ 45K
 - Regional Breakdown for FY '90
 - Delaware-----0.7 M
 - D.C.-----0.6 M
 - Maryland-----1.8 M
 - Pennsylvania-----3.3 M
 - Allegheny County-----0.9 M
 - Philadelphia-----1.0 M
 - Virginia-----2.0 M
 - Met. Washington Council of Gov'ts----0.3 M
 - West Virginia-----0.9 M
 - TOTAL: 11.5 M

- o Resource allocation from FY '90 workload models:
 Ranking - 4th by total resources
 - Air Quality Management - 30.2 FTE's (10% of national total)
 - Compliance/Enforcement - 28.9 FTE's (10%)
 - Monitoring - 9.0 FTE's (16%)
 - 68.1 10%

- o Key Air Division Personnel:

Air Toxics and Radiation Management Division Dir.....Thomas Maslany
 (Acting) Deputy Division Dir.....Janet Viniski

Air Programs Branch ChiefMarsha Spink
 Program Planning Section.....David Arnold
 Projects Management Section.....Joseph Kunz
 Special Programs Section.....Lewis Felleisen

Air Enforcement Branch Chief.....Bernard Turlinski
 Enforcement Policy & State Coordination...Sue Insetta
 Enforcement Case Activities.....Patricia Tan

Toxics and Pesticides Branch Chief.....Lawrence Miller
 TASCA Enforcement Section.....John Ruggero
 Pesticides and Grants Section.....Pauline Levin

REGION III

AIR, TOXICS AND RADIATION DIVISION

Maslany, Div. Director (9390)
 Todd, Secretary (9390)
 Hanson, Env. Sci. (6554)

Viniski, Dep. Director (9862)
 Shields, SEEP (9342)

Air Programs Branch (3AM10)

Spinks, Br. Chief (9075)
 Brooks, Sec. (9075)

Air Enforcement Branch (3AM20)

Turlinski, Br. Chief (3989)
 Mosley, Sec. (3989)
 Foat, SEEP (9139)

Toxics and Pesticides Branch (3AM30)

Larry Miller, Br. Chief (8598)
 Patricia Gaughan, Sec. (8598)
 Vanessa Perry, Clk-Typ. (3789)

Projects Management Section (3AM11)

Kunz, Chief (8486)
 Parlin, Sec. Typ. (9190)
 Golphon, Clk-Typ. (9190)
 Abrams, Env. Eng. (9134)
 Campbell, Env. Eng. (9189)
 Dougherty, Env. Sci. (8322)
 Frankford, EPS (1325)
 Lohman, Env. Sci. (8375)
 Milner, Env. Eng. (9090)
 Spells, Env. Sci. (2746)
 Yost, Env. Sci. (2746)

Enforcement Policy & State Coordination Section (3AM21)

Insetta, Chief (3024)
 Bazley, Sec. Typ. (9169)
 D'Alessandro, Clk-Typ. (9169)
 Chalmers, EPA (9844)
 Harris, EPA (8324)
 Ellerbe, EPA (6556)
 Kubli, Env. Eng. (9839)
 Pine, Env. Eng. (6552)
 Ridenour, Env. Eng. (8324)
 Thompson, Env. Sci. (3023)
 Wild, Env. Eng. (9318)
 Martin, SEEP (6552)
 Hagedorn, Env. Eng. (8554)
 Donovan, SEEP (9393)

TSCA Enforcement Section (3AM31)

John Ruggero, Chief (9937)
 Sonia De Llanos, Sec. (3157)
 Louvinia Madison, Clk-Typ. (3157)
 Jonathan Allen, Chem. Eng. (3659)
 Edward Cohen, Env. Sci. (7668)
 Kurt Elsner, Chem. Eng. (1260)
 David Kregenow, Env. Eng. (2852)
 Lisa Nichols, Chem. Eng. (4651)
 Mikal Shabazz, Chem. Eng. (6666)
 Kuck-King Wu, Env. Eng. (7683)
 George Bayer, AARP (7820)
 Harold Perski, AARP (3175)
 Malcolm Reynolds, AARP (9863)
 Ralph Smith, AARP (3209)
 Jerry Vallery, AARP (3175)

Program Planning Section (3AM13)

Arnold, Chief (4556)
 Paul, SEEP (6565)
 Budney, Env. Sci. (0545)
 Bunker, Env. Sci. (4554)
 Cobos, EPS (8239)
 Forde, Env. Eng. (8239)
 Jacobs, Env. Eng. (6565)
 Lewis, Env. Eng. (6863)
 Stan, Env. Sci. (9337)
 Taggart, Env. Sci. (9189)

Enforcement Case Activities Section (3AM22)

Tan, Chief (9162)
 Diggs, Sec. Typ. (9139)
 Studevan, Clk-Typ. (9139)
 Ackerman, Env. Eng. (1269)
 Febbo, EPS (9325)
 Glen, EPS (8379)
 McGuigan, Env. Eng. (9858)
 Topsale, Mun. (6553)
 Vulliamy, Env. Eng. (6551)
 Wilkie, Env. Eng. (6550)
 Brown, Env. Eng. (1269)
 Bulman, Part-Time (9393)
 Ceasar, SEEP (9393)
 McCammon, SEEP (9393)

PESTICIDES & GRANTS SECTION (3AM32)

Pauline Levin, Chief (8683)
 Lillian Andrelczyk, Sec. (3789)
 Karen Angulo, Biologist (8067)
 Sally Block, EPA (9939)
 Carole Dougherty, EPA (3160)
 Don Lott, Env. Sci. (9873)
 Renee Lucas, Data Tech. (0445)
 Gordon Moore, Entomologist (9060)
 Elizabeth Traina, EPS (6667)
 Herbert Harris, AARP (2851)
 Edward Maurer, AARP (2426)
 Rose Richetti, AARP (3789)
 Robert Waggle, AARP (9859)
 Bud Hoover, AARP (2450)
 Vacant, E.S. (3208)
 Vacant, AARP
 Vacant, AARP
 Vacant, Student Aide

Special Programs Section (3AM12)

Felleisen, Chief (8326)
 Bachler, Sec. (1256)
 D'Ottavio, Clk-Typ. (1256)
 Belanger, Heal/Phys. (4084)
 Cimmorelli, Lead Met. (6563)
 Vacant, NOAA Met. (4553)
 Knapp, EPS (2906)
 Noble, Env. Eng. (9303)
 Dickens, Env. Sci. (9303)
 Constantine, SEEP (9009)
 Erfer, SEEP (9009)

AIR PROGRAM PLANNING SECTION

10/30/89

DAVID ARNOLD - Section Chief (215-597-6565)
RUTH PAUL - Secretary (215-597-6565)
 - Clerk/Typist (215-597-6565)

LARRY BUDNEY (215-597-0545)
Air Quality Monitoring Data (O3/CO/MMOC)
Ozone/CO Modeling
Transportation Control Plans
ROMNET Project (Regional Coord. and Modeling Committee)
O3/CO Area Designations
EIS Reviews and Coordination
CO SIP Policy/Strategies

KELLY BUNKER (215-597-4554)
Mobile Sources
MOBILE4 Modeling
I/M & Tampering Programs
Alternate Fuels
Waste Water Treatment Plants
Ozone/CO Health Effects

EDWARD COBBS (215-597-8329)
AIRS System
Mobile Sources/Imports/Warranties/Recalls
Admin. Support

RAYMOND FORDE (215-597-8329)
CTG Technical Guidance
Mobile Sources/Imports/Warranties
Lead in Fuel/Fuel Volatility

ELLEN JACOBS (215-597-9781)
External Affairs Liaison
Outreach/Public Information

JACQUELINE LEWIS (215-597-6863)
CTG Technical Guidance
O3/CO RPTS (Regulation Tracking)
VOC Ract Policies

REBECCA TAGGART (215-597-9189)
Ozone SIP Policy
Emission Inventories (VOC, CO, NOx)
Hazardous Waste Facilities (TSDF, Landfills)
Global Climate
Stratospheric Ozone (CFCs)
VOC/Toxics Control
ROMNET Project (Emission Inventory Committee)

CYNTHIA STAHL (215-597-9337)
Ozone SIP Policy/Strategies
VOC RACT Policies
New Source Performance Standards
Regulation Effectiveness Studies
Emissions Trading Policy
ROMNET Project (Strategies Committee)

AIR PROJECTS MANAGEMENT SECTION

10/30/89

JOSPEPH KUNZ
CARLETTA PARLIN
LINDA GOLPHIN

SECTION CHIEF
SECRETARY
CLERK/TYPIST

DONNA ABRAMS

ENVIRONMENTAL ENGINEER

Superfund Coordination
Site Air Review Coordinator
Pre-Remedial Activities
Intra- and Inter-Regional Workgroups
Technical Assistance Coordination

DAVID CAMPBELL

ENVIRONMENTAL ENGINEER

Grant Processing and Oversight for:
West Virginia
District of Columbia
SIP Processing for Assigned States
PAWVOH MERIT Oversight
NSPS/NESHAPS State Delegation

FRAN DOUGHERTY

ENVIRONMENTAL SCIENTIST

Indoor Air Program
Ashland Air Toxics Multi-Region Study
Indoor Air Regional Contact
Wood Burning Stoves and Fireplaces

HAL FRANKFORD

ENV. PROTECTION SPECIALIST

Grant Processing and Oversight for:
Maryland
Pennsylvania
SIP Processing for Assigned States
SIP Processing Policies and Procedures
NAAQS Classification Tracking

DENIS LOHMAN

ENVIRONMENTAL SCIENTIST

Program Responsibilities, Including all
Policies and Procedures Related to:
SO₂
Stack Height Requirements (GEP)
Lead SIP's (e.g. Anzon, Franklin Smelting)
Modeling for:
Program Responsibilities
Superfund Sites
105 Grant Commitment Formulation for
Program Responsibilities

ISRAEL MILNER

ENVIRONMENTAL ENGINEER

Air Toxics Program, Including all
Policies and Procedures
Multi-year Development Plan Oversight
for all State/Local Agencies

CHARLENE SPELLS

ENVIRONMENTAL ENGINEER

Grant Processing and Oversight for:
Virginia
Philadelphia Co.
SIP Processing for Assigned States
Workplan Coordination
SPMS/RMAS Tracking
Workload Analysis
PM₁₀ Program Coordinator

RICHARD C. UNGER

ENVIRONMENTAL ENG./SCI.

Air Management Division LAN Administrator
Responsible for Maintaining:
AMD LAN Procedures Manual
AMD Space Planning
Coordination with IRMB (as needed)
Assistance with Computer Problems

KELLEY YOST

Grant Processing and Oversight for:
Delaware
Allegheny Co.
SIP Processing for Assigned States
Grant Funds Allocation and Tracking
105 Grant Policies and Procedures
Operating Guidance Comment Coordination
SPMS/RMAS Commitment Preparation

ENVIRONMENTAL SCIENTIST

SPECIAL PROGRAM SECTION

11/30/89

LEW FELLEISEN - Section Chief	597-8326
JOAN BACHLER - Secretary	597-1256
LORRAINE D'OTTAVI - Clerk Typist	597-6565
WILLIAM BELANGER	597-4084
Regional Radiation Representative	
Radon	
Nuclear Power Plant Emergency plans	
Radiation Emergencies	
Radiation at Superfund Sites	
Radionuclide NESHAP	
TOM CASEY - intermittent employee	597-4553
Air Modeling Support	
Support to Superfund for Airborne Releases	
Technology Transfer to States	
ALAN CIMORELLI	597-6563
Lead Meteorologist	
SIP Modeling	
New Source Modeling Review	
Complex Terrain Modeling	
Air Emergencies	
Support to Superfund for Airborne Releases	
Technology Transfer to States	
LES CONSTANTINE - SEEP	597-9009
Response to Public Inquiries on Radon	
AQUANETTA DICKENS	597-9303
State Radon Grants	
Radon Program Support	
HAROLD KRPER - SEEP	597-9009
Response to Public Inquiries on Radon	
ROTH KNAPP	597-2906
Air Modeling Support	
JOHN NOBLE	597-9303
Radon Data Manipulation	
Radionuclide NESHAP	

ENFORCEMENT POLICY & STATE COORDINATION SECTION

11/30/89

SUSAN INSETTA	Section Chief	597-3024
GAYNA BAZLEY	Secretary	597-9169
MICHELE D'ALESSANDRO	Clerk Typist	597-9169
RAYMOND CHALMERS		597-9884
Enforcement State Coordinator - West Virginia, Delaware		
JAMES HAGEDORN		597-8554
Senior State Coordinator - Maryland		
WSPS Coordinator		
Assists junior staff on projects		
Special projects		
JEANNINE KUBLI		597-9839
Enforcement State Coordinator - Pennsylvania		
CEM back-up		
Inspector Training Coordinator		
JACKIE PINE		597-6552
CDS Coordinator		
Enforcement State Coordinator - District of Columbia		
Coordinator for Toxic Release Data		
RAYANNE RIDENOUR		597-8324
Enforcement State Coordinator - Philadelphia, Allegheny		
County		
CFC Inspector		
LISA WILD		597-9318
Enforcement State Coordinator - Virginia		
Grants Coordinator for enforcement		
VOC back-up for surface coating		
VOC Coordinator - Vacancy		
LILLIE ELLERBE		597-6556
SPMS/RMAS reporting		
Citizen suit tracking		
CDS input		
FOIA responses		
Assists state coordinators in CDS		
BETTY HARRIS		597-8324
CDS input		
FOIA responses		
Assists state coordinators in CDS		
ANNE MARTIN	SEEP	597-6552
CDS reconciliation and input		
FOIA responses		
JOSEPH DONOVAN	SEEP	597-9393
VOC support to state coordinators		

Air Management Division Task Force

Representatives

<u>Name</u>	<u>COMMITTEE</u>	<u>TYPE</u>
<u>Division Office</u> Tom Maslany	Enforcement Management Council	NAT
	Intermedia Integration Committee	STATE
	Strategic Planning Workgroup	REG
	Air Toxic and Asbestos Lead Region	NAT
	Air Strategic Planning Workgroup	NAT
	New Source Review Task Force	NAT
	Human Relations Working Group	REG
	ROMNET Committee (Managers Workgroup)	NAT
	Enabling Workgroup	NAT
	Ozone/CO Director's Workgroup	NAT
Janet Vininski	Pollution Prevention Task Force	REG
	Enforcement Communications Task Force	NAT
Dottie Todd	SAC/BEPAC Rep for SAC	REG
Glenn Hanson	Pollution Prevention Task Force	REG
	Graphics Information System Work Group	REG
	Environmental Workgroup Committee	REG

Air Programs Branch

Marcia Spink	Title VI Workgroup	NAT
	SIP Processing (Alternate)	NAT
	SIP Oversight Work Group	NAT
	SARA Work Group	REG
	105 Audit Work Group	REG
	Romnet Committee	NAT
	PM10 SIP Task Force	NAT
	Strategic Planning	REG

Projects Management Section

Joe Kunz	PM10 SIP Task Force	NAT
	Oversight Task Group	NAT
	SIP Oversight Workgroup	NAT
	CEL Advisory Board	REG
	RPTS	REG
	Acid Rain Task Force	
	PAWVOH Technical and Policy Workgroup	
Donna Abrams	Superfund/Air Coordinator	NAT
	Wise	REG
Iz Milner	Formaldehyde Workgroup	NAT
	Control Technology Center Coordinator	NAT
	Region III Hispanic Employment Council	REG

Advisory Committee

Denis Lohman	PM10 Emissions Balancing Workgroup	NAT
Kelly Yost	105 IG's Task Force	REG

<u>NAME</u>	<u>COMMITTEE</u>	<u>TYPE</u>
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Source Emissions and Evaluation Section

Hal Frankford	SIP Processing Workgroup	NAT
Fran Dougherty	Indoor Air Workgroup	NAT
Lew Felleisen	Black Employment program Advisory Council Region III Risk Assessment Task Group	REG REG
Al Cimorelli	Technology Transfer Workgroup Workgroup to Revise the Modeling Valley Stagnation Workgroup Air Support to Superfund Steering Committee	NAT NAT NAT REG
Bill Belanger	Radon Workgroup	NAT
John Noble	Black Employment Program Advisory Council	REG
Aquanetta Dickens	Environmental Management Committee Black Employment Program Advisory Council WISE	REG REG REG

Program Planning Section

Dave Arnold	Regulation Effectiveness Task Force Regional Ozone Task Force ROMNET Advisory Council Washcog RAMS-Reg. CO Task Force 5-City UAM Workgroup Ozone/VOC Policy Workgroup MARAMA	REG NAT REG NAT NAT NAT NAT REG
Kelly Beatty	Alternate Fuels Workgroup 316 Policy	NAT NAT
Cynthia Stahl	ROMNET Strategy Committee VOC Compliance Workgroup Regional Ozone Task Force Regulation Effectiveness	NAT NAT REG NAT

Rebecca Taggart	Task Force	
	Ozone/VOC Policy Workgroup	NAT
	Romnet EI Committee	NAT
	Delegation Programs Workgroup	REG
	WISE	REG
	EI Workgroup	NAT
Larry Budney	Romnet (NE Corridor 03)	NAT
	03 Modeling	NAT
Raymond Forde	CO Task Force	NAT
	Black Employment Program	REG
	Advisory Council	
Jackie Lewis	Black Employment Program	REG
	Advisory Council	
	WISE	REG
ED Cobbs	RPTS Workgroup	NAT
	AIRS Workgroup	NAT
	AUTO Import Workshops	NAT

<u>NAME</u>	<u>COMMITTEE</u>	<u>Type</u>
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AIR ENFORCEMENT BRANCH

Bernie Turlinski	CAA Enforcement Task Force	NAT
	(Title VI)	
	New Source Review Task Force	NAT
	Compliance Monitoring Strategy	NAT
	Workgroup	
	Criminal/Civil Enforcement Committee	REG
	Enforcement Streamlining Committee	REG
	Safety Committee	REG

Enforcement Policy & State Coordination Section

Susan Insetta	WISE	REG
	Grants Oversight Workgroup	NAT
	Cross Media Enforcement Workgroup	NAT
	Federal Woman's Program	REG
	Strategic Planning-Goals Workgroup	REG
Jackie Pine	Fed Woman's Program	REG
	WISE	REG
Betty Harris		NAT
	Black Employment Advisory Council	REG
	WISE/EPA EPS Sub-Committee	REG
	Safety Committee	REG
Lillie Ellerbe	Federal Womens Program	REG

Jeannine Kubli	Inspector Training Plan Workgroup	NAT
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Lisa Wild	Voc Workgroup	NAT
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Enforcement Case Activities Section

Pat Tan	Enforcement Guidance Workgroup	NAT
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Jim Topsale	Sludge Management Task Force	REG
	Technical Transfer Workgroup	REG
	Municipal Waste Combusters NSPS	NAT
	Hospital Incinerator NSPS	NAT

Carol Febbo	National Asbestos Workgroup	NAT
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Eileen Glen	PSD Training Workgroup	NAT
	NSR/PSD Task Force	NAT
	BACT Workgroup	NAT

Walter Wilke	Vinyl Chloride Workgroup	NAT
	National Asbestos Workgroup	NAT
	Enforcement Seminar	REG
	Asbestos Inspection Guidelines Workgroup	NAT
	Black Employment Program Advisory Council	REG

AIR, TOXICS AND RADIATION MANAGEMENT DIVISION

FY '90 Pollution Prevention Strategy

Introduction

This document identifies those activities in pollution prevention currently implemented or proposed by the Air, Toxics and Radiation Management Division (AT&RMD) as a component part of a regional strategy. Project leaders are being encouraged to coordinate initiatives with similar audiences, activities and objectives. These projects are an integral part of regulatory or other division programs. AT&RM experience in FY '90 in carrying out this strategy will have a significant bearing on future short and long-term pollution prevention projects.

Objectives

A vital part of EPA's mission to protect public health is the need to ensure a reasonable understanding and fair perception of complex programs by all parties affected. The External Affairs Plan for FY '90 prepared by AT&RM identifies those outreach activities to achieve that goal. The specific objectives of the Pollution Prevention Strategy are to:

1. implement projects to reduce air pollutant emissions;
2. assist in creating cultural changes among the public, industry, and regulatory communities;
3. provide information and assistance to consumers, industry, and governmental agencies; and
4. emphasize pollution prevention concepts in every outreach activity during FY '90.

PROJECTS

1. Project: Commuter Pass Program

Project Leader: Christy Johnson

Pollution Problem to be addressed: Criteria pollutants-
CO, NOX, O₃

Indicators: Vehicle Miles Traveled/emissions

Schedule:

Transportation Survey	1/90
Proposal to Employee Association Board	1/90
Meet with Finance on payroll deductions	1/90
If necessary, form EPA Commuter Society	2/90
Survey analysis	2/90
SEPTA Agreement	2/90
Program start	2/90
Evaluation	7/90

2. Project: VOC Forum

Project Leader: Lisa Wild

Pollution Problem to be addressed: VOC compliance/air toxics

Indicators: VOC reduction/increased compliance

Schedule: Fourth quarter

3. Project: O₃/VOC

Project

Leader: Cynthia Stahl

Problem: Environmentally compatible packaging.

Indicators: Identification of packaging using low solvent or
H₂O borne inks and with minimum amount of packaging.

Schedule: Q3 meeting with packaging trade industry,
marketers, public groups.

4. Project: Development of Enforcement Targets for Inspections under Section 313 of EPCRA.

Project leader: Kurt Elsner

Problem: Toxics

Indicators: Number/percent of non-reporters discovered through inspection of enforcement targets.

Schedule:

Hire contractor 9/15/89

Contact states in Region III and EPA HQ to obtain state manufacturing directories, industrial registries, and unemployment insurance lists.

Using the NEIC automate method, 11/01/89
identify nonreporters under Section 313
for the 1988 reporting year.

Crosscheck the lists of targets 11/24/89
developed in milestone (3) with the
state manufacturing directories,
industrial registries, and unemployment
insurance lists obtained in milestone (2)
to develop potential inspection targets.

Make random phone calls from this list 12/15/89
of potential inspection targets
developed in milestone (4) as a quality
control check.

Develop the final inspection target 12/22/89
list for FY 90.

Status: Finished.

5. Project: Third Party Oversight of Technical Proposals for Case Settlements Involving Credits for Pollution Prevention Projects.

Project John Ruggero/Kurt Elsner
Leader:

Problem: N/A

Indicators: Pounds of toxic emission eliminated.

Schedule: Obtain Funding for Contract 3/1/90

Issue Contract 6/1/90

Identify Pollution Prevention 7/1/90
Projects which require oversight.

Contractor Reviews Plans 1/1/91

Contractor Monitor Construction 1/1/92
Operation.

End of Contract 1/1/92

Status: Awaiting Decision on BKK Funds Availability.

6. Project: Asbestos Renovation and Demolition Outreach

Project Carol Febbo
Leader:

Problem: Mismanagement of Asbestos

Indicators: News media, hotline, number of violations found.

7. Project: Fluorescent Bulb Initiative - Interfaced with Tom Voltaggio's project with Penelec.

Project Rebecca Taggart
Leader:

Problem: Global warming; air pollution emissions (SO₂, NO_x, particulates).

Indicators: Report.

Schedule: Meet with Tom Voltaggio	2/9/90
Define scope of project	2/9/90
Complete data collection	8/4/90
Compile and analyze data	10/6/90
Complete final report	12/22/90

8. Project: Transportation Conference

Project
Leader: Larry Budney

Problem: Automobile emissions comprise the greatest single component of ozone precursor emissions. Vehicle miles travelled (VMT) must be reduced, or at least constrained, to allow the ozone NAAQS to be attained.

Indicators: Success will be indicated by the amount of conference follow-up that occurs; i.e., the degree to which political, regulatory and business leaders seriously consider new measures to reduce VMT.

Schedule: May or early June is the most likely conference date.

9. Project: Workshop on Alternate Fuels for Region III States.

Project

Leader: Kelley Bunker

Problem: Ozone, update States on alternative fuels so as to encourage initiation of pilot alternative fuels programs in States.

Indicators: Start up of pilot programs in alternative fuels.

Schedule: April - Contact agency offices and outside industries for participation in workshop.

Status: July - Conduct a workshop.

10. Project: Regional Office Pilot Program for Vanpooling and/or Car pooling.

Project

Leader: Kelley Bunker

Problem: VMT

Indicators: Reduction in VMT.

Schedule: March - Distribute survey to determine interest.

June - Distribute listing of interested parties and home locations.

Status: Ongoing - continue to update listing and monitor participation.

11. Project: Develop video tape on various mobile source issues for public presentations (fuels, RVP, VMT, tampering)

Project

Leader: Kelley Bunker

Problem: To increase public knowledge of mobile source related pollution and how public can help reduce it.

Indicators: Popularity of tape and comments from public after viewing tape.

Schedule: April - Complete draft of tape (i.e., what will be included as topics, graphs, pictures and narration language.
September - Complete taping.

Meeting Notes

Meeting Notes

RECOMMENDATIONS

This section includes specific recommendations.

Recommendation 1:

~~Change the monitoring regulations to do away with the distinction between NAMS and SLAMS reporting requirements and require submission of raw data from both NAMS and SLAMS.~~

Comment: It is difficult to defend that hard copy data submittal is consistent with the technology of data transfer as we enter the 1990's. It is also questionable whether hard copy data submittal for the non-NAMS SLAMS sites actually results in any saving of resources.

*All R3
do submit
all raw data
for all SLAMS
even though
not req.*

Recommendation 2:

~~If the Clean Air Act is revised to include deadlines based upon design values, or attainment decisions, made within 6-months after the calendar year, then revise Part 58 to specify 90-day reporting requirements.~~

Comment: This is consistent with the needs for the data and seems to be possible to meet, if necessary.

Recommendation 3:

Encourage areas that do not have ozone exceedances in October to consider shortening their ozone season to end in September.

Comment: Ending the ozone season in September, means that complete data for the year would be received by EPA in January so that the workload in preparing ozone

attainment/nonattainment lists could be accelerated for these areas. This would put at least some ozone areas out of phase with carbon monoxide design value development, which would continue to have to wait for the fourth quarter data. Also, if ozone exceedances are not likely to occur in October, the estimate of expected exceedances would be improved by concentrating on the shortened ozone season. However, as noted earlier, there are several factors for an area to evaluate before implementing this option.

Recommendation 4:

Use SAMWG as a vehicle to request advice from State and local agencies on whether there are any variations on the monitoring regulations that would help if the data reporting requirements were modified to incorporate a 90-day data submission deadline and to require reporting of all SLAMS raw data.

Recommendation 5:

If the monitoring regulations are being revised, then some attention should be given to the reporting requirements that are applicable to Special Purpose Monitors so that it is clearer how available these data are.

Recommendation 6:

Develop a plan for the rapid reporting of ozone data that is adequate to respond to the type of questions that arose during the summer of 1988. This event was recent enough that there is a general awareness of what information would have been useful on a national level.

Meeting Notes

SCAMS ANNUAL REPORT

7/13/89: TO ACT. CHIEF, LUTZ
4 of 8 letters (DE VA
PA WVA)
8/22 rec Alley Co. sent
to OARPS copy in 9/18
Need DC, MD, Phila

We pulled 88
Scams Data Report
Sent it to State
& asked for verification

DC

All 88 data is now
in accordy to IRMB
Rec. DC data on
4 disks

S.A. uncovered major
problems — returned
for detailed audit,
assurances

Had little data summary
to review, reviewed
results

PMIO

2/88: notified all agencies of QA
Requirements; in various
stages of 'being reviewed/revised'

All have collocated sites
All doing flow audit checks
all Part. in EMSC Nat'l Perf Audit

— One of specifics to be addressed in Feb/90
System Audits

~ 9/89 Frank
McElroy
QAO/AZPAC
issued advanced
copy of revised
vers. 2-11 of QA
Handbook Vol 11
QA guidance —
oper, cal, eval.
of PMIO

revised 12/6/89 Sent out to all
to wait for errors in org. manual

★

Meeting Notes

Require States to submit Slams Report so it is contained on an AIRS SCAMS Report computer file ★

Ozone problem: there is no assurance that AIRS contains the critically site in an area based on current report req.

— i.e., Glenn, Calif (highest O₃ in netw)
yet 1985-1989 not in AIRS

Is the 1988 accelerated data gathering the best approach?

If there is a routine need for accelerated info.
need to have plan.

★ Have Slam Sites meet same report deadline as NAMS sites

★ If CAA passes & has deadlines for design or attainment status, or design values; (6 mo period) ^{after end of design} we

should change req to 90d rep. req.

or - 90d for just 4th q.

— 90d for certain pollutants

— change deadline for areas that are nonatt or close to being nonatt.

— 2 tiered: 90d for 90% of sites
120d for rest

— reduce O₃ season by elim Oct: decum would not have to wait for 4th q data

Meeting Notes

Data Timelines

Amb. Mon Regs - 1979

- Categorized N/S with different reporting req.

N - 90 d from end of yr.

S - by July 1 of next cal yr

No req. that raw data be sub to EPA

only summary stats (SLAMS ANNUAL REPORT)

1986 - Revised Regs : 120 d

Need for timely data

- Health Advisories (PSI) ; as close as possible to real time

Reg. in all areas > 200,000K

- Ability to provide this data is in level of OA which are not as rigorous as for devel. a long term control strat.

- Data Attain / Non Attain.

* CAA Sec 181b for O₃ & 186b for CO : 6 month deadline

- July 1 deadline for S data is not adequate
- N req of 120 may not be adequate since 120 d means complete calendar year is not due to EPA until 30 Apr. Thus we would have only 2 months available for analysis, review, correction etc.

* the 90 d req of '79 can be met in the 80's *

Meeting Notes

O.C. Data Delivery

GAO: Setting of 1 Phase CO on street closed
R3 S.A. only 1 day
No site map. at on site SA
No data reviews in 1988 on S.A.

C&P: 20th/21st or L N, W
 West End: 24th & L

2-1987
 23-1988 (4 W. End, C&P-18)

10/88
 no agreement
 between C&P/
 W End
 span check
 pre-audits OK
 18-22nd
 24hr 8-20ppm

11/88
 ~100% relation
 C&P/W. End
 show pretty good
 agreement

CAA

Field Citation Program Implementation

- nature of some inspection may change (more like CFC, review records relating to SO₂ ?)
- stepped up CEM

- GLAMOROUS STUFF - ALSO DEP 10 MILLION, OUT OF 50X
- PROBABLY BUSINESS AS USUAL FOR CRITERIA
- HOW QUICKLY DO WE HAVE TO TURN AROUND DESIGNATIONS FOR O_3 / CO

- STATES HAVE 120 DAYS AFTER PASSAGE TO SUBMIT PLANS

- DURING NEXT 120 DAYS EPA HAS TO CLASSIFY AS TO SEVERE, SERIOUS, ETC

- FOR PM10 : DESIGNATING NON-ATTAINMENT AREAS WITH DATA BEFORE 1-1-89 :

AFTER PASSAGE (NEED TO MAKE SURE DOC CODES CORRECT, METHOD CODES AS THIS WILL AFFECT CLASSIFICATIONS)

Handwritten signature/initials



- SIZES OF NON-ATTAINMENT AREAS
- IMPLICATION FOR MONITORING - HOW MUCH INFO IS NEEDED TO RUN THE MODELS (ESP. O_3)
- R_3 (COVERED UNDER ROM)
- SHORT TERM SO_2 STANDARD : DO WE HAVE RESOURCES TO DO THIS + IMPLEMENT ACID RAIN
- MONITORING PEOPLE NEED TO GO TO MODELERS & ASK QUESTIONS - WHAT ADDITIONAL DATA IS NEEDED (NED MYER)
- QUALITY OF DATA : NOT IN TERMS OF IF ADS. ARP CORRECT BUT ON WAY DATA IS CODED OR COMBINED WOULD AFFECT EXPECTED NO. OF EXCEEDANCES
- WHEN CAA PASSES - HOW WILL ALL OF INFO BE PASSED TO REGION, WHEN WILL STATE BRIEFGINGS BE AVAILABLE, WORKSHOPS? WHOLE PACKAGE
- NOW MAY BE BIT EARLY SINCE CAA IS IN FLUX BUT NEED TO DO IT SOON
- DOWN ROAD MON. NEEDS TO THINK ABOUT CHANGING SOME REGS (I.E., REPORTING REQ. FOR N/S SHOULD BE SAME

GETTING READY FOR

THE NEW CLEAN AIR ACT

TITLE I

- * Providing technical assistance to states that received ozone and carbon monoxide SIP calls:
 - VOC regulatory corrections
 - Emission inventories preparation (VOC, NO_x, CO) including assistance with MOBILE 4
- * Participating in ROMNET (all committees)
- * Participating in I-95 Intermodal meetings with PENNDOT (highway for the 21st century)
- * Participating in meeting with the southeast Pennsylvania Public Transportation Authority (SEPTA) and PENNDOT on possible transportation control measures strategies
- * Meeting with the five State/local agencies coordinated strategies for the Philadelphia CMSA (inventory and modeling meeting held 1/17/90)
- * Providing technical assistance to states with PML0 Group I and Group II areas for SIP preparation (inventories and control strategy development)
- * Providing information on the provisions of Title I as part of routine outreach activities on an ongoing basis

TITLE II

- * Providing information on clean alternative fuels and alternative fuel vehicles and other provisions of Title II as part of routine outreach activities
- * Moving forward to approve RVP regulations with earlier effective dates for meeting 9 psi

TITLE III

- * Providing information on Title III provisions as part of routine outreach activities

TITLE IV

- * Participating on Title IV workgroup for regulation/program development:
 - Chairing subcommittee for program interface
 - Represented Regional Offices at December "Town Meeting" with STAPPA/ALAPCO, NAMS (industry), NRDC on Title IV)
- * Providing information on Title IV provisions as part of routine outreach activities

TITLE V

- * Providing information on Title V's provisions as part of routine outreach activities

TITLE VI

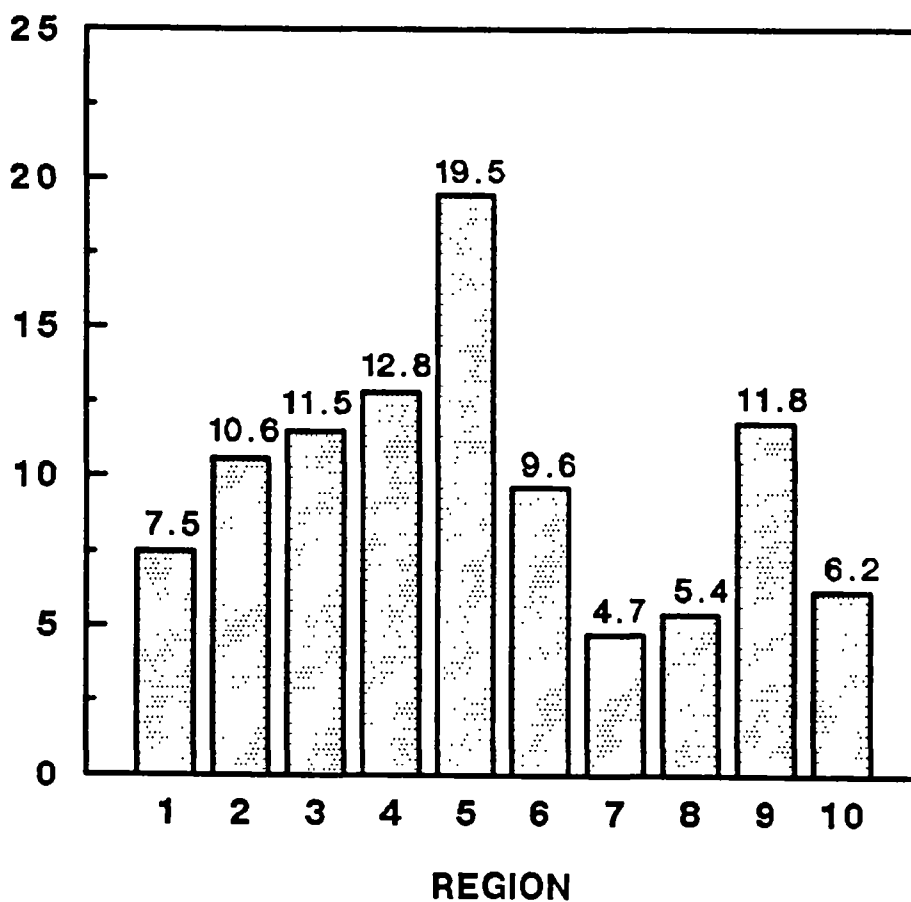
- * Commented on draft proposal; comments were incorporated in subsequent Title
- * Gave speeches on Amendments with emphasis on enforcement to local chapter of APCA and local interest groups
- * Participate on Title VI national workgroup to:
 - Develop general guidance describing new authorities
 - Develop regulations for field citation program, contractor listing and monetary award provisions
 - Formulate regulations for administrative penalty procedures and rules of practice
 - Develop general compliance certification guidelines, citizen suit guidelines
- * Consider impacts of amendments in Regional strategic planning

TITLE VII

- * Consider impacts of amendments in Regional strategic planning
- * Providing information on Title VII provisions as part of routine outreach activities

REGIONAL ALLOCATION OF FY 1990 SECTION 105 GRANT FUNDS

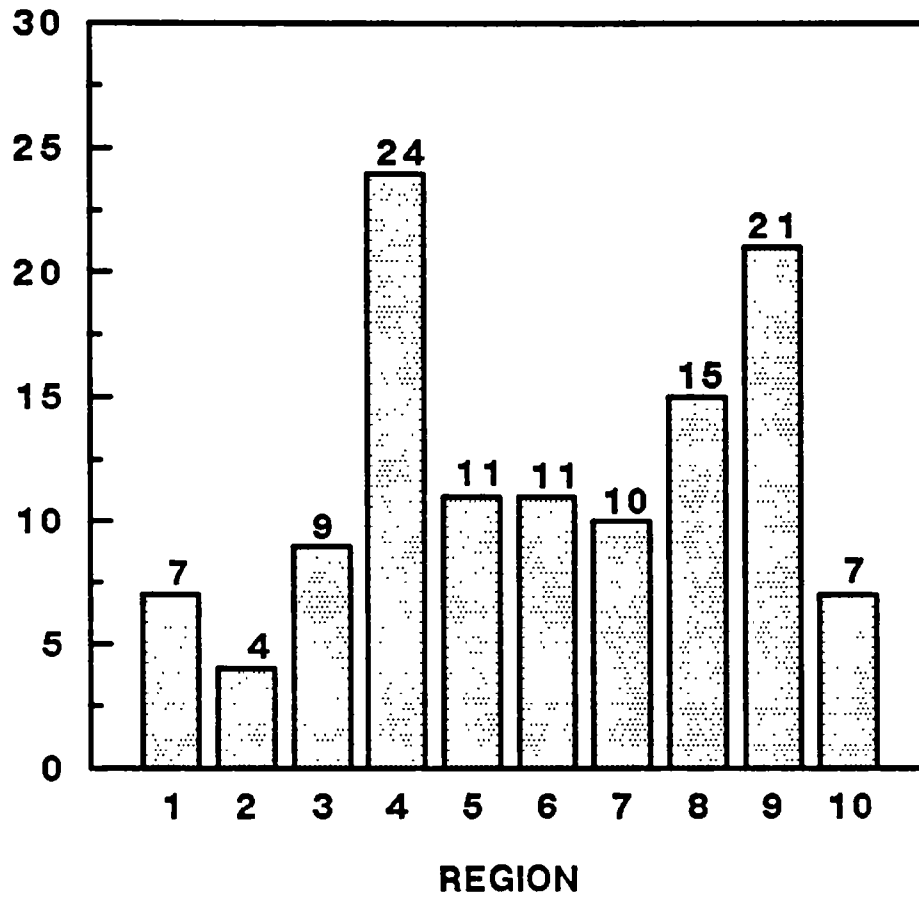
DOLLARS IN MILLIONS



NUMBER OF SECTION 105 GRANTEES BY REGION

(FY 1990)

NUMBER OF GRANTEES



January 1990

FY 1990 SECTION 105 GRANTEES IN REGION III
(THOUSANDS OF DOLLARS)

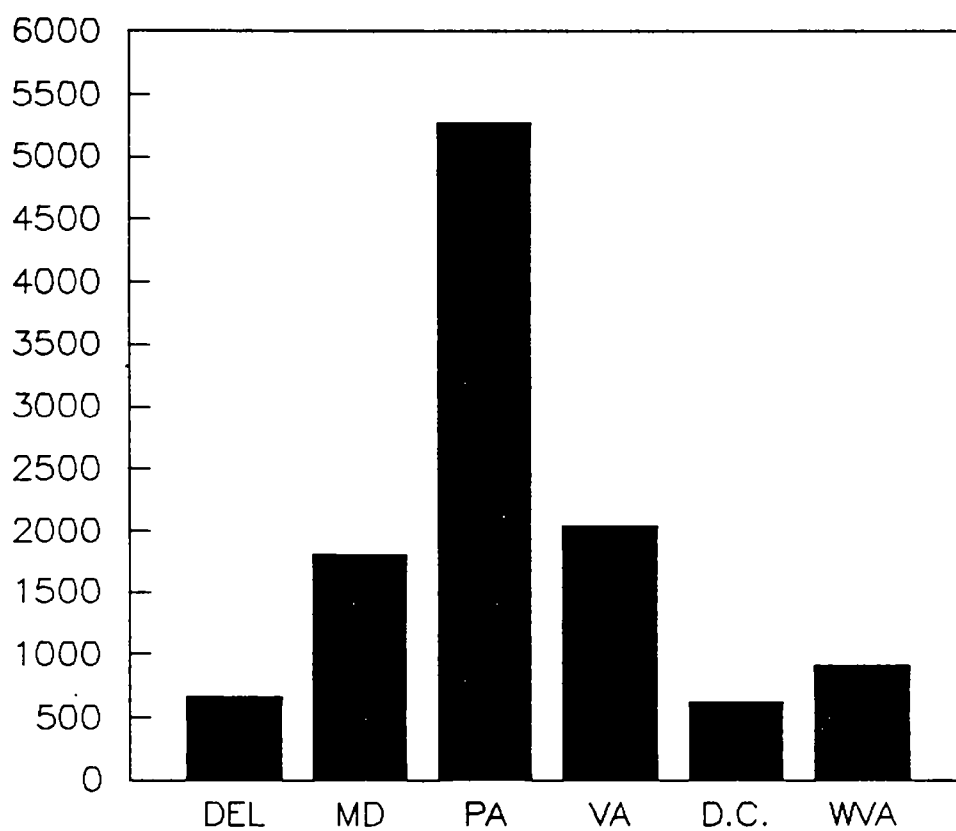
<u>STATE</u>	<u>ALLOCATION</u>
Delaware	663.5
Maryland	1809.8
Pennsylvania	5273.1
Philadelphia	(1023.1)
Allegheny County	(966.1)
Virginia	2041.2
Washington, D. C.	629.7
Washington Council of Governments*	(29.6)
West Virginia	914.2

TOTAL	11331.5**

*Section 106 grantee

**Original allocation was 11484.0. The difference reflects funds allocated to OAQPS level of effort contracts. Gramm-Rudman-Hollings sequestration and other reductions are not reflected.

REGION III - SECTION 105 GRANTEES (THOUSANDS OF DOLLARS)



SECTION 105 GRANT PROGRAM

AGENCY	FY'90 GRANT	STRONG/WEAK POINTS	
DE	\$663,503	S	Excellent technical capabilities and is supportive of EPA policies. Cooperative towards resolving issues.
		W	State funding level is low, enforcement and planning offices not at same locals causing coordination problems.
DC	\$600,067	S	Enforcement program has shown significant results despite the lack of staffing.
		W	High vacancy rate only allows major problems to be addressed.
AC	\$966,051	S	Takes the grant process seriously, and is dedicated. Realistic in commitments and has exemplary technical capabilities.
		W	Loss of key personnel will cause slippage in SO2 and PM10 replanning efforts.
MD	\$1,809,766	S	Active participant in STAPPA/ALAPCO and has special expertise in modeling and monitoring programs (E.G., Region III NMOC monitoring program).
		W	Uses source specific SIP revisions to resolve non compliance issues. State assembly, at times, limits regulatory ability for ozone.
PA	\$3,283,975	S	Knowledgeable about current EPA policy and is well informed on air quality modeling procedures and techniques.
		W	Limited by State Legislature in ability to regulate ozone.
VA	\$2,041,202	S	Has a strong and effective program. Posses technical and administrative staff to effectively carry out the objectives of the program. Generally agrees and supports EPA National policies.
		W	Progress reports are late. Conflict between State regional and central offices in program direction.
PH	\$1,023,081	S	Committed to protecting the air program. Have a sound basis for a strong enforcement program and are supportive of EPA policies.
		W	Undergoing financial reductions. Existing staffing can not meet all of the EPA priorities.
WV	\$914,233	S	Responsive and conscientious, whose failures are more a result of lack of resources, rather than lack of personal commitment on the part of the current staff.
		W	Current staffing and salary level seriously comprised ability to address EPA priorities and retain personnel.
COG	\$29,104	S	Passthrough agency, who supports ozone planning efforts in Maryland, Virginia, and the District of Columbia.
		W	Lacks strong commitment to meeting time frames.
<hr/>			
TOTAL	\$11,330,987		

Note:

By using FY'89 turnback funds, Region III will not pass through to State/local agencies the Gramm-Rudman 2.9% reduction.

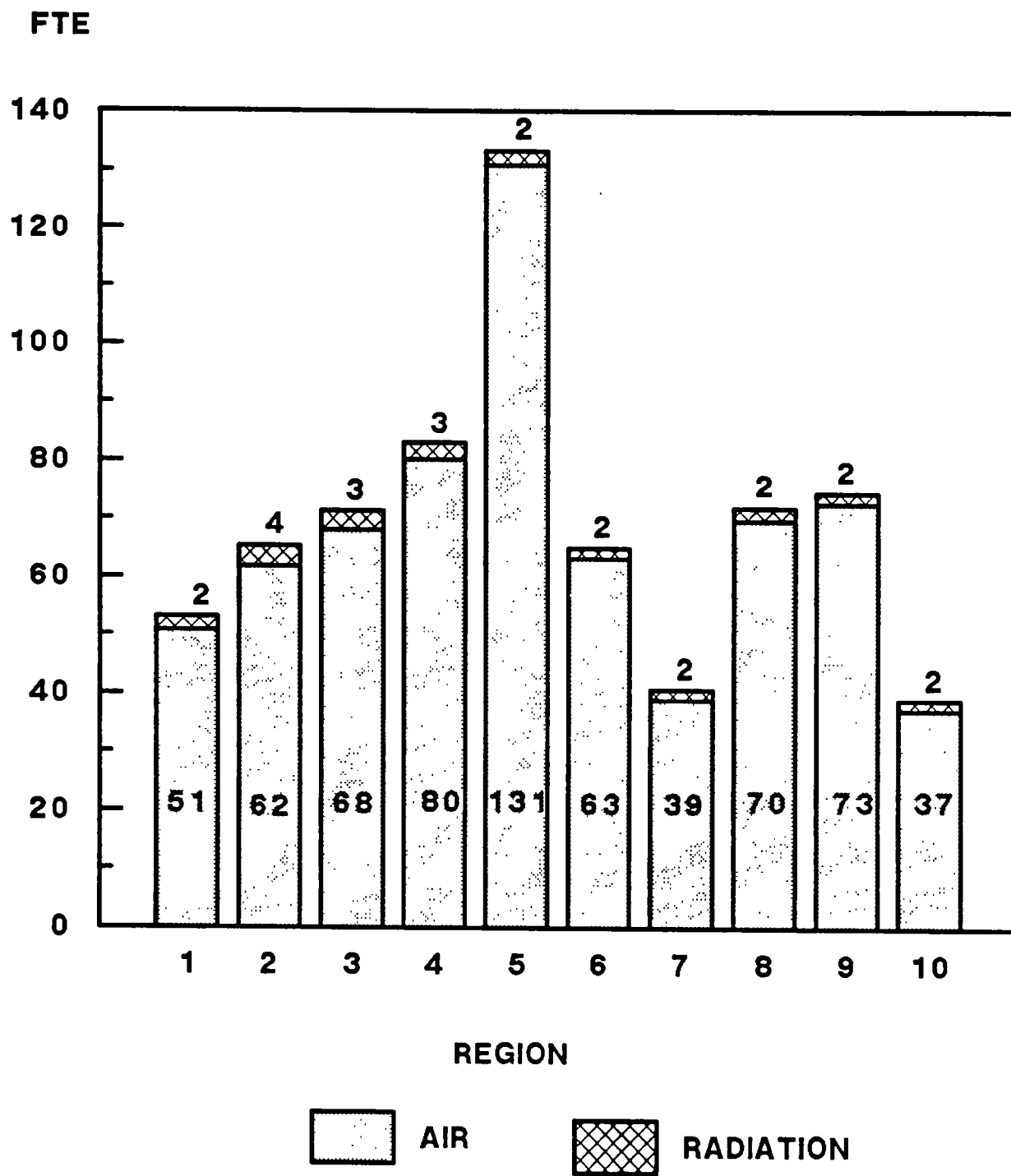
FY 90 Regional Rankings by Total Resources

FTE's

Region	Air Quality Management	Enforcement	Monitoring	Total	Ranking
5	49.0	68.0	13.8	130.8	1
4	36.5	31.8	11.9	80.2	2
9	39.6	24.4	8.5	72.5	3
3	30.2	28.9	9.0	68.1	4
6	27.7	27.0	8.5	63.2	5
2	22.5	32.4	7.0	61.9	6
1	24.7	18.9	7.3	50.9	7
8	21.4	12.1	7.4	40.9	8
7	18.0	14.7	6.2	38.9	9
10	18.6	12.0	6.6	37.2	10
Total	288.2	270.2	86.2	644.6	

TOTAL OAR REGIONAL FTE - FY 1990

AIR AND RADIATION OFFICES



OAR REGIONAL FTE AND ALLOCATION USE BY PE*

REGION 1 FTE AND S&E USE BY PE		FTE FY 1989	S&E FY 1989	FTE FY 1990
AIR QUALITY MANAGEMENT	20A2D	23.9	\$1,118.5	24.7
MONITORING	23A2F	5.6	\$217.8	7.3
ENFORCEMENT	FHA3A	16.9	\$705.1	18.9
RADIATION	SYF2D	0.4	\$30.8	0.6
RADIATION-RADON	TKF2D	1.8	\$97.3	1.7
SUPERFUND	PXY9F	0.5	\$22.6	1.0
TOTAL		49.1	2,192.1	54.2

REGION 2 FTE AND S&E USE BY PE		FTE FY 1989	S&E FY 1989	FTE FY 1990
AIR QUALITY MANAGEMENT	20A2D	22.6	\$1,011.6	22.5
MONITORING	23A2F	7.3	\$338.3	7.0
ENFORCEMENT	FHA3A	32.1	\$1,346.9	32.4
RADIATION	SYF2D	1.6	\$95.7	1.2
RADIATION-RADON	TKF2D	2.4	\$95.2	2.4
SUPERFUND	PXY9F	3.0	\$112.9	2.6
TOTAL		69.0	3,000.6	68.1

REGION 3 FTE AND S&E USE BY PE		FTE FY 1989	S&E FY 1989	FTE FY 1990
AIR QUALITY MANAGEMENT	20A2D	27.9	\$1,250.6	30.2
MONITORING	23A2F	9.2	\$446.4	9.0
ENFORCEMENT	FHA3A	29.8	\$1,194.0	28.9
RADIATION	SYF2D	1.9	\$96.7	1.0
RADIATION-RADON	TKF2D	1.4	\$70.8	2.2
SUPERFUND	PXY9F	2.1	\$104.1	1.8
TOTAL		72.3	3,162.6	73.1

REGION 4 FTE AND S&E USE BY PE		FTE FY 1989	S&E FY 1989	FTE FY 1990
AIR QUALITY MANAGEMENT	20A2D	35.1	\$1,580.3	36.5
MONITORING	23A2F	11.7	\$530.7	11.9
ENFORCEMENT	FHA3A	27.6	\$1,086.1	31.8
RADIATION	SYF2D	0.9	\$43.7	0.8
RADIATION-RADON	TKF2D	2.0	\$98.4	2.0
SUPERFUND	PXY9F	0.6	\$30.8	1.4
TOTAL		77.9	3,370.0	84.4

OAR REGIONAL FTE AND ALLOCATION USE BY PE*

REGION 5 FTE AND S&E USE BY PE		FTE FY 1989	S&E FY 1989	FTE FY 1990
AIR QUALITY MANAGEMENT	20A2D	46.2	\$1,969.0	49.2
MONITORING	23A2F	14.2	\$633.5	13.8
ENFORCEMENT	FHA3A	61.9	\$2,515.0	68.0
RADIATION	SYF2D	0.5	\$35.8	0.7
RADIATION-RADON	TKF2D	1.8	\$58.5	1.6
SUPERFUND	PXY9F	3.3	\$142.5	2.5
TOTAL		127.9	5,354.3	135.8

REGION 6 FTE AND S&E USE BY PE		FTE FY 1989	S&E FY 1989	FTE FY 1990
AIR QUALITY MANAGEMENT	20A2D	27.2	\$1,222.9	27.8
MONITORING	23A2F	9.1	\$449.1	8.5
ENFORCEMENT	FHA3A	24.6	\$1,073.5	27.0
RADIATION	SYF2D	1.0	\$60.3	0.5
RADIATION-RADON	TKF2D	1.1	\$44.2	1.3
SUPERFUND	PXY9F	0.7	\$30.5	0.9
TOTAL		63.7	2,880.5	66.0

REGION 7 FTE AND S&E USE BY PE		FTE FY 1989	S&E FY 1989	FTE FY 1990
AIR QUALITY MANAGEMENT	20A2D	17.8	\$806.3	18.0
MONITORING	23A2F	5.8	\$261.8	6.2
ENFORCEMENT	FHA3A	13.7	\$591.6	14.7
RADIATION	SYF2D			0.5
RADIATION-RADON	TKF2D	1.0	\$71.9	1.3
SUPERFUND	PXY9F	1.0	\$50.6	0.7
TOTAL		39.3	1,782.2	41.4

REGION 8 FTE AND S&E USE BY PE		FTE FY 1989	S&E FY 1989	FTE FY 1990
AIR QUALITY MANAGEMENT	20A2D	18.6	\$960.4	21.4
MONITORING	23A2F	6.4	\$344.2	7.4
ENFORCEMENT	FHA3A	12.1	\$548.9	12.1
RADIATION	SYF2D	1.7	\$45.1	0.7
RADIATION-RADON	TKF2D	1.9	\$142.3	1.6
SUPERFUND	PXY9F	0.7	\$56.6	0.8
TOTAL		41.4	2,097.5	44.0

OAR REGIONAL FTE AND ALLOCATION USE BY PE*

REGION 9 FTE AND S&E USE BY PE		FTE FY 1989	S&E FY 1989	FTE FY 1990
AIR QUALITY MANAGEMENT	20A2D	36.7	\$1,761.5	39.8
MONITORING	23A2F	8.0	\$311.2	8.5
ENFORCEMENT	FHA3A	24.2	\$1,042.8	24.4
RADIATION	SYF2D	0.5	\$11.1	0.5
RADIATION-RADON	TKF2D	1.4	\$72.2	1.3
SUPERFUND	PXY9F	0.7	\$39.2	0.8
TOTAL		71.5	3,238.0	75.3

REGION 10 FTE AND S&E USE BY PE		FTE FY 1989	S&E FY 1989	FTE FY 1990
AIR QUALITY MANAGEMENT	20A2D	17.3	\$875.0	18.6
MONITORING	23A2F	5.7	\$236.5	6.6
ENFORCEMENT	FHA3A	10.8	\$483.6	12.0
RADIATION	SYF2D	0.5	\$25.9	0.5
RADIATION-RADON	TKF2D	1.4	\$45.0	1.3
SUPERFUND	PXY9F	0.6	\$31.7	0.5
TOTAL		36.3	1,697.7	39.5

* BASED ON FY 1989 SEPTEMBER OBLIGATIONS FROM BUDGET OFFICE
 (Dated 12-05-89)
 AND FY 1990 DEPUTY REGIONAL ADMINISTRATORS CONSENSUS
 DISTRIBUTION (April 1989)
 SUPERFUND INCLUDES BOTH ORP AND OAQPS

Meeting Notes

Meeting Notes

Meeting Notes

Meeting Notes

REGION III RADIATION/RADON PROGRAM

RADON HIGHLIGHTS

- o Regions II and III conducted first radon training for States in March, 1985. It was attended by 13 States.
- o Regions II and III developed national radon mitigation training course for Headquarters.
- o Region III is the only region that has independently taught the 3-day radon mitigation course. Our staff has trained over 300 people in radon mitigation techniques.
- o Region III collected and mapped the results of over 190,000 private radon tests in Region III.
- o Region III worked with OPPE on Maryland Risk communication Project.
- o Region III held risk communication workshop in June, 1987.
- o Region III collected and tabulated results on more than 2000 radon mitigation jobs in Pennsylvania.
- o Region III cooperated with ORD in development of radon mitigation techniques. Participated in development of homeowner's guide and other mitigation manuals.
- o Region III participated in development of model building codes for radon-resistant new construction.
- o Region III participated in development of contractor proficiency exam.
- o Region III worked closely with HUD Region III on radon-resistant new construction.
- o Region III currently participates in the Radon Clearinghouse and Real Estate task forces.

RADIATION HIGHLIGHTS

- o Region III participated in development of Protective Action Guides for the ingestion pathway.
- o Region III teaches the EPA portion of the Federal Radiological Response Plan course given by Federal Emergency Management Agency (FEMA) National Training Center in Emmitsburg, MD.
- o Region III provides Health Physics support to the FEMA Region III office. Position papers written by EPA Region III have been used in setting FEMA National policy.

- o Region III participates in emergency response exercises at nine nuclear power plants bi-annually.
- o The Region III radiation staff works closely with the Superfund staff on sites containing radioactive materials. The Lansdowne House site (first radiation site off the NPL) was identified as a problem by the radiation staff.
- o Region III enjoys close working relationships with the state radiation offices. We have conducted joint site inspections with our states, and were invited to join in a critique of the Maryland radiation program.

Prepared by: William Belanger
January 8, 1990

REGION III RADON PROGRAM
FOR FY90

Prepared by: Lewis Felleisen
William Belanger
Aquanetta Dickens
12-14-89

Region III Radon Work Plan FY90

Introduction

Radon is a colorless, odorless radioactive gas that causes lung cancer. It is the single most serious environmental health hazard confronting the Agency today.

ENVIRONMENTAL RISK COMPARISONS

PROBLEM	ANNUAL CANCER DEATHS
Pesticides	100
Hazardous	1,100
Toxic Outdoor Air Pollution	2,000
Pesticide Residue on Food	6,000
Radon	20,000

Background

The Toxic Substances Control Act (15 U.S.C. 2601) was amended in 1988 to add; Title III - INDOOR RADON ABATEMENT ACT.

The Region III radon program has progressed through several phases during the last four years. Very early it was recognized that state assistance, public outreach and technical support of the Office of Radiation Programs (ORP) were of paramount importance. In order to accomplish these objectives with a small highly skilled staff, we had to carefully select the activities that optimized the advancement of the radon program. It was primary that we participate in ORP radon activities so that they would benefit from Bill Belanger's technical expertise, knowledge of regional/state activities and the management skills and Agency knowledge of our middle and upper Regional management. Both ORP and RIII learned from and assisted Pennsylvania DER. While assisting Delaware and the District of Columbia, our major efforts were sequentially directed at Maryland, Virginia and West Virginia. FY89 was a staff rebuilding year resulting from Fran Dougherty, Patricia Flores and Frank Coyle leaving the program. John Noble and Aquanetta Dickens came into the program, as well as Les Constantine and Harold Erfer who are part of the Senior Environmental Employment Program (SEEP). While we are very pleased with our Regional/State progress, we have major challenges ahead of us.

This radon plan is based on the following resources:

	WY
Bill Belanger	.60
Aquanetta Dickens	1.00
John Noble	.80
Joan Bachler	.70
(secretarial services)	
2 SEEPS	1.20
Lew Felleisen	.60
Lorraine D'Ottavi	.10
TOTAL	<u>5.00</u>

Objectives

In order to move the radon program forward in Region III, the Air Management Division will work towards five major objectives in FY90.

1. Implement the radon grant program in Region III States and the District of Columbia.
2. Conduct an effective public and real estate outreach program.
3. Provide radon data and technical support to the States.
4. Support EPA's Office of Radiation Programs (ORP) and Office of Research and Development (ORD) in their respective activities.
5. Conduct a schools outreach and information program.
6. Support radon activities in other Federal agencies.

Plan

1. Grant Program

Region III has been proactive in working with Headquarters in developing grant policy and guidance. All of our States and the District of Columbia have stated their intent to participate in the grant program. West Virginia has submitted a grant application for our review. Aquanetta Dickens is the staff focal point for grants. (215/597-9303).

ACTIVITIES

RIII Grant Workshop	10/11
Rate & rank innovative grants	10/16
Provide support in developing grant applications	ongoing
Receive grant applications	12/15
Review applications	
Meet with Regional Management	12/22
Notify OCIL/PA	1/10
Award grants	1/30

Meetings in each State - mid-year/end of year reviews

Pennsylvania	6/15	12/12
Maryland	6/22	12/19
West Virginia	6/29	12/19
Virginia	7/6	1/91
District of Columbia	7/13	1/91
Delaware	7/20	1/91

2. Conduct an effective public and real estate outreach program.

The dedicated regional hotline, with answering machine, and attendant mailings will continue to be handled by our SEEPS.

With the FY89 heating season data by State, County and zip code, create graphics.

Obtain data from

Teledyne	7/89
Air Check	8/89
Radon Project	
(U. of Pittsburgh	10/15
projected)	
Key Technology	10/89
Terradex	(uncommitted)

Formatting data - four weeks after receipt

Region III States

National (all States that we received data for)

Create GIS generated color and black and white graphics - IRMB 11/15/89

Contact VA, PA, MD, to determine interest in joint State/EPA press conferences - Completed

Response from: follow-up by 10/15

VA	"
PA	"
MD	"

Positive State responses

State/EPA Radon staff meeting
 Mechanics of press conference
 Set date
 Weekly newspaper mailings
 Assist States that want State press conferences e.g. WV

Conduct joint press conferences in State Capitol week of November 26 or January 7 (usually slow news weeks)

Negative State responses

Prepare press release, with graphics, for weekly newspapers
 Set date for press release (PA & AMD)

Region III press release of data/graphics for State weekly newspapers.

Concurrent with State press conferences
 Week of November 26
 or
 Week of January 7, 1990

Radon presentations

50 copies of the 18 minute video tape and 20 sets of slide/audio tape are available for loan to States and special interest groups for group presentations.

Requests for presentations will be accepted with preference given to real estate and school presentations and building organizations.

Media requests will have a high priority.

Present papers/attend technical conferences

Geology Society Conference 10/6

Atlanta Radon Conference 2-19/23

Public service videos will be developed for selected areas which are based on the availability of respected role models and financial resources.

Commercial marketing studies indicate that three to four exposures are not uncommon before a person buys. This is a marketing effort and we need to think in terms of utilizing a number of different approaches. The objective will be to optimize the return on resources investment.

3. Planned State Activities

State Radon Directors' Meeting 11/15

Provide radon data and technical support to the States and the District of Columbia.

Delaware

After the State radon report is released to us, determine if we can provide assistance in increasing the testing in the specific zip codes that have the most readings above 4 pCi/l.

Virginia

Encourage and assist the State in participating in the EPA/State Survey Program June '90.

If acceptable to Virginia, conduct a joint VA/RIII presentation to selected groups of county officials.

If acceptable to Virginia, conduct a joint VA/RIII presentation to the VA Board of Realtors.

Maryland

Assist the State in developing interest in the Board of Realtors having a radon presentation.

Meet with Roland Fletcher concerning outreach and how we can assist.

Assist Maryland in outreach to mortgage bankers, HUD, Veterans Administration (if the State is agreeable).

Assist Maryland in a bill insert program -- tax bills, utilities, health and home insurers (if the State is agreeable).

Each of the 17 counties have a set of the 51-slide audio presentation for outreach.

West Virginia

Continue to provide graphics support.

Assist the state when requested.

District of Columbia

Work with DC to include radon insert with the real estate. Encourage DC to use bill stuffer in tax bill.

Pennsylvania

Explore county and/or township joint DER presentations to Chester County and other high radon counties.

4. Support Headquarters ORP and ORD

Review draft documents comprehensively.

Anticipate ORP technical needs, make suggestions and provide the necessary information.

Participate in ORP planning/strategy meetings and conference calls.

Provide Region III perspective on concepts and issues.

Provide field support within Region III.

Share Region III activities with ORP and other regions.

5. Support radon activities in other Federal agencies.

Support HUD radon activities by presentations, providing radon information, technical assistance in review of construction plans, and participation in project meetings.

Assist National Park Service in performing radon measurements and remediation.

Review Department of Defense radon measurement plans for various geographical locations.

With Additional Funding

Support school districts in testing 0.5 FTE and \$10,000

Quality assurance of carbon canister testing laboratories in Region III (0.4 FTE & \$6,000)

Increase effort in supporting States/counties/townships to incorporate radon prevention methods into building codes. (.5 FTE & \$4,000)

Determine the impact of radon on real estate transactions by interviewing realtors and recent home buyers participating in State and regional realtor meetings. Develop solutions and prepare report (0.6 FTE & \$4,000).

Southern Eastern Pennsylvania/Northern Delaware Outreach - Clean Air Council \$10,000.

PERCENTAGE OF RADON READINGS ABOVE 4 pCi/l IN PENNSYLVANIA

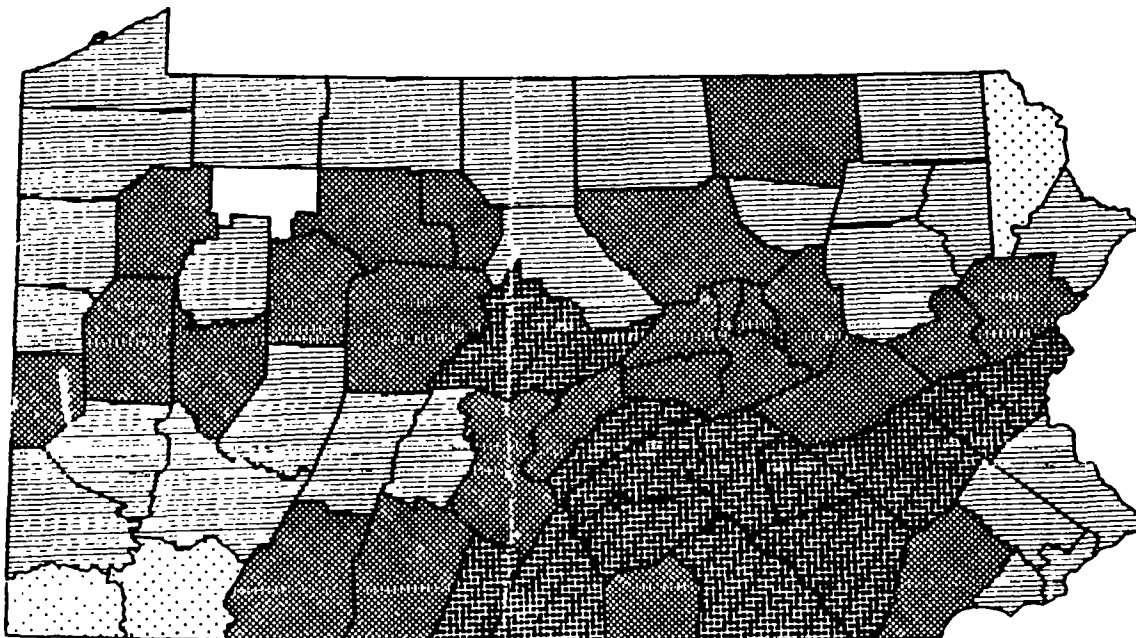
Total Number of Readings - 68,419

PERCENTAGE OF RADON READINGS ABOVE 4 pCi/l

- Over 60%
- 40% to 60%
- 20% to 40%
- 0% to 20%

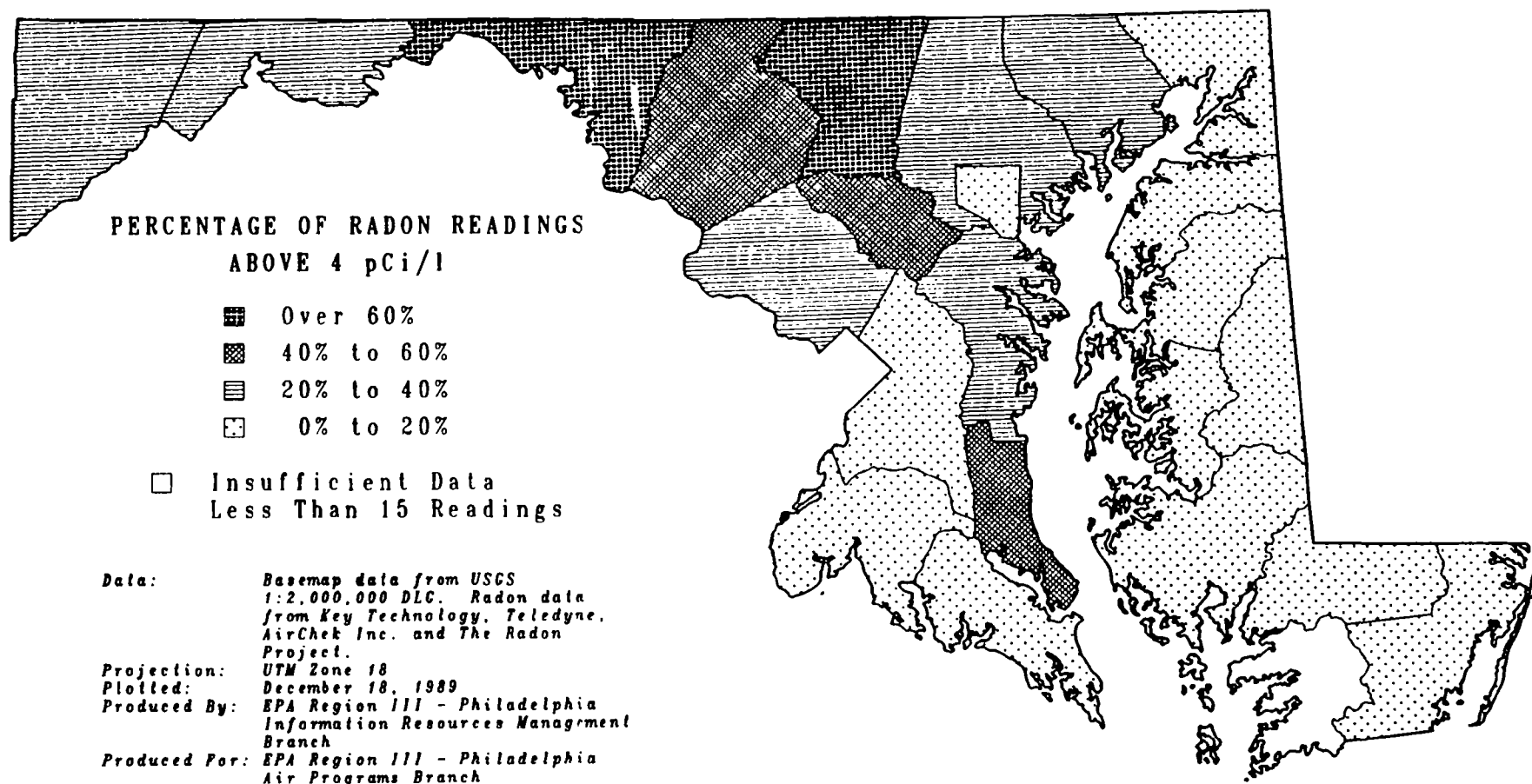
Insufficient Data
Less Than 15 Readings

Data: Basemap data from USGS
1:2,000,000 D.G. Radon data
from Key Technology, Teledyne,
AirCheck Inc. and the Radon
Project.
Projection: UTM Zone 18
Plotted: December 18, 1989
Produced By: EPA Region III - Philadelphia
Information Resources Management
Branch
Produced For: EPA Region III - Philadelphia
Air Programs Branch



PERCENTAGE OF RADON READINGS ABOVE 4 pCi/l MARYLAND






Total Number of Readings - 68,771



PERCENTAGE OF RADON READINGS ABOVE 4 pCi/l VIRGINIA

Total Number of Readings - 39,869

PERCENTAGE OF RADON READINGS ABOVE 4 pCi/l

-  Over 60%
-  40% to 60%
-  20% to 40%
-  0% to 20%
-  Insufficient Data
Less Than 15 Readings

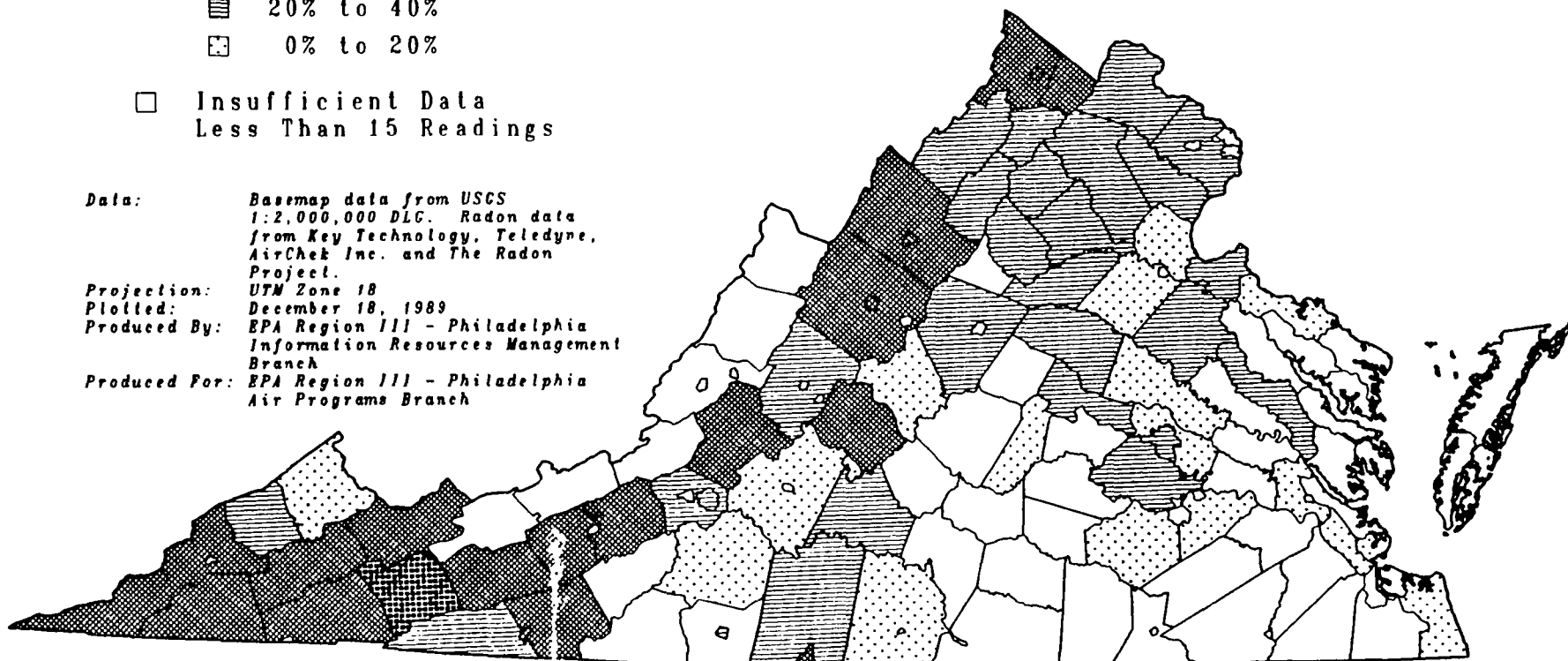
Data: Basemap data from USGS
1:2,000,000 DLG. Radon data
from Key Technology, Teledyne,
AirChek Inc. and The Radon
Project.

Projection: UTM Zone 18

Plotted: December 18, 1989

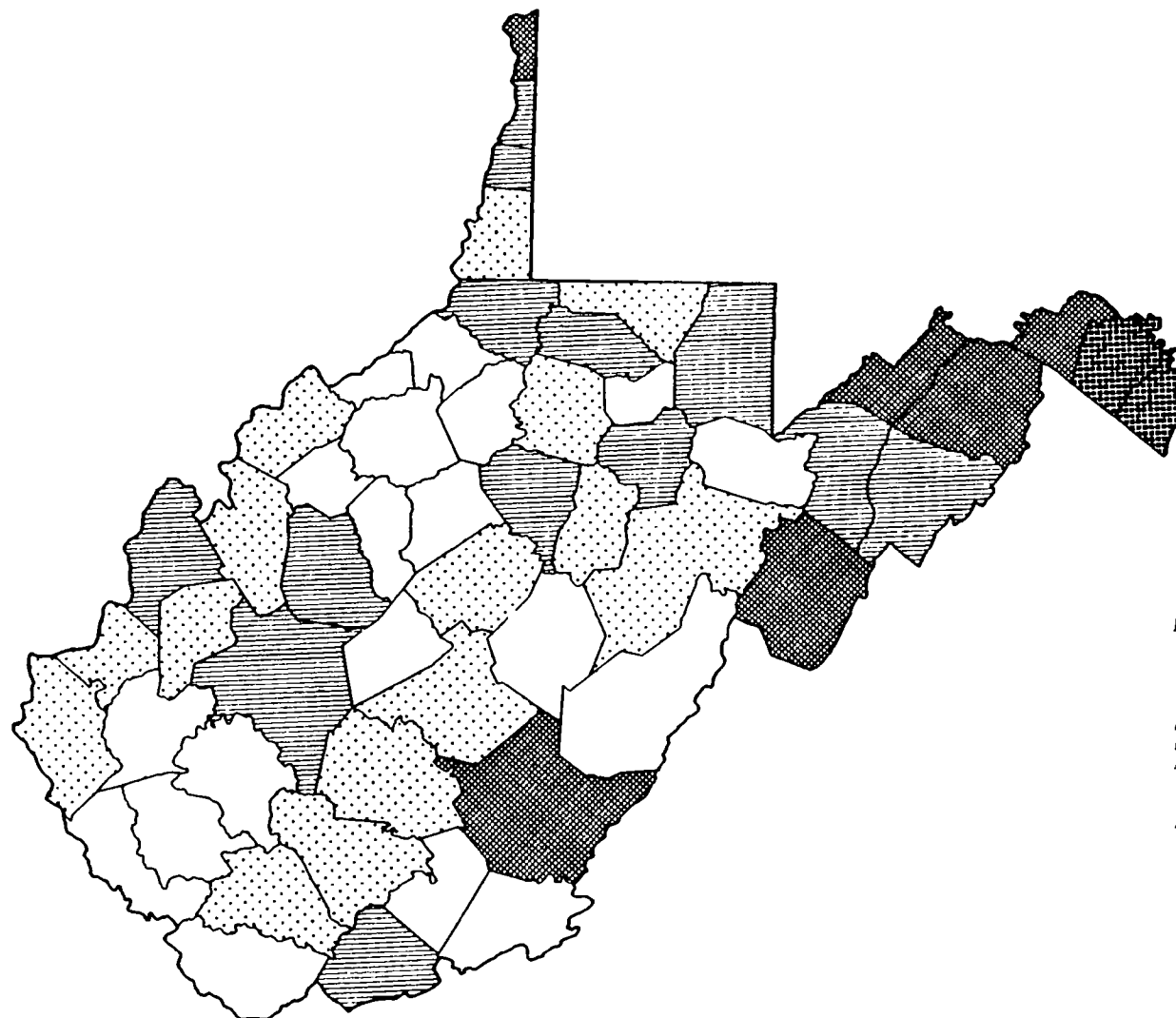
Produced By: EPA Region III - Philadelphia
Information Resources Management
Branch

Produced For: EPA Region III - Philadelphia
Air Programs Branch



PERCENTAGE OF RADON READINGS ABOVE 4 pCi/l WEST VIRGINIA

Total Number of Readings - 3,502



PERCENTAGE OF RADON READINGS ABOVE 4 pCi/l

- Over 60%
- ▨ 40% to 60%
- ▧ 20% to 40%
- ▦ 0% to 20%

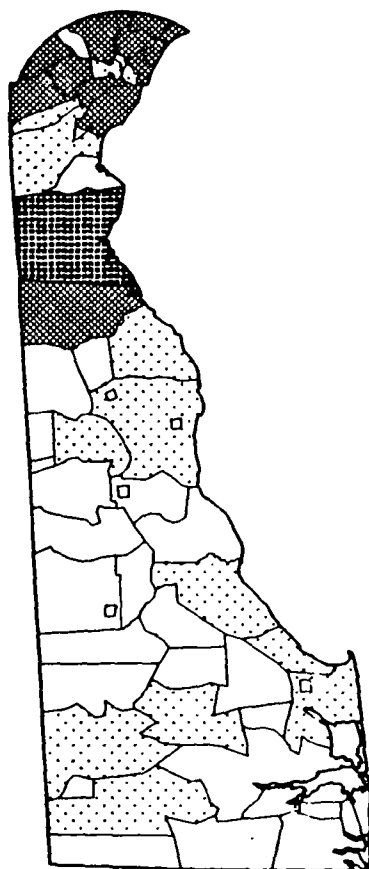
□ Insufficient Data
Less Than 15 Readings

Data: Basemap data from USGS
1:2,000,000 DLC. Radon data
from Key Technology, Teledyne,
AirChek Inc. and The Radon
Project.
Projection: UTM Zone 18
Plotted: December 18, 1989
Produced By: EPA Region III - Philadelphia
Information Resources Management
Branch
Produced For: EPA Region III - Philadelphia
Air Programs Branch



PERCENTAGE OF RADON READINGS ABOVE 4 pCi/l IN THE STATE OF DELAWARE

Total Number of Readings - 3,320



PERCENTAGE OF RADON READINGS ABOVE 4 pCi/l

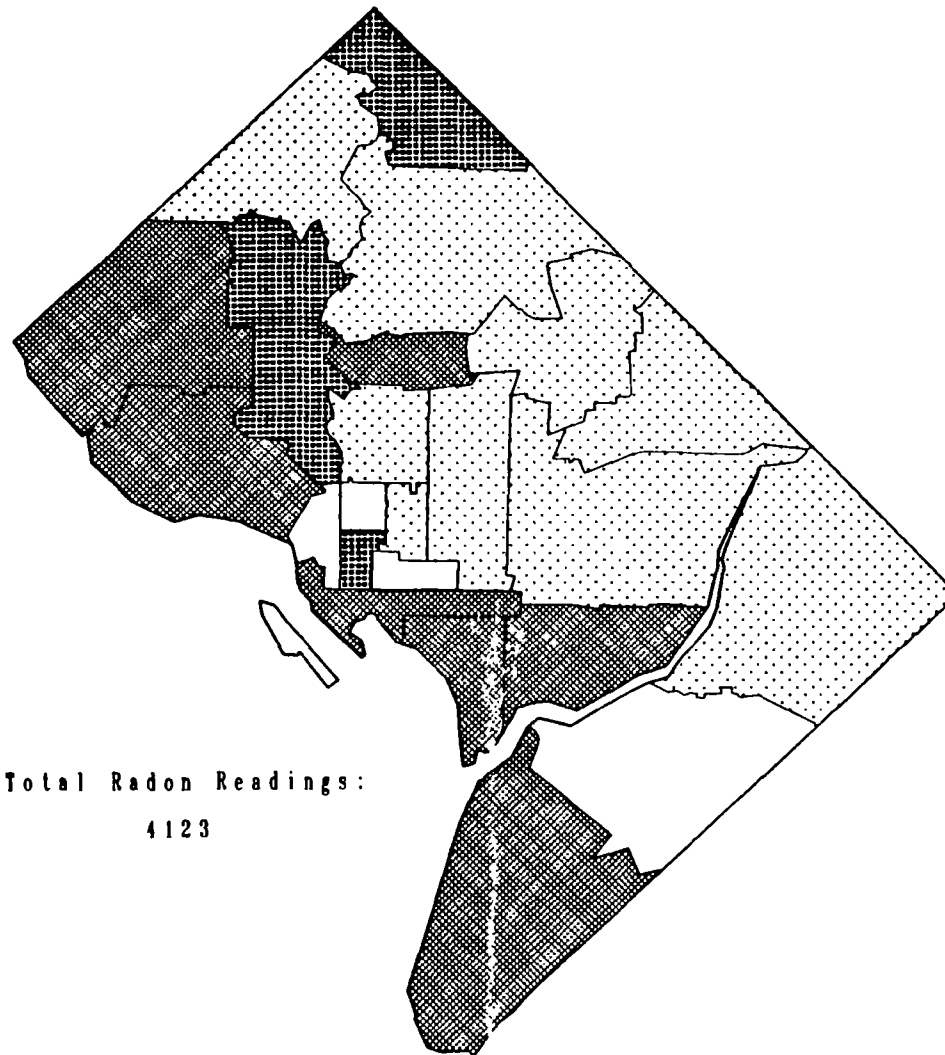
- 20% to 30%
- ▨ 10% to 20%
- ◻ 0% to 10%

◻ Insufficient Data
Less than 15 readings
per Zip Code

Data: Base map data from USGS 1:2,000,000 SIC
Radon data from the State of Delaware.
Total number of readings = 3,320.
Preparation: EPA Region III - Philadelphia
Produced By: Information Resources Management Branch
Produced For: EPA Region III - Philadelphia
Air Programs Branch



PERCENTAGE OF RADON READINGS ABOVE 4 pCi/l DISTRICT OF COLUMBIA BY ZIP CODE



Total Radon Readings:
4123

PERCENTAGE OF RADON READINGS ABOVE 4 pCi/l

- 20% to 30%
- ▨ 10% to 20%
- ░ 0% to 10%
- Insufficient Data
Less than 15 readings
per Zip Code

Data: Bureau data from USGS 1:2,000,000 DSC.
Radon data from the District of Columbia.
Projection: UTM Zone 18
Published: December 31, 1999
Produced by: EPA Region III - Philadelphia
Information Resources Management Branch
Produced for: EPA Region III - Philadelphia
Air Programs Branch

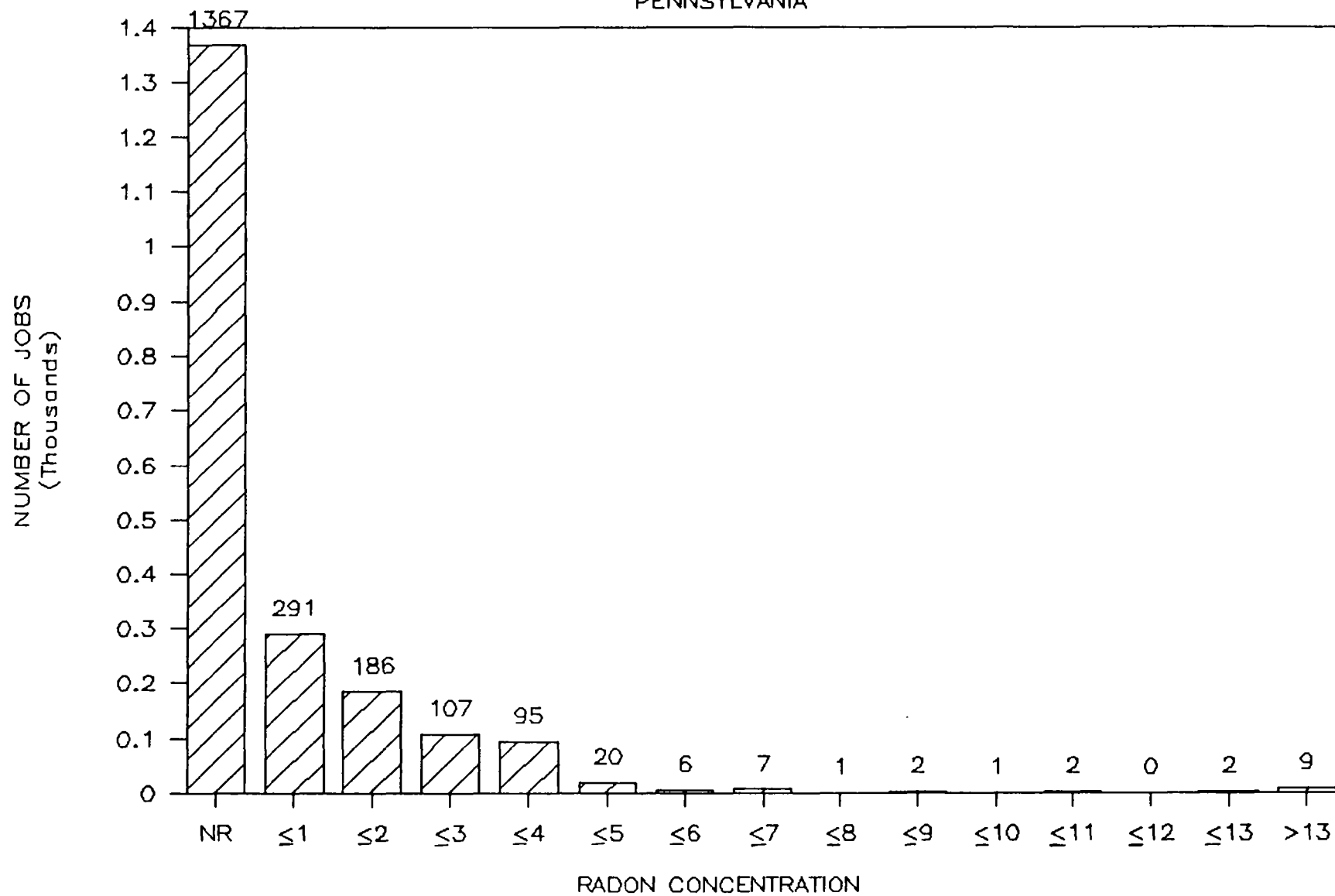


EPA REGION III
MITIGATION DATA SUMMARY
Data Supplied By
PENNSYLVANIA CERTIFIED MITIGATORS

Prepared by:
Harold Erfer
John Noble
Bill Belanger
1/8/90

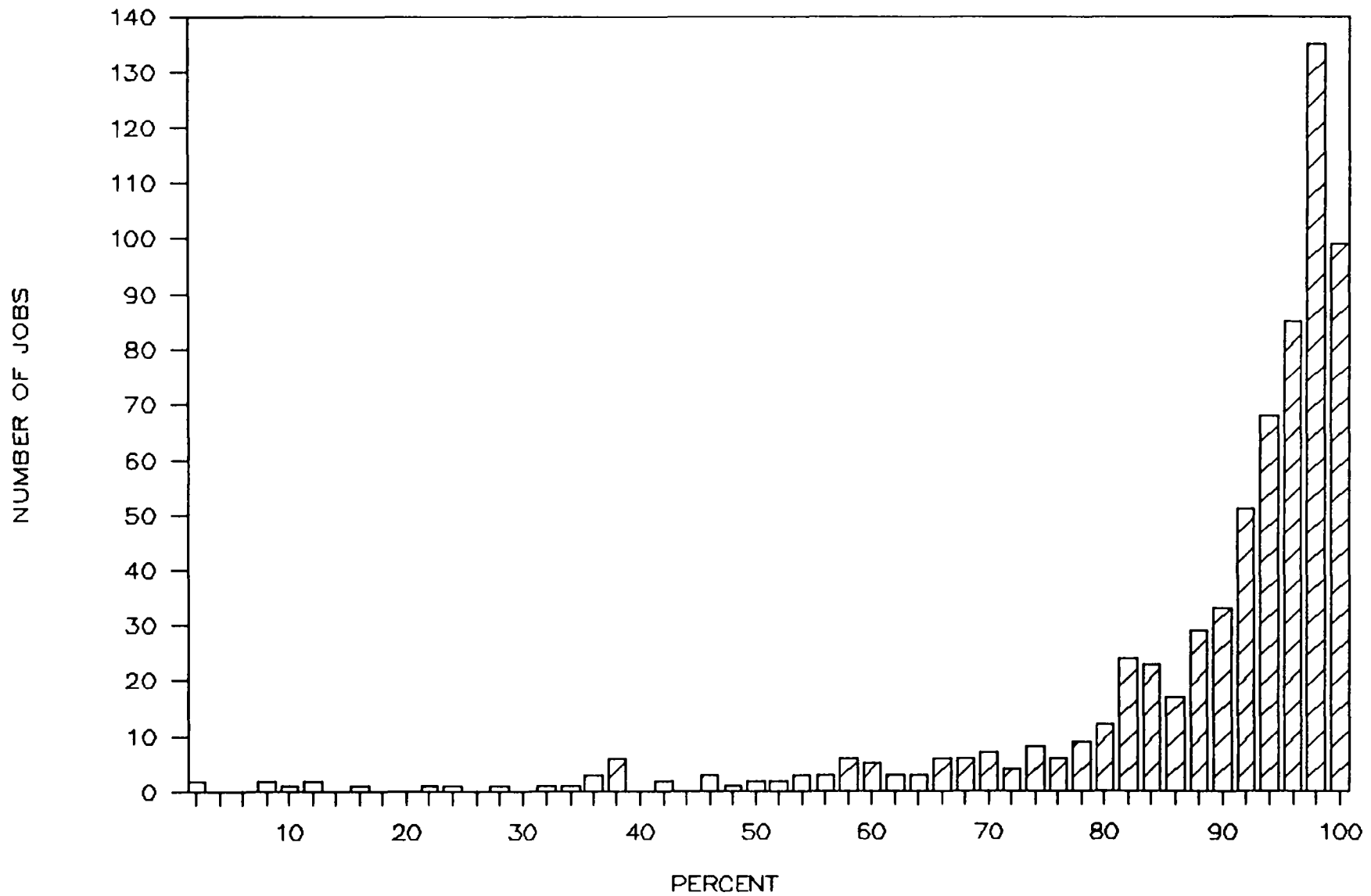
RADON AFTER MITIGATION

PENNSYLVANIA



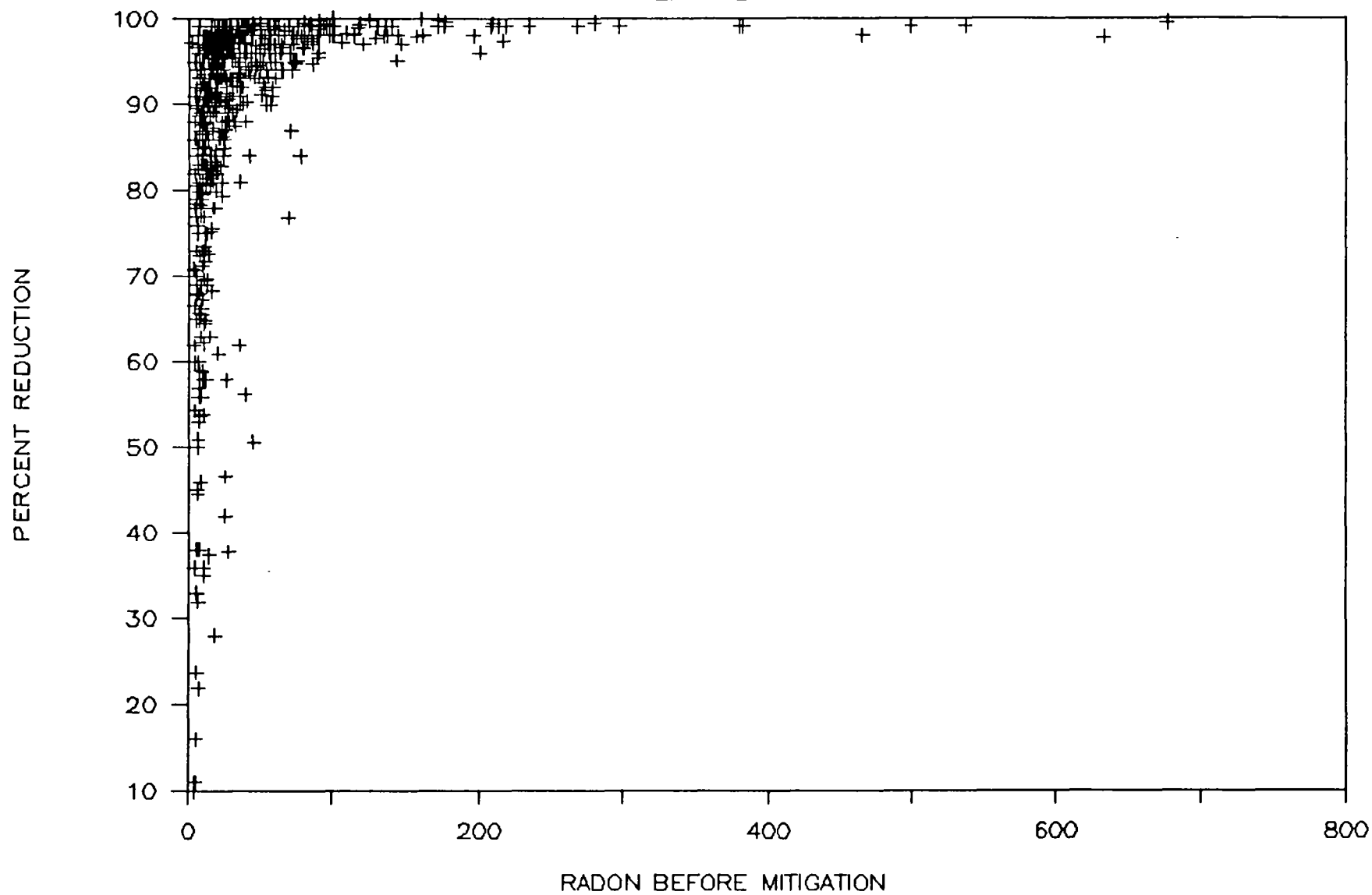
PERCENT REDUCTION

PENNSYLVANIA



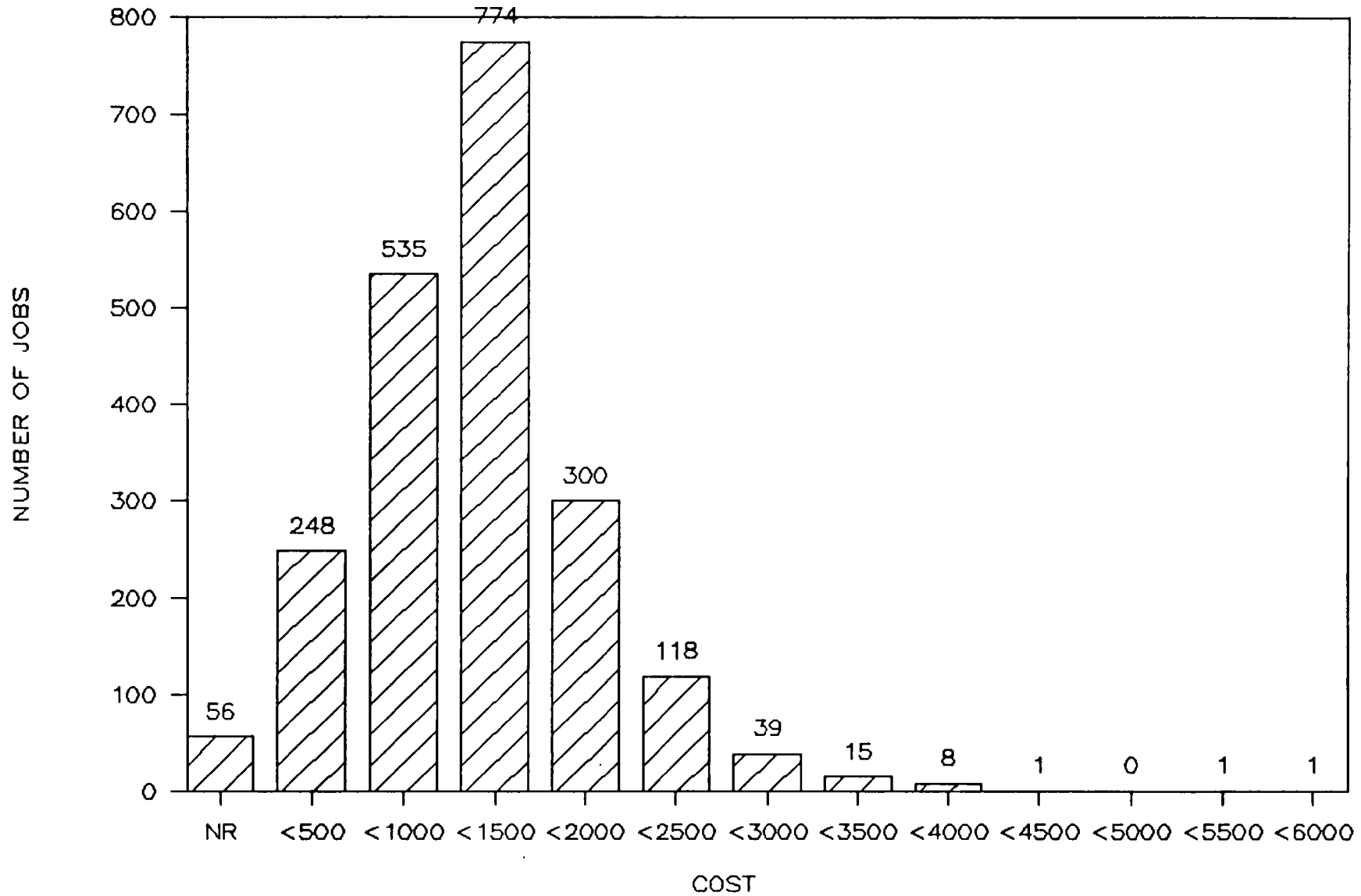
REDUCTION AS A FUNCT OF STARTING RADON

PENNSYLVANIA



COST OF MITIGATION

PENNSYLVANIA



REGION III RADIATION PROGRAM
(NOT INCLUDING RADON)

Prepared by: W. E. Belanger
January 5, 1990

REGION III RADIATION PROGRAM (NOT INCLUDING RADON)

Overview

Under the federal reorganization of 1970, EPA was given the responsibility to set standards to protect public health from radiation. In most but not all cases the enforcement of the EPA radiation standards rests with other Federal agencies rather than with EPA. A notable exception to this is the Radionuclide NESHAP under the Clean Air Act which gives EPA regulatory authority over NRC licensees, DOE facilities, elemental phosphorus plants and uranium mines.

EPA also has substantial responsibilities in the event of a radiological emergency. Independent of EPA's chemical emergency response teams (which may also respond to small radiological incidents) EPA has substantial responsibilities under the Federal Radiological Emergency Response Plan. EPA's role is supportive of the DOE radiological monitoring responsibilities, with EPA becoming the primary agency after the emergency is declared to be under control. EPA is also responsible for assessing public health impacts in the areas outside the "emergency zone" as was done in the Chernobyl accident, and also EPA sets the acceptable levels of contamination above which protective actions must be taken.

Because the EPA role in radiation protection is primarily one of standard setting, the great bulk of the effort is conducted by the Office of Radiation Programs (ORP) in Washington. Each Regional Office is assigned a Regional Radiation Representative to provide radiation consultation to the Regional Office. This consultation is generally provided under the general heading of "support to the Regional Administrator", and may include topics as diverse as EIS review, consultation with Superfund on sites with radioactive materials or response to public inquiries on radio frequency radiation.

The Radiation Representative also serves as a voting member of the "Radiological Assistance Committee" which is chaired by the FEMA Region for the purpose of supporting State efforts to develop and to periodically exercise emergency plans around nuclear power plants. Other Agencies represented on this committee include HHS, FDA, DOT, NRC, Agriculture and Interior. Another major aspect of the radiation responsibilities is to provide technical support to the States so they may better carry out their own radiation protection responsibilities. Until radon became a high-visibility effort one WY was assigned to each region to cover all radiation topics. With the recently increased Regional role in radiation and an increased staff size, the Regions have found it necessary to designate Radiation Program Managers in each Region. In several regions the program

manager is the Radiation Representative. In Region III it is the section chief who supervises the program.

Objectives

The primary objective of the radiation program can be simply stated as a reduction in public exposure to ionizing radiation. Other ancillary objectives include response to public and Congressional concerns and generally to act as a liaison with ORP Headquarters and to keep things running as smoothly as possible when radiation issues arise in the Region. Functional objectives include timely review of State Radiological Emergency Response Plans and participation in radiological exercises as a Federal observer, consultation with Air Enforcement on the implementation of the Radionuclide NESHAP, consultation with HWMD on sites contaminated with radioactive materials, review of environmental impact statements where radiation is involved, identification of sites containing radioactive materials, and response to incidents where there is or may be a release of radioactive materials. Another major objective is to enhance State radiation protection effectiveness through technical support and by providing training to State personnel. This allows the States to accomplish the radiation protection mission substantially without EPA regulatory involvement and is the reason that the EPA Regional Radiation Staffs can be as small as they are.

Accomplishment of the above objectives requires the Regional Radiation Representative to attend several national functions each year. These include the Conference of Radiation Control Program Directors technical meeting (the Conference consists of the radiation program directors of the 50 States), the annual Radiation Representatives meeting. In addition it involves occasional travel to Emmitsburg, Maryland to teach at the Emergency Management Institute. These activities in support of the primary mission are important enough to also be classified as objectives.

The Plan

Task 1 - Review State Emergency Plans and Evaluate Exercises

Revisions to the State Radiological Emergency Plans are occasionally transmitted to the Region by the FEMA region. The planning process was substantially completed in the early 1980's, so plan changes only occasionally come in for review. These do not arrive on any particular schedule and are generally without prior notice, so we provide comments as quickly as we can schedule the work. Since the major development effort on the plans is now complete, there are not usually any major policy or technical items to be dealt with, so plan review is not a great workload.

At each of the nine nuclear power plants in or bordering Region III, the State plans must be exercised in a full-scale exercise

every two years. This means four or five exercises each year need to be evaluated. Since the primary expertise in radiological dose assessment is in the EPA office, we are the primary observer for the State dose assessment function in every exercise. This function is critical to the protection of health in the event of an emergency, so the EPA role is essential to the overall process. Each exercise consists of three days, a pre-exercise meeting the day before, the exercise itself and a post-exercise critique the following day.

Future exercises are scheduled as follows:

Artificial Island (DE)	April 24, 1990 May, 1992 Mar. 1994
Surry (VA)	Completed November 15, 1989 June, 1991 Dec. 1993
Three Mile Island (PA)	Completed Oct. 18, 1989 September, 1991 September, 1993
Calvert Cliffs (MD)	Completed Sept. 14, 1989 November, 1991 February, 1993
Limerick (PA)	February 7, 1990 March, 1992 November, 1994
North Anna (VA)	Aug. 6, 1990 January, 1992 June, 1994
Peach Bottom (PA)	Week of Oct. 15 1990 October, 1992 January, 1994
Beaver Valley (PA)	May 22 to 24 1990 July, 1992 August, 1994
Susquehanna (PA)	Completed Feb. 22, 1989 February, 1991 May, 1993

Task 2 - State Assistance

Until 1987, the primary forum for delivery of assistance to the states was through development of formal training sessions conducted by Region II and III EPA and FDA. The last scheduled

training meeting was for three days the week of October 1986, in Long Island N.Y. Due to cutbacks in funding to the states, this regularly scheduled training forum has been largely discontinued. Training to the states is now provided largely through the Federal Emergency Management Agency and through individual seminars organized as the need becomes apparent. In addition to this formal training EPA Region III frequently provides technical assistance to States. For example, Bill Belanger was one of a team called in by the Conference of Radiation Control Program Directors to do a complete evaluation of the Maryland radiation Program and to recommend the future direction the program should take. In another case in Maryland, he acted as an expert spokesman before a group of hostile citizens protesting the installation of a new microwave tower. Virtually the entire radon program consisted of technical assistance to the States until it became an independent program, and Region III set up the first radon training course for the States in March, 1985.

Assistance to the states is provided on a request basis except for the scheduled training. Many requests can be handled by sending out a copy of a document or by a telephone discussion, but some requests are more complex and require laboratory assistance or travel to a site. In this context, we have made joint radiation inspections with Pennsylvania. In this effort it is desirable to visit each State Radiation Office at least once each year.

Task 3 - Radionuclide NESHP

EPA has promulgated a NESHP for Radionuclides for NRC Licensees, DOE Facilities, Elemental Phosphorus Plants, Phosphogypsum Stacks, Uranium Mill Tailings Piles and Underground Uranium Mines. Of these, Region III has only NRC licensees and one DOE facilities. At present the implementation guidance for the NESHP has been completed, so the Regions are beginning to implement the reporting requirements of the NESHP. The NRC Licensee requirements will become effective March 15, 1990. Headquarters has developed a list of NRC Licensees. Region III has developed a model letter to be sent to the NRC licensees by the Regions. We will be sending inquiry letters to each Licensee. These letters are primarily to determine whether the Licensee handles only sealed sources and so is exempt from reporting. Regions will be responsible for maintaining the data base that describes the regulated NRC Licensees, and for providing any assistance that is needed in running the COMPLY computer program which is used to determine compliance with the NESHP. There is only one major DOE facility (Bettis) in Region III. Since this facility handles classified materials, it may be necessary for a Region III person to obtain a security clearance in order to implement this regulation.

Another provision of NESHPs in general is the requirement that new sources obtain approval to construct. This provision caused Region III to deal with the Babcock and Wilcox facility

near Pittsburgh. DOE has submitted an application for a high-energy accelerator. The Army has also submitted an application for a depleted uranium containment facility at Aberdeen Proving Ground. Modeling of the Babcock and Wilcox facility was done by Headquarters. This source applied under the old NESHAP which has now been replaced. The other two facilities were evaluated by the Region III staff and found to be acceptable. The exact internal procedure to be used for implementation of the Radionuclide NESHAP has not yet been finalized in Region III. Until the time of this writing, the staff work has been performed in the Air Enforcement Branch, with the Radiation program supplying technical support.

For most NESHAPs the goal is to delegate the regulation to the States. In the case of radionuclides this is not easy and may be impossible since many states have placed Radiation and Air in different departments. There are considerable problems with Section 105 grant funding and auditing if the State Radiation Programs were to implement the NESHAP. Compounding the problem is the fact that the State Air Agencies may not be able to and may not want to assume the enforcement of the regulation. For this reason, automatic delegation was suspended for this regulation, but EPA will delegate if a State wants it and has the capability.

Task 4 - Assistance to HWMD

A number of Superfund sites have been identified in Region III which are contaminated with radioactive materials. These include the Lansdowne House and associated sites, Metcoa in Sharon, PA. and the Alderfer Landfill. In the case of the Lansdowne House, the sites were brought to HWMD's attention by the Radiation Representative. Metcoa was identified by NRC and brought to HWMD's attention. The Alderfer site was identified by Superfund and the Radiation Representative's assistance was requested. NRC requested EPA's assistance for the Safety Lite Corporation through the Radiation Representative.

A draft memo of agreement has been prepared which delineates the support that will be provided by the Radiation Program. This consists of identification of new sites, consultation and hazard assessments at sites, review of remediation plans, and site radiological safety consultation. The Radiation Program will also provide periodic training to assure that HWMD personnel are adequately trained to recognize radiological hazards and to obtain the necessary expert advice.

Task 5 - Review of Environmental Impact Statements

Several times per year Region III receives Environmental Impact Statements dealing with radiological matters. Recent

examples are the Navy's Empress II facility and the disposal of the TMI accident water.

Environmental impact statements usually arrive without prior notice and tend to be quite voluminous. A proper review can consume a week or more of the Radiation Representative's time. There is usually a deadline of three weeks to a month on the review, and with the other workload a detailed review can be difficult to schedule. This situation should improve now that the Radon staff has been increased. The strategy is simply to respond as well as possible in the time allowed and to request extensions for important or sensitive issues where time is a problem.

Task 6 - Emergency Response

For radiological emergencies there is a Federal Radiological Emergency Response Plan which gives EPA the responsibility to assess health impacts and to perform much of the radiological monitoring. EPA has a response plan which is supportive of the Federal plan. In a large-scale emergency the role of the Regional Radiation Representative is primarily as a communicator and facilitator to assure that information and equipment gets to where it is needed. The Regional Response Center would also provide support for the Federal response as they are able, with support from ATRMD. There is some movement at the time of this writing to include Regional personnel on the national Radiological Assistance Teams.

For smaller incidents, it may not be necessary to invoke the Federal plan. Several times per year there are small incidents involving radioactive materials. These sometimes involve the loss or theft of small amounts of radioactive materials or simply the discovery by a citizen of a box labeled "radioactive" in a trash can. In cases like these the Regional Response Center notifies the Radiation Representative or his alternate. The response will usually involve arranging for someone to go to the site with the appropriate instrumentation and to make a survey. Where labeling indicates that there is clearly not a major threat, this may mean traveling a short distance with Region III equipment or contacting the State or NRC or some other competent person close to the site. Where there may be a serious problem, the appropriate Federal contacts are made by the Radiation Representative. The exact contacts to be made are specific to the material and quantity involved and require expert judgement on the probable level of the threat and the appropriate agency to handle the situation.

Task 7 - Other Duties

In addition to the specific duties above, there are general actions needed to make the program operate. These include Lead

Region responsibilities, Congressional and Public inquiries, and teaching and attendance at key national meetings. The number of national meetings is the same each year and they are held on roughly the same dates, though the location of the meeting will change. For example the Conference of Radiation Control Program Directors meets each year in a different state. The 1989 meeting was in Baton Rouge, LA. The national EPA Radiation Representatives meeting is usually near Washington, but is occasionally held elsewhere if needed to allow for some training to be included. The meeting has twice been held at EPA's Montgomery Radiation Laboratory. Attendance at these meetings is essential to keep up with the field and with Federal policy. Where other programs have many people going to meetings to cover new developments for the Region, there is only one radiation representative who must cover all the national non-radon radiation meetings.

There is also a significant effort in simply keeping up with the new developments in the field. With the volume of new developments and new Government positions on radiation, keeping up requires 10 to 20 percent of the Radiation Representative's time, though this much time is rarely available.

Since radiation emergencies can and do occur, and as is true for any one-person program, it is necessary to designate a backup in the event that the Radiation Representative is not available. At the time of this writing, the Special Programs Section Chief acts as backup to the Radiation Representative. There is no senior technical staff backup available in Region III at present.

Resources

The Headquarters allocation for non-radon radiation activities is 1.0 WY for FY '90. During the last year Bill Belanger devoted approximately 70% of his time to these activities. The remaining 0.3 WY is supervisory and secretarial support. As the radionuclide NESHAP becomes active, John Noble will begin to devote some of his time to that program. No specific resources have yet been assigned to the radionuclide NESHAP but this is expected. These resources will have to be allocated among the organizations implementing the program.

In addition to WY, the Radiation Program needs other resources. In the past, equipment has been assigned to the region by ORP and we have purchased other equipment from Division funds. Equipment now on hand is sufficient for our immediate needs, but some provision should be made for regular funding of maintenance and for annual calibration. Our survey meters have been calibrated one time at Superfund expense, once by the State of New Jersey as a courtesy, etc. There is no regular program or funding in place to assure this is accomplished periodically.

Certain safety equipment is needed if radiation people are to visit Superfund sites. At minimum, radiation badges and fitted respirators are needed. We should also have disposable gloves and booties and protective suits. For this purpose, disposable coveralls should be sufficient. A contract was recently been let for badge service for two employees, but there are no respirators or other protective equipment available. These should be purchased as soon as practical, but this can only be done after a fit test has been performed. It may be possible to arrange the fit test through OSHA since they have the necessary equipment.

Travel funding is a perennial problem for all ten Regional Radiation Representatives, Region III included. There are known trips to be taken each year but travel funds are not allocated in advance to cover these trips. In addition a one-person program requires that most of the travel for the program be conducted by one person, which leads to a very high cost on a per person basis even though the program travel costs are small. The travel allocation has yet to be sufficient to cover the cost of the necessary travel.

Meeting Notes

Meeting Notes

ENFORCEMENT ISSUES

FEW VOC CASES

Due to :

1. Many SIP cases are "dogs"
 - a.) SIP deficiency (GM Arlington)
 - b.) Complexity of VOC compliance
 - c.) Capture efficiency/Transfer efficiency
2. Many NSPS/NESHAP not delegated
3. Lower percentage of procedural violations
4. States reluctant to defer enforcement of SIP vs. NSPS/NESHAP
5. Many PSD/NSR/NSPS are also VOC
6. Passage of time - sources coming into compliance
7. American Cyanamid decision
8. States resolve straight forward VOC cases and EPA takes the lead on complex cases.

ASBESTOS

- * Program has seen tremendous growth in activity
- * 6200 notifications in FY'89; anticipate 7200 in FY'90
- * HQ resource levels remained constant; Region III using SEEP program to augment resources.

INSPECTOR TRAINING ORDER

- * Mandates 13 courses be taken over a 1 1/2 year period
- * HQ training modules have not been developed
- * Regions left to fund courses independent of HQ; LOE funds not adequate to fund contractor sponsored courses.

COMPLIANCE MONITORING STRATEGY

- * Region III endorses the concept
- * Finding that the application is extremely resource intensive for the states and EPA.
- * States willingly committed to Strategy and are very slow in submitting proposed inspections.

ATTACHMENT

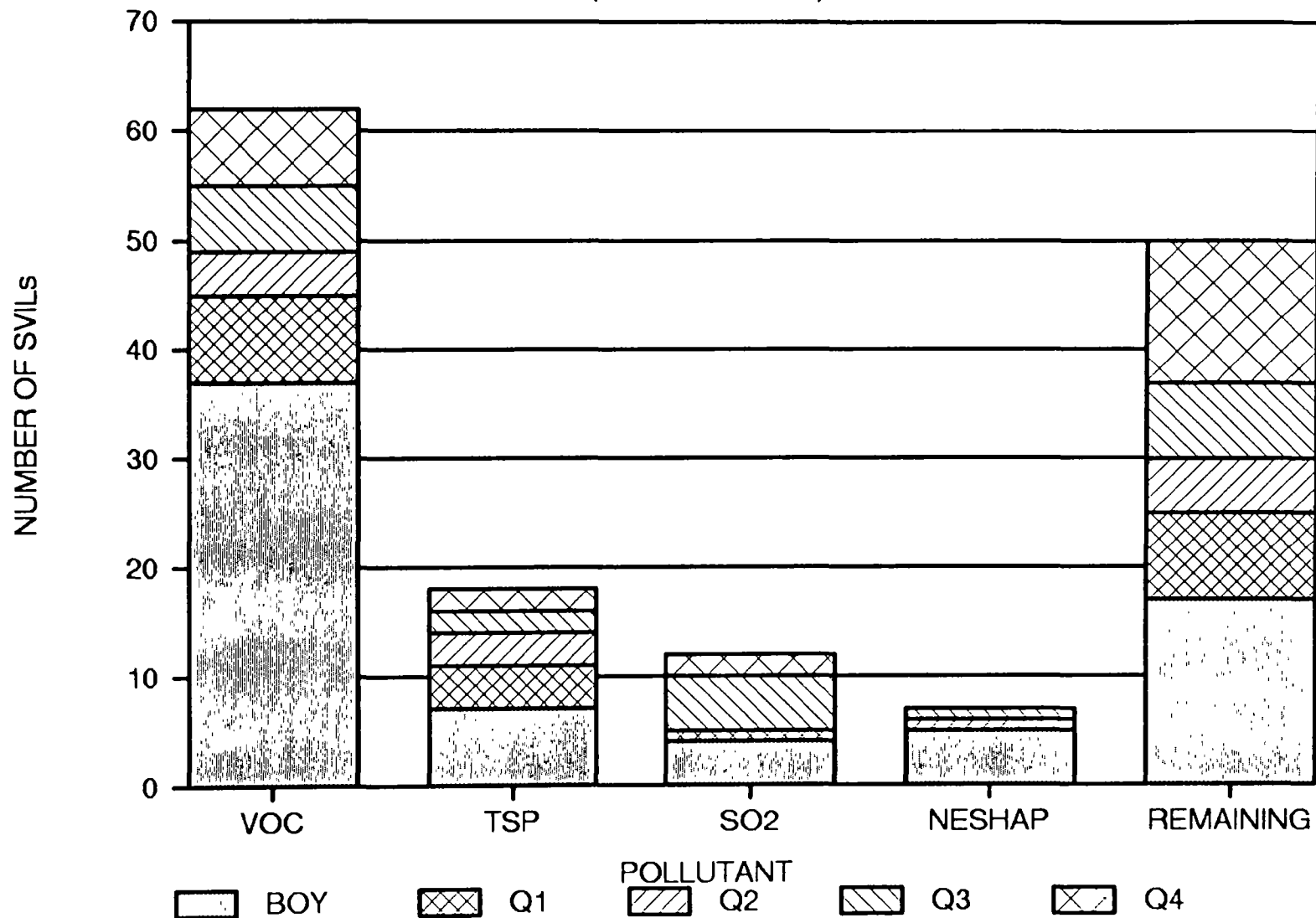
<u>Workgroup Name</u>	<u>SSCD Lead</u>	<u>Regional Lead</u>	<u>General Charge</u>
CMS Workgroup	CMB	Regions III & V	Review OPPE evaluation of CMS, and review existing guidance supporting CMS. Provide recommendations for revisions to the existing guidance as appropriate.
Enforcement Guidance Workgroup	TSB	Region III, V, & IX	Evaluate existing enforcement guidance (T&A) and provide recommendations as appropriate. Develop guidance for preparing Enforcement Response Plans (ERPs), and for ascertaining EPA/State lead.
Continuous Compliance Workgroup	CMB	Region IV & Region VII	Develop a self-monitoring program. This workgroup has already been formed and is being led by Ron Shafer.
Compliance Planning Workgroup	TSB	Region IV	Develop a protocol for planning compliance activities and setting national priorities for EPA and the States/ Locals. This workgroup has already been formed and is being led by Tom Lyttle.
Compliance Inspection Workgroup	TSB	Region V & Region VII	Develop improved recordkeeping inspection protocols, and develop minimum inspection report requirements.

ATTACHMENT (Cont)

<u>Workgroup Name</u>	<u>SSCD Lead</u>	<u>Regional Lead</u>	<u>General Charge</u>
Program Policy and Communication Workgroup	CMB	Regions I & VI, VII, X	Develop governing policy for measuring success of program. Develop national template that identifies major program elements, program expectations, audiences and measures of success. Develop a communications strategy for reporting compliance story.
Oversight Protocol Workgroup	TSB	Regions II, III, V and VI	Develop oversight protocol to include what compliance oversight should encompass and a process for the review of the grantee's performance, including appropriate response measures. This workgroup has already been formed and is being led by Susan Insetta.

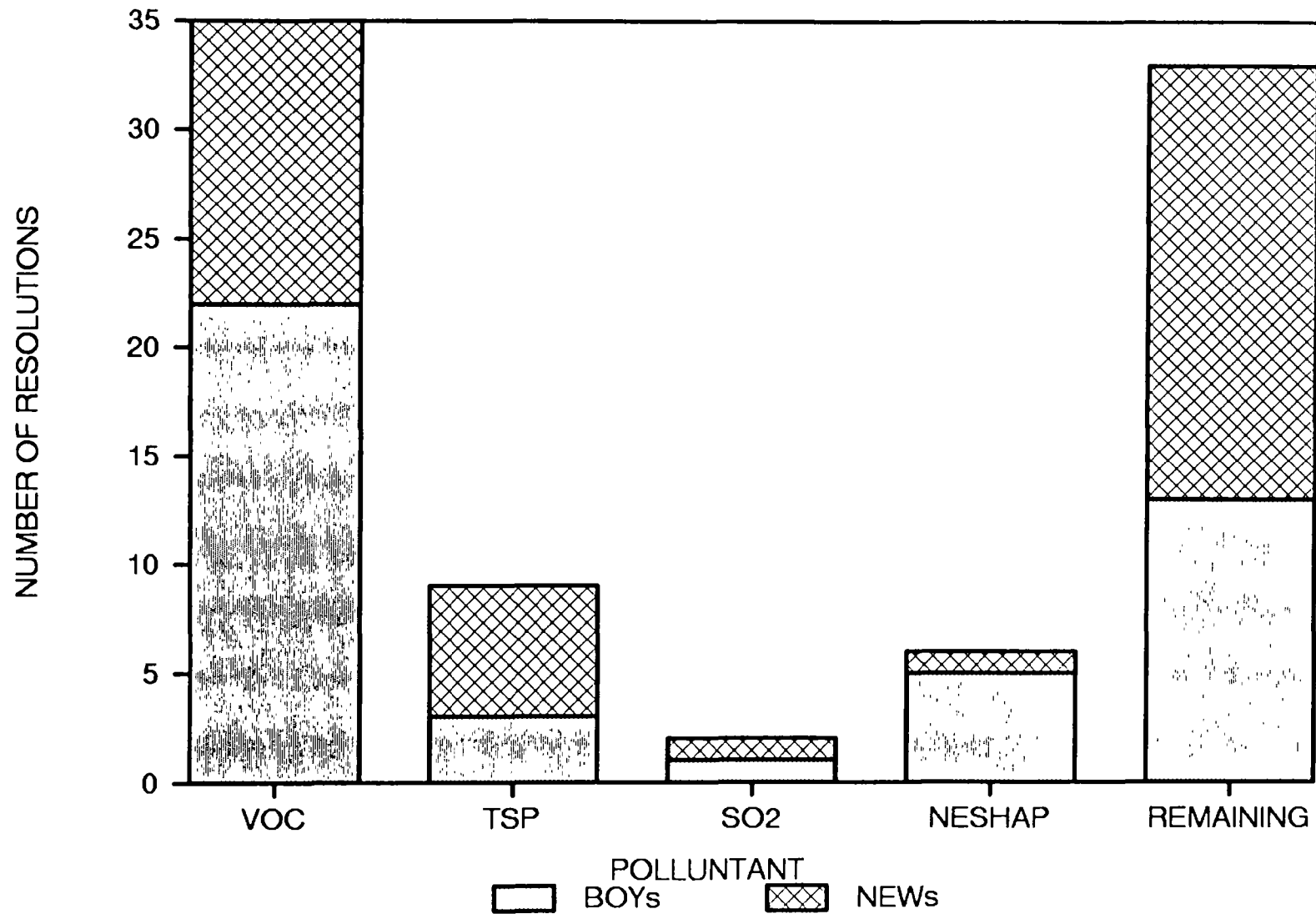
FY 1989 BOY + ADDS

(BY POLLUTANT)



FY 1989 RESOLUTIONS

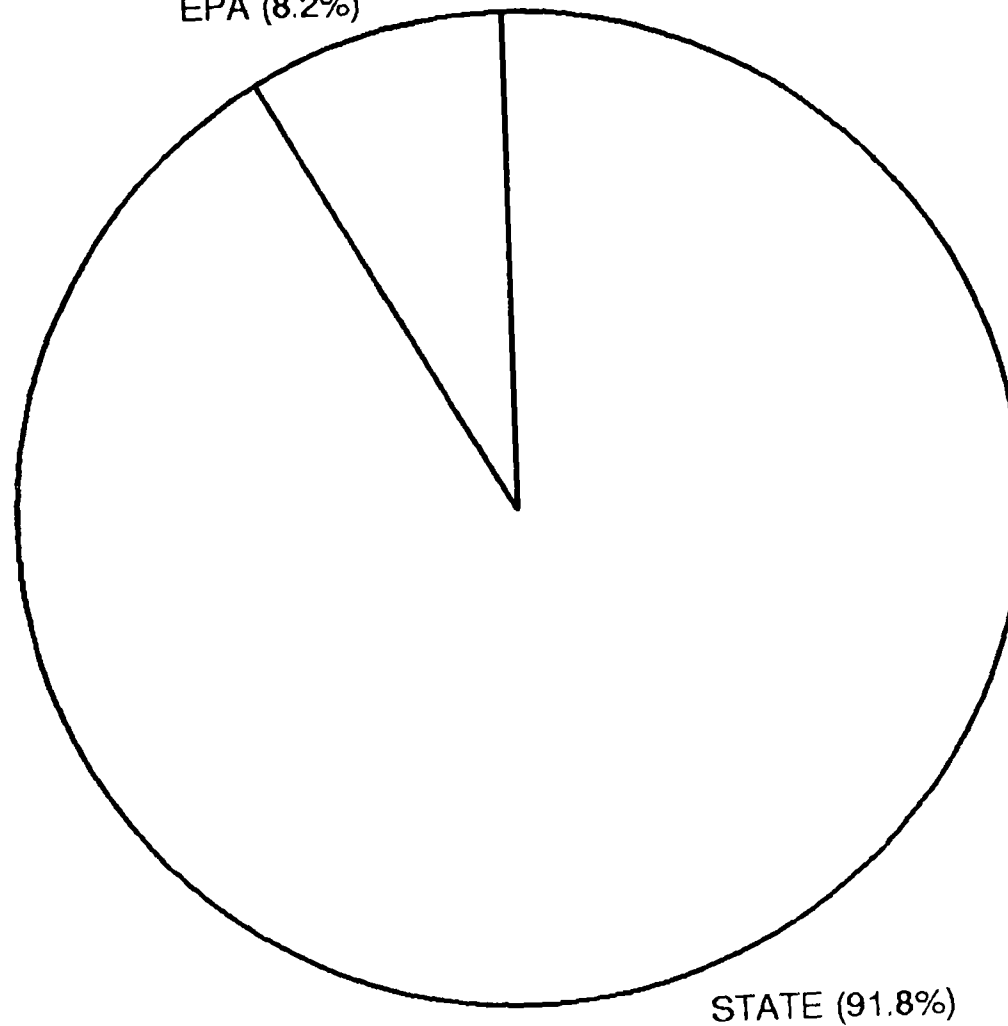
BOYs & NEWs



FY 1989 RESOLVED SOURCES

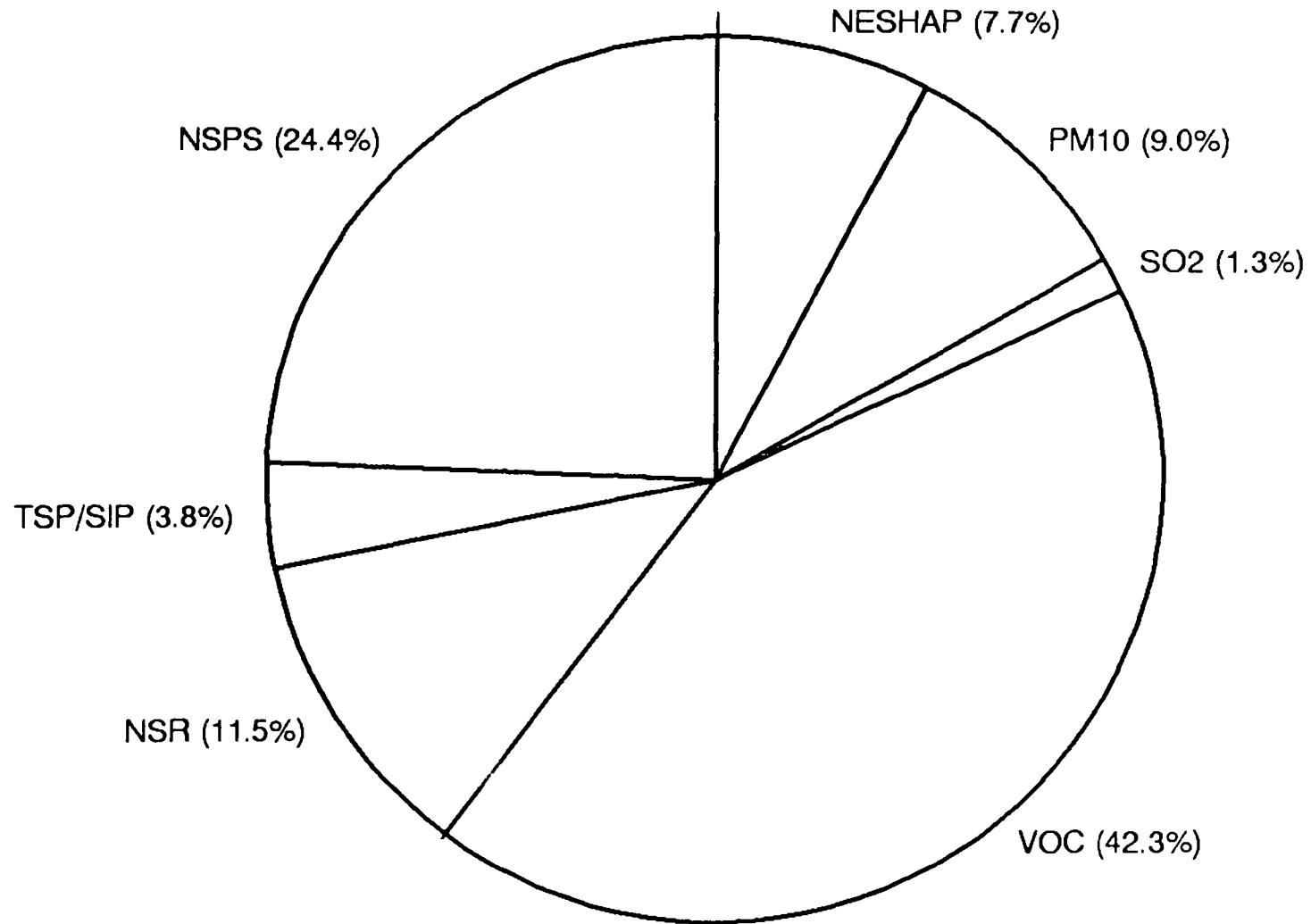
TOTAL SOURCES RESOLVED = 85

EPA (8.2%)



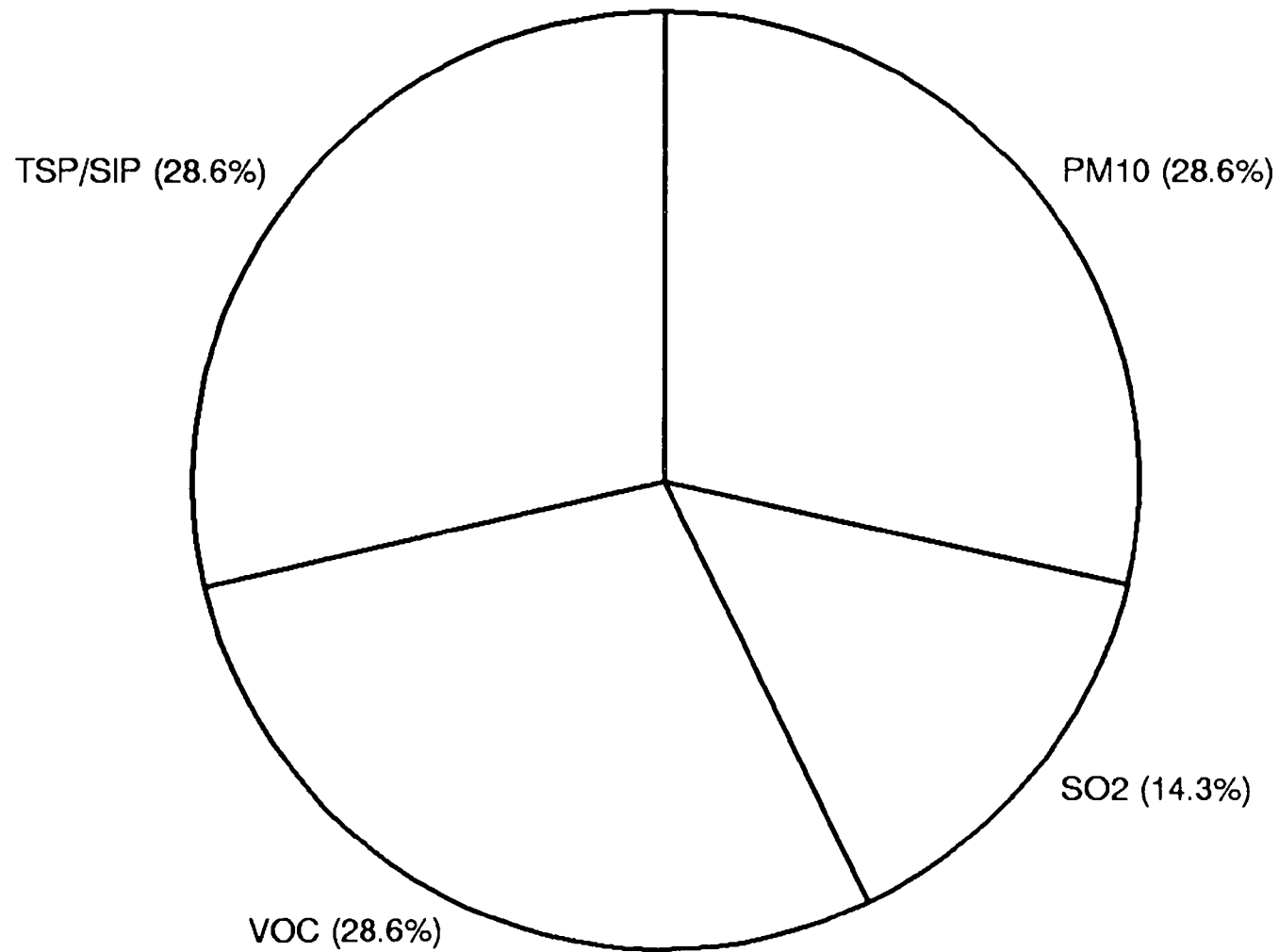
FY 1989 STATE RESOLUTIONS

TOTAL = 78



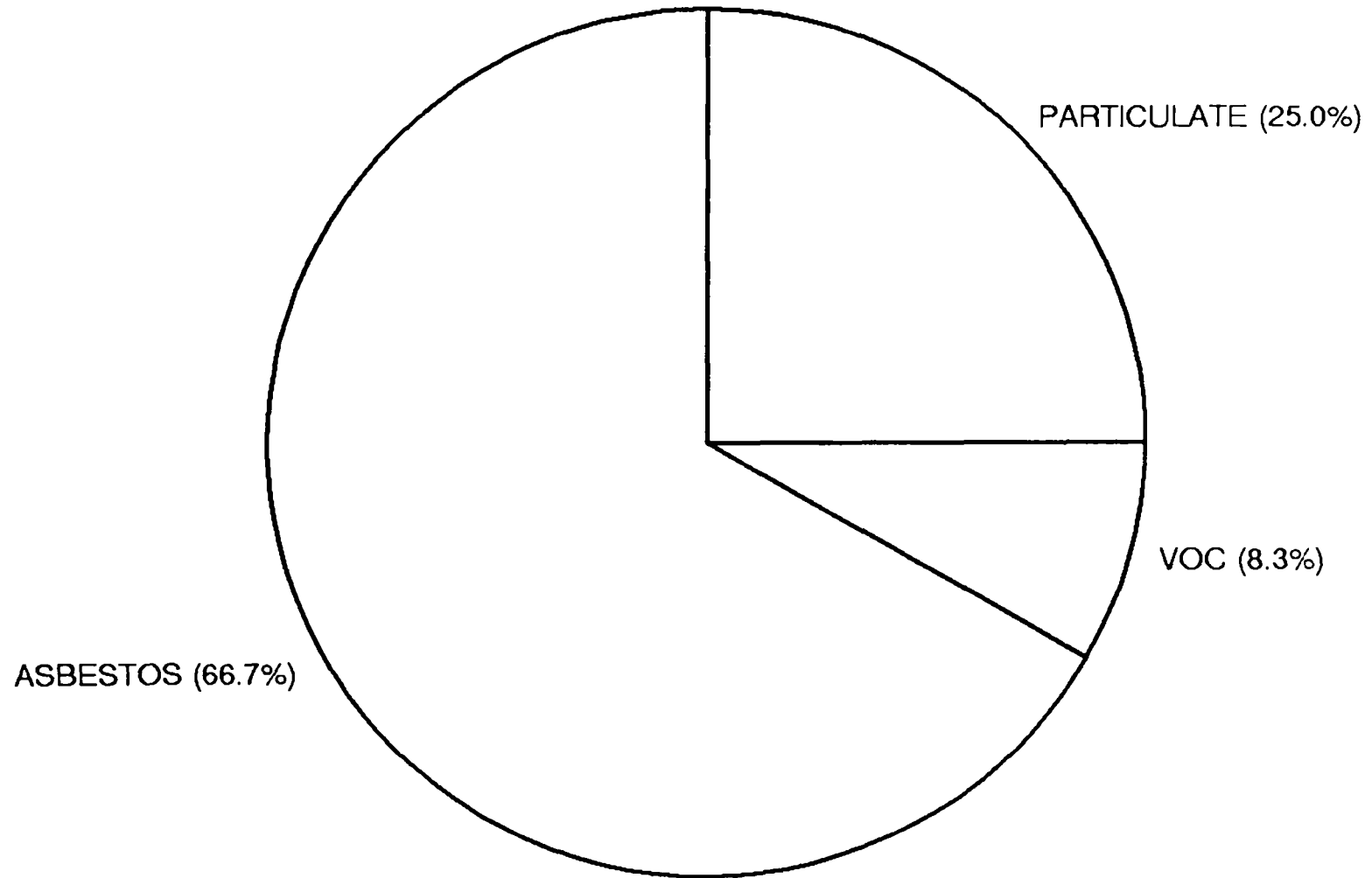
FY 1989 EPA RESOLUTIONS

TOTAL = 7



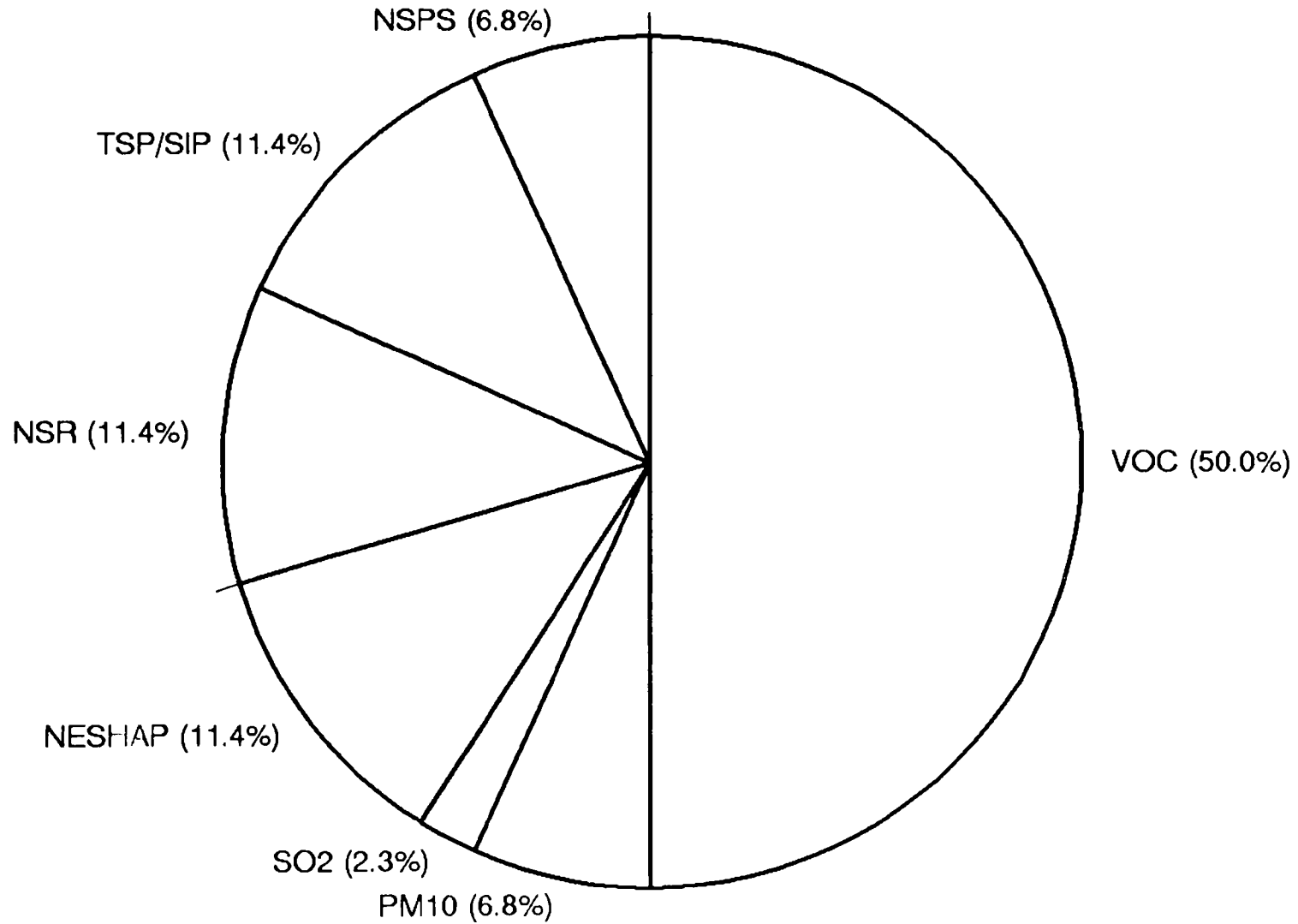
FY 89 REFERRAL

TOTAL = 12



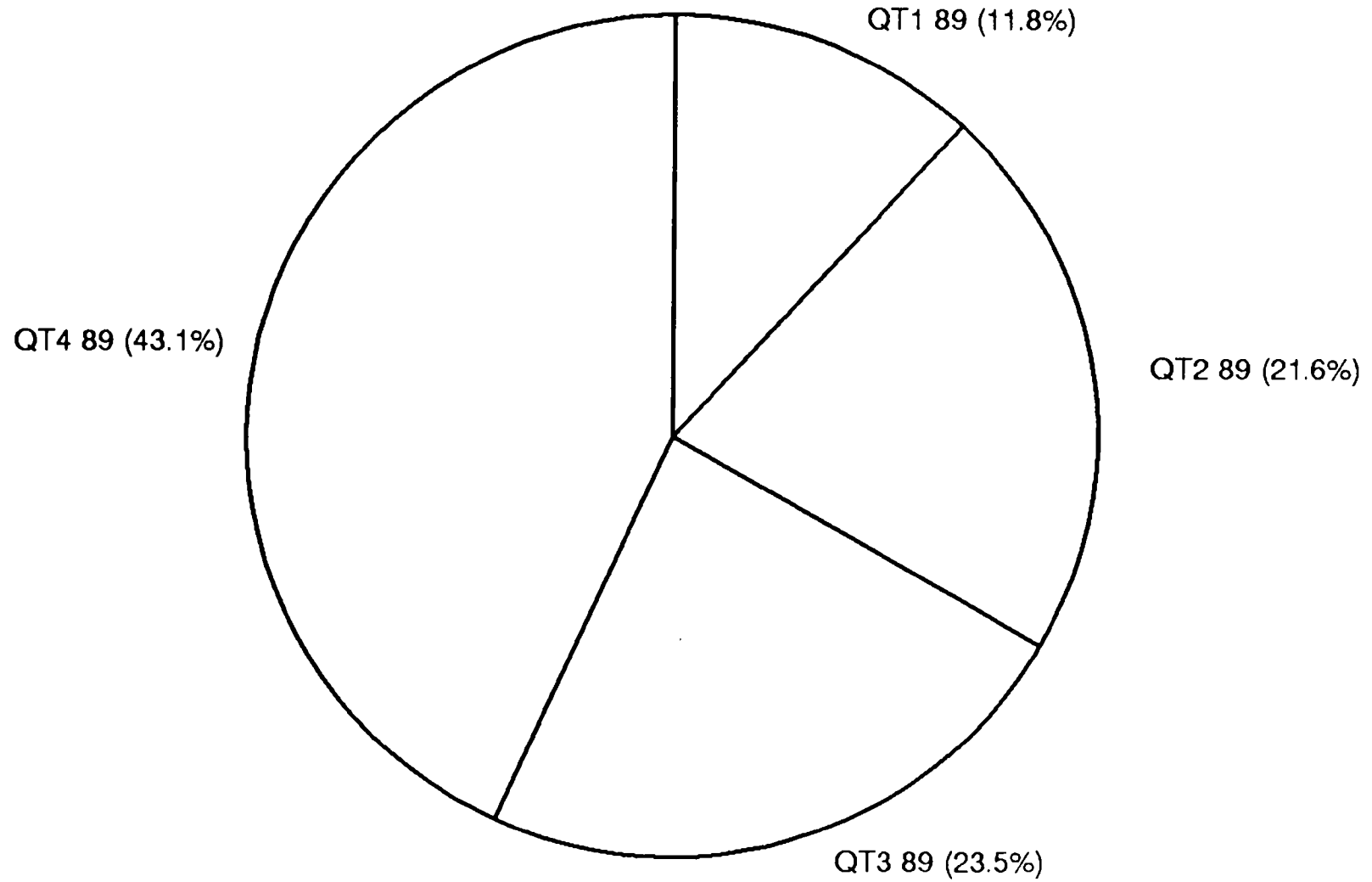
FY 1989 SVIL RESOLUTIONS

(BOY) TOTAL = 44



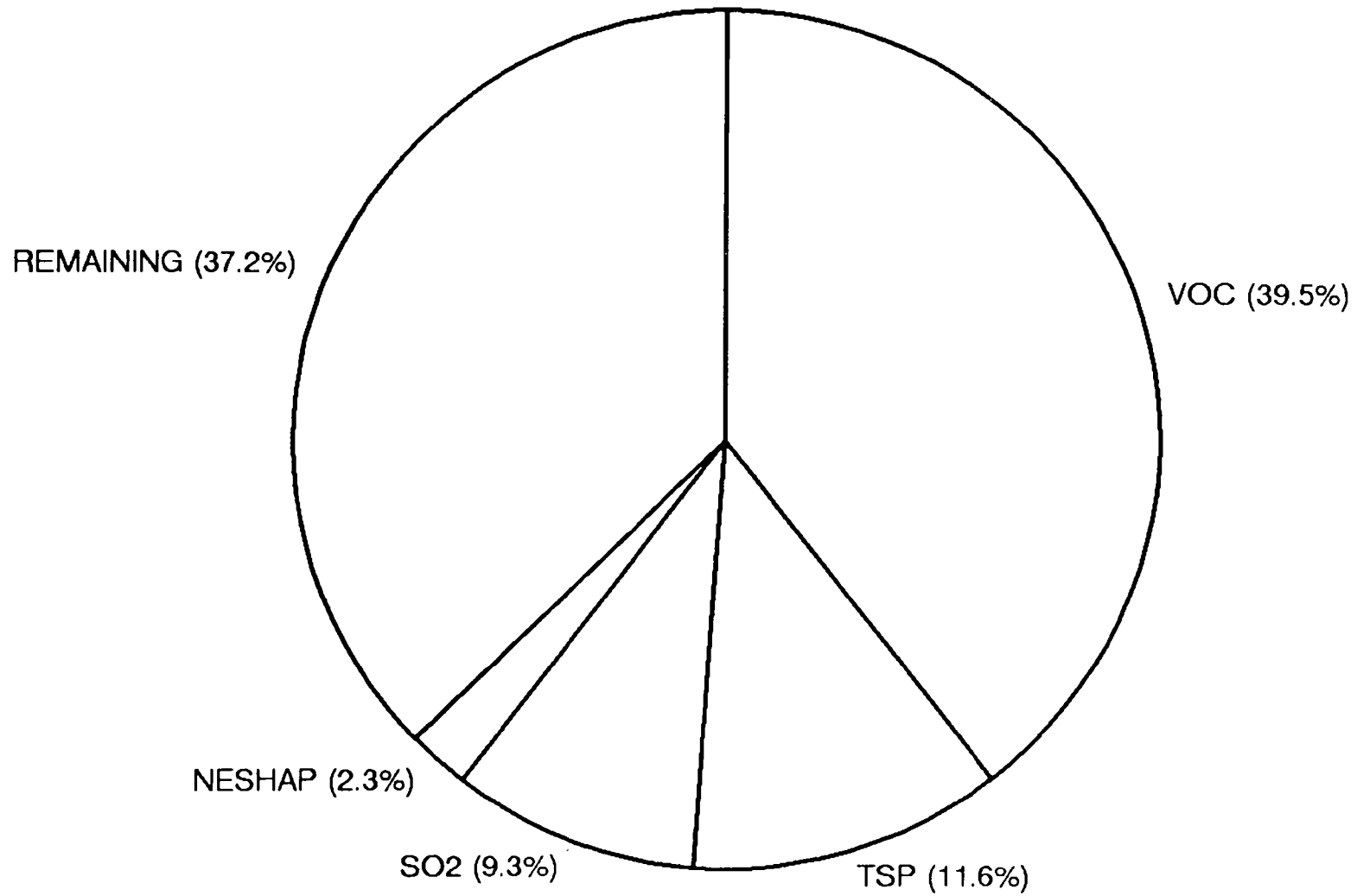
FY 1989 VOC RESOLUTIONS

(BOY = 37)



FY 1990 SPMS TARGETS

QUARTER IV (CUMULATIVE)



Asbestos NESHAP
Regional Strategy Utilizing
Senior Environmental Employment (SEE) Program
to Achieve Goals

Goals:

1. increase number of enforcement cases
2. increase number of inspections
3. increase public outreach programs

Resources needed to achieve goals:

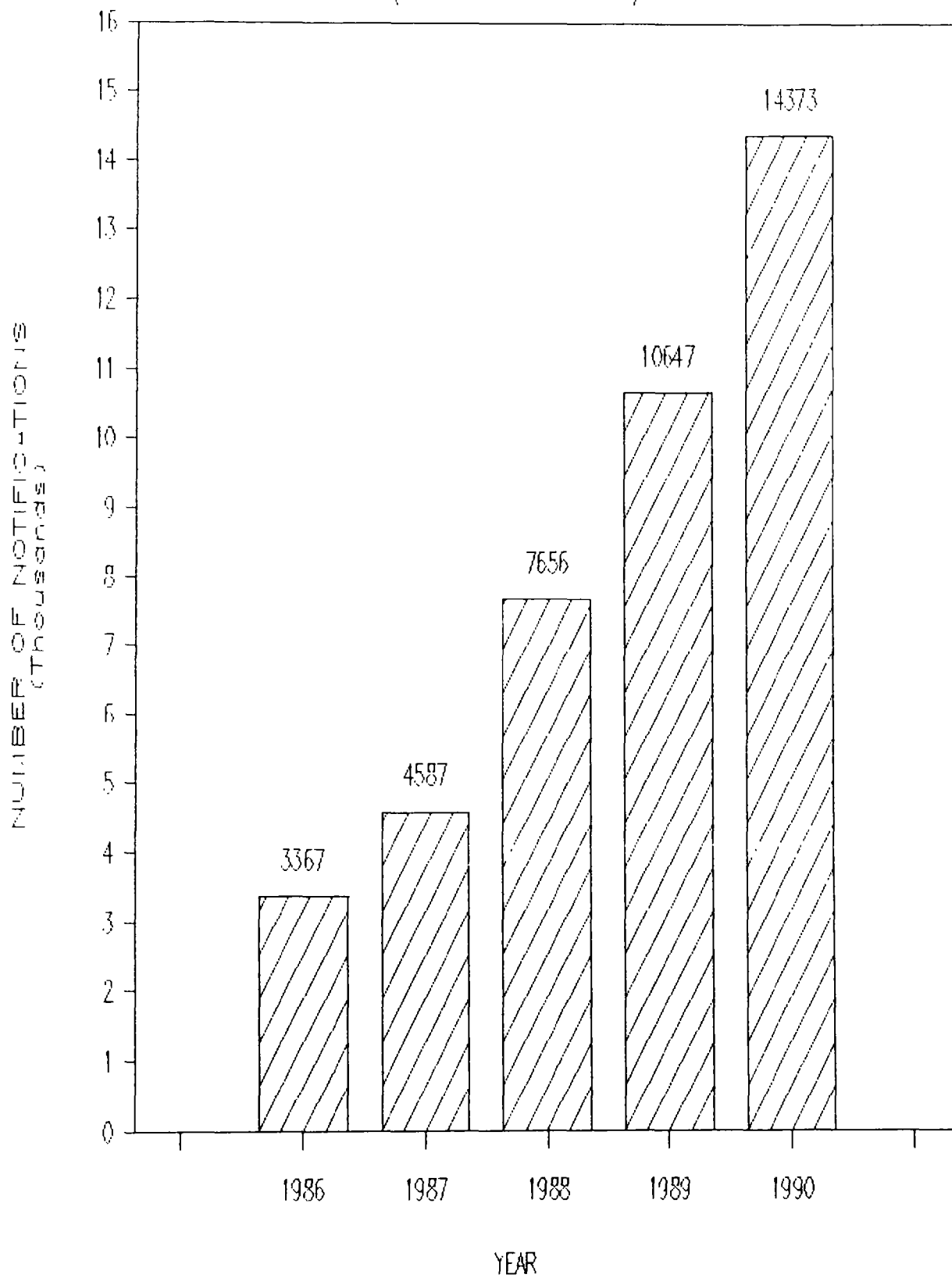
1. 2 full-time enforcement developers utilizing attorneys employed under SEE Program (2 x 24,000)	\$48,000.
2. 4 full-time inspectors responding to hotline calls and performing compliance monitoring based on renovation/demolition notifications received in regional office (4 x 22,000)	\$88,000.
3. 3 full-time administrative assistants preparing outreach packages, answering telephone inquiries, inputing data into ACTS/NARS (3 x 11,000)	<u>\$33,000.</u>
Total	\$169,000.

EPA Region III

Asbestos/NESHAP
Program Data

ASBESTOS NOTIFICATIONS

(1986 PROJECTED TO 1990)



Asbestos NESHAP Program Yearly Summary

Program		1986	1987	1988	1988	1990 proj.*
Allegheny County	Not.	425	422	438	315	425
	Insp.	828	1001	1218	1241	
	NOD	5	8	13	0	
	AO	1	0	0	28	
	Ref.	0	0	0	0	
DC	Not.	277	359	474	800	1080
	Insp	205	326	347	235	
	NOD	2	8	0	53	
	AO	0	0	0	11	
	Ref.	0	0	2	1	
DE	Not.	146	223	322	453	611
	Insp.	145	197	247	419	
	NOD	55	3	0	1	
	AO	0	0	1	5	
	Ref.	0	0	1	0	
MD	Not.	516	769	2132	3716	5017
	Insp.	534	727	747	461	
	NOD	0	0	13	4	
	AO	45	61	1	15	
	Ref.	0	0	0	0	
PA	Not.	1092	869	1795	1780	2403
	Insp.	587	881	1011	839	
	NOD	2	16	1	0	
	AO	4	0	3	22	
	Ref.	0	0	0	0	
Phila	Not.	375	407	736	731	987
	Insp.	661	842	1638	2691	
	NOD	40	17	11	68	
	AO	9	0	19	82	
	Ref.	0	0	0	26	
VA	Not.	560	985	1292	2519	3401
	Insp.	362	141	94	148	
	NOD	4	1	1	3	
	AO	0	0	0	8	
	Ref.	0	0	0	0	
WV	Not.	195	297	467	333	449
	Insp.	45	99	24	41	
	NOD	0	13	6	17	
	AO	10	0	0	0	
	Ref.	0	0	0	0	

* Inspections are likely to remain at FY 1989 levels due to resource limitations. In addition, inspection numbers are expected to continue to rise based on traditional NESHAP population. Potential public building inspection under AHERA will additionally impact inspection numbering. Projected figures for FY 1990 are conservative speculations based on increases from FY 1986 to FY 1989.

Meeting Notes

Meeting Notes

Meeting Notes



The President's Bill: An Aggressive & Innovative Approach to Achieve Clean Air

- **Acid rain**
 - Achieves a permanent ten million ton SO₂ reduction

- **Nonattainment**
 - Brings 120 of 124 cities in attainment by the year 2000

- **Air toxics**
 - Reduces public health risk from emissions of airborne toxic chemicals

- **Enforcement**
 - Tough new penalties for violators



The President's Bill An Aggressive Response

- **Environmentally sound**
- **Lowest cost**
- **Fair to those who have cleaned up in past**
- **Allows unconstrained Economic Growth**

**The President's Bill:
An Aggressive and Innovative Approach
To Achieve Clean Air**

Talking Points

- o This bill comprehensively addresses three major air pollution problems: acid rain, failure to attain our national ambient air quality standards particularly for Ozone, CO and Particulate Matter, and emissions of toxic air pollutants.
- o Several themes link all elements of these proposals. First, they are aggressive. The goals sought are ambitious (10 million tons of SO₂ reduction, bringing 124 nonattainment cities into attainment within 20 years). The measures required will affect virtually all sectors of society.
- o The proposals are innovative. We have attempted to combine traditional regulatory approaches with new market based approaches when these seemed likely to yield better programs. We have reviewed our expanding scientific knowledge of problems like ozone and have incorporated new insights into our proposals. We have acknowledged the contributions of previously ignored sources of pollution such as consumer products. We have proposed a new solution to the pollution caused by the motor vehicle in this country.
- o These proposals are designed to work. A great deal of attention has been focused on making the bill streamlined and implementable. We establish a permit system which covers the major problem we address and establish tough new enforcement measures to ensure that the goals we seek will not be frustrated in implementation.
- o Finally, These proposals are balanced and comprehensive. Both the Federal and state and local governments have significant responsibilities in meeting the goals set forth in this bill. For each problem, we propose a comprehensive set of proposals which deal with all aspects of the problem. We are also aware of the significant price we are asking the American public to pay, and have sought, consistent with the goals we seek, to fashion the most cost-effective combination of controls in each case.



Acid Rain: A Serious Problem

- **Thousands of lakes and streams in the U.S. and Canada damaged or threatened**
- **More than 50% of Eastern visibility impairment due to SO₂**
- **Damage to buildings and monuments**
- **Forests threatened**
- **Human health at risk**

Acid Rain: A Serious Problem

Talking Points

- o But first, I would like to remind the Subcommittee about the seriousness of the environmental problem that the nation is facing because of the emissions of sulfur and nitrogen oxides.
- o Based on years of scientific research, we know that thousands of lakes and streams across the North American continent are either currently being damaged or are threatened by acid rain.
- o Moreover, the effects of regional sulfur oxides emissions are not limited to lakes and streams. Over 50% of the haziness that hangs over the eastern U.S. during the summertime and impairs visibility is due to emissions of sulfur dioxide. Visibility in some of the most heavily used national parks--including the Grand Canyon-- has been seriously degraded by sulfates.
- o Elevated levels of sulfur oxides contribute to materials damage such as corrosion of metals, soiling, and the deterioration of paint.
- o These emissions may also be responsible for damage to certain tree species that make up our forests.
- o In addition, the scientific community has for years been concerned over studies linking acid aerosols to a number of health effects, including bronchitis in children and excess mortality.
- o In short, emissions of sulfur and nitrogen oxides pose a serious environmental problem which calls out for the kind of aggressive response contained in the President's bill.

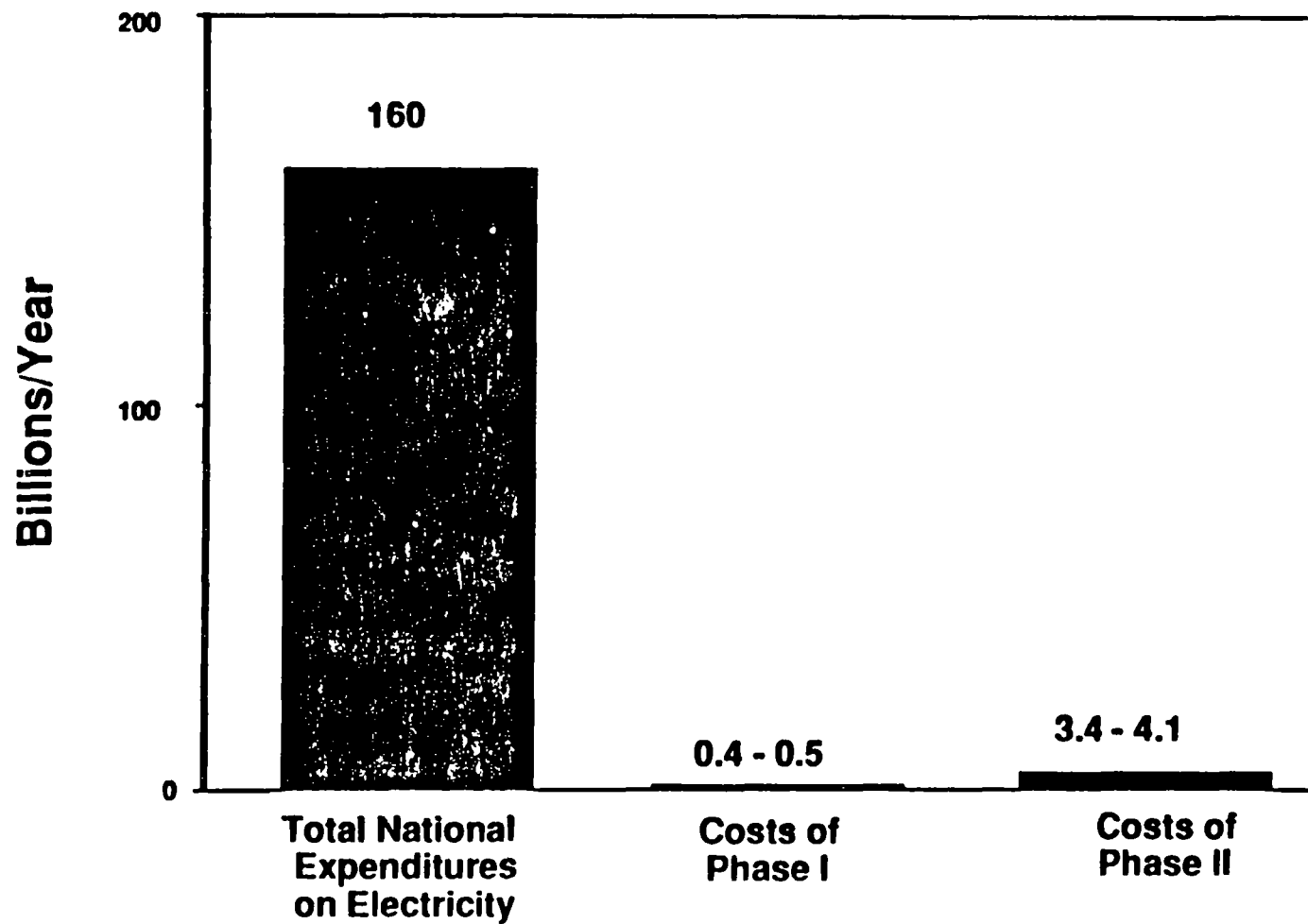
The President's Bill: An Aggressive Response

Talking Points

- o It has been 12 years since the Clean Air Act has been revised and I am pleased to be before you to present the President's plan for controlling acid rain, a proposal that I believe to be the strongest and most workable yet devised for dealing with the acid rain problem.
- o As President Bush has eloquently stated, now is the time for action and we are proposing tough legislation that I can assure you is environmentally sound, reducing emissions of sulfur dioxide by 10 million tons from 1980 levels and nitrogen oxides by 2 million tons from the levels we anticipate in the year 2000. These are the reductions I believe we need to achieve and maintain in order to preserve the health of our lakes and streams and mitigate against the other serious impacts of sulfur and nitrogen oxides.
- o It would be folly to undertake an acid rain control program only to have the resulting environmental improvements erode over time. Our approach ensures that the billions spent on eliminating environmental changes will not be wasted because of future emissions growth undercutting the program's benefits.
- o The bill accomplishes this objective at the lowest possible cost -- relying on market incentives to do so. Our approach is to have government establish the environmental goals of the program, but to rely on the ingenuity of plant managers in the marketplace to select the best means of attaining those goals. We estimate that this results in a cost savings of 20%.
- o We also recognize that a solution to the acid rain problem must not only be environmentally and economically sound, but fair as well. There is no such thing as a free lunch and someone is going to have to pay to clean up our lakes and streams. We have designed an approach that does not penalize those who have taken cleanup actions in the past, but puts the economic burden for cleanup on those most responsible for the environmental problem.
- o And finally, any solution to the acid rain problem must not threaten the nation's economic vitality and potential for growth. Our approach preserves air quality, but not at the expense of economic development. We accomplish this through a system of emission trading and offsets, about which I will have more to say later.



The Bill Adds Less Than 3% to the National Cost of Electricity



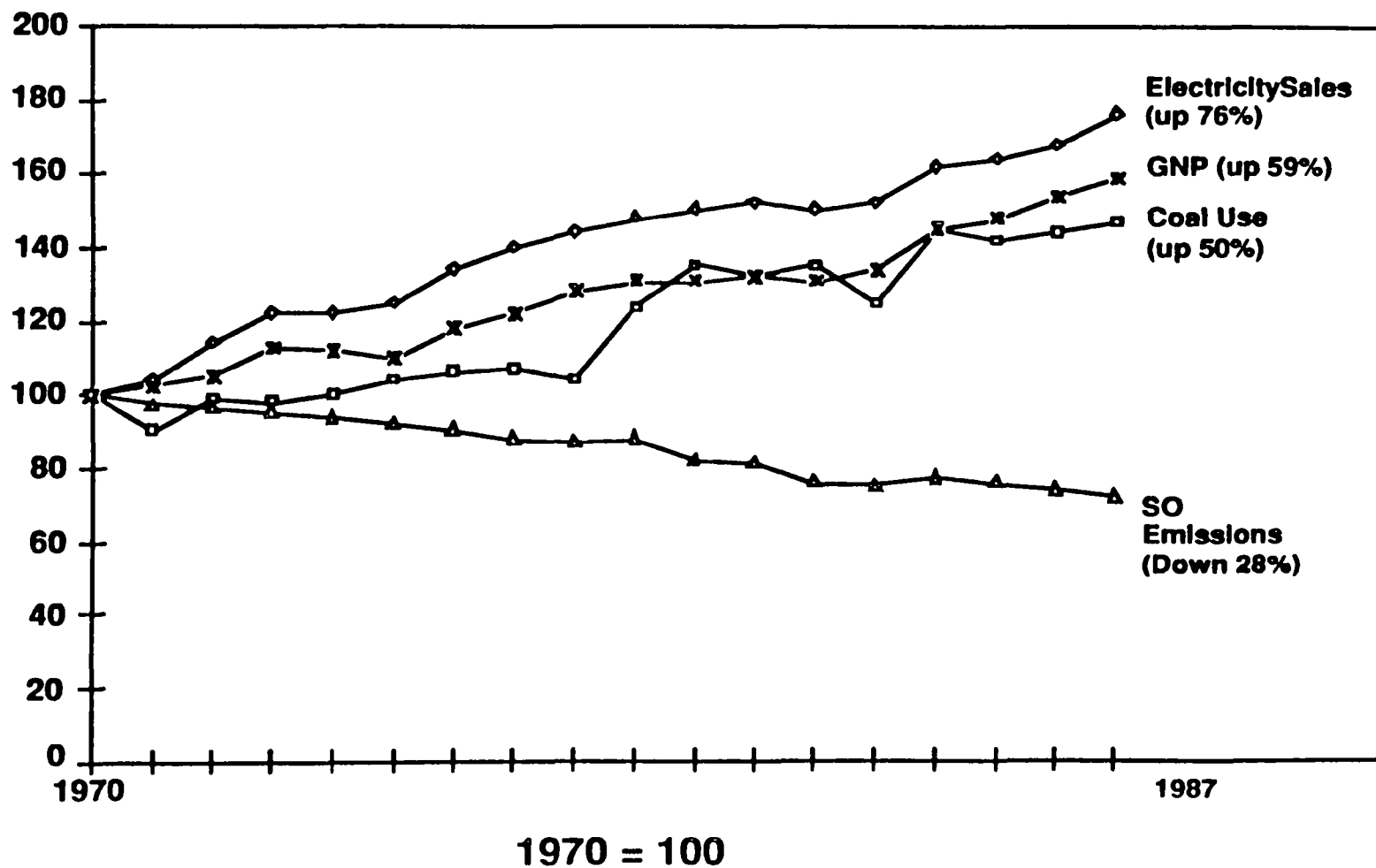
The Bill Adds Less Than 3% to the National Cost of Electricity

Talking Points

- o On the cost side of the equation even when fully implement the bill will add only \$3.4 to \$4.1 billion to the \$160 billion currently expended by American consumers on electricity. This amounts to less than 3% of national electricity expenditures. National electricity rates themselves would be expected to go up by the same amount.**
- o I recognize that substantial variation around this number will occur from utility to utility, but overall, significant increases in electricity rates -- by which I mean increases greater than 10% -- will be the rare exception rather than the rule.**
- o The way we are able to keep the effect on electricity rates so low is by relying on a system of market incentives to reduce emissions. By approaching the problem in this way, we believe we cut 20% from the costs of the program.**
- o How it works is as follows: First we allocate emission allowances to boilers using a formula based on their recent (1985-1987) fuel use and the emission rates necessary to achieve the desired emission targets. There are no time consuming case-by-case negotiations in establishing these allowances.**
- o Next, utility managers -- not the government -- decide the means by which they intend to achieve the needed reductions. They are free to choose any means they desire: switching to cleaner fuels such as gas or low sulfur coal, installing existing scrubber technologies, repowering their facilities using new, advanced technologies, or through energy conservation programs.**
- o What keeps the system honest is our ability to accurately measure performance. All sources will have to install a system of computerized emission monitors in their smokestacks. This will enable EPA to know exactly what quantity of emissions is coming out of the stacks.**
- o The most innovative part of our program, however, is that allowances would be transferable. A source that can reduce the level of its emissions below its allocation of allowances can sell the excess allowances to another source. The parties to a transfer simply notify EPA that they have negotiated a transfer; no lengthy State or Federal rulemaking is required. The recordation should take only a few days. This trading system is an essential feature of our program, cutting 20% from the cost of the bill and ensuring that the environmental goals of the program are achieved at the least possible cost.**
- o To ensure overall compliance, a source's emissions, measured using the computerized monitors I mentioned earlier, will be compared with its stock of emission allowances recorded with the EPA.**
- o If there is a discrepancy, enforcement under our program is severe. A source must pay \$2000 for every ton by which its emissions exceed its allowances. Moreover, to ensure that the quality of the environment does not suffer because of noncompliance, any noncomplying emissions would have to be "made-up" in the next year. In other words, a source would be required to repay its debt to the environment.**



A Clean Environment Does Not Mean Less Economic Growth



A Clean Environment Does Not Mean Less Economic Growth

Talking Points

- o So far I've talked about the environmental necessity of taking action, I've outlined the features of the bill that make it the least expensive way of achieving what we need to achieve for the environment, and I've talked about how the President's proposal would result in a fair deal for all the regions involved. Let me now turn to the issue of economic growth.
- o Many have argued that we can't have economic growth and keep emissions from rising. This is simply not so. Since 1970 electricity sales have risen 76%, GNP has risen 59% and total coal use is up 50%. Yet, at the same time, emissions of SO₂ have actually decreased 28%. Thus, I do not accept the theory that economic and energy growth must come at the expense of the environment. Furthermore, this country consumes 72% more energy per capita than Germany and over twice as much as Japan. We could substantially reduce our energy consumption through efficiency improvements and conservation and still remain economically competitive.



Nonattainment A Serious Problem in Our Urban Areas

- **101 ozone nonattainment areas**
- **44 CO nonattainment areas**
- **135 Million people affected**
- **PM₁₀ - an emerging problem**
- **Worst effects on children, elderly, and those with lung and heart diseases**

Nonattainment: A Serious Problem in our Urban Areas

Talking Points

- o While we have enjoyed great success in attaining several of our national air quality goals (particularly for ambient lead concentrations) we have not been successful in attaining several others, particularly ozone, CO, and Particulate Matter.
- o The health of 135 million Americans can be affected by our widespread nonattainment problem. Our children, the elderly, and those with lung and heart disease are most at risk.
- o These problems have defied solution in part because they are closely linked to the pace of our economic activity and to our motor vehicle based, suburbanized style of life.
- o In certain cases, particularly with regard to ozone, our knowledge is still not complete. Such phenomenon as running losses from motor vehicles demonstrate the scientific and technical complexity of the problems we face.



Nonattainment Proposals are Innovative, Aggressive, & Workable

- **Innovative**
 - Alternative fuels
 - Market incentives
- **Aggressive**
 - All but four areas attain by 2000
 - Strong enforcement, tough sanctions
- **Balanced/Comprehensive**
 - National measures
 - Federal mandates
 - State/local discretion
- **Workable**
 - Revamped SIP process with permits
 - Dates, controls tailored to severity

NA Proposals are Innovative, Aggressive, and Workable:
Talking Points

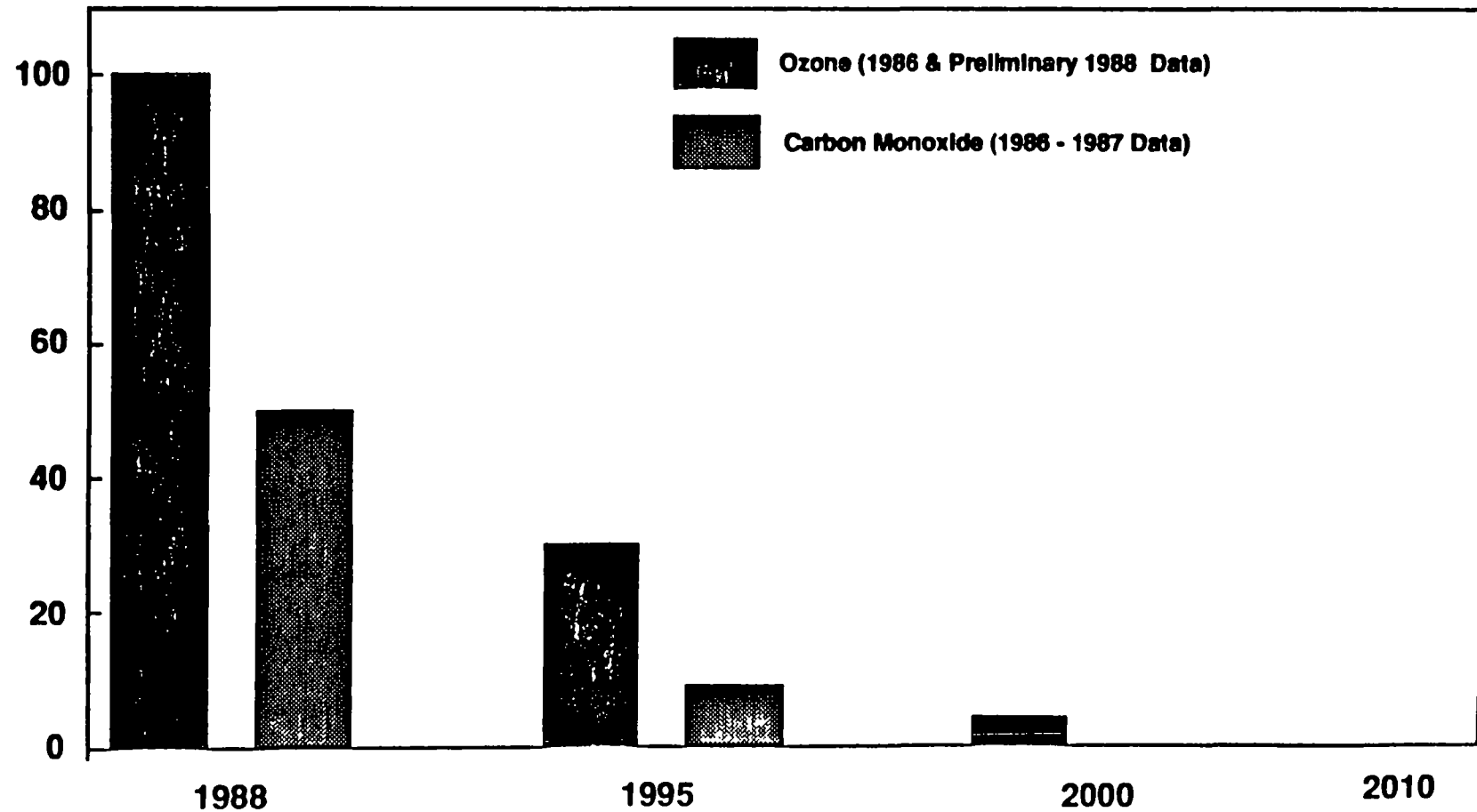
- o Proposals are aggressive:
 - all but the 4 worst ozone nonattainment areas must attain by 2000.
 - stresses strong, active enforcement by granting Agency authority comparable to that in Clean Water Act.
 - Allows EPA to use tougher sanctions on areas that do not make good faith efforts to attain.
- o Proposals are innovative:
 - actively promotes alternative fuels as a long term strategy to reach and maintain air quality standards.
 - allows petroleum and auto industries to suggest comparable alternatives.
 - outlines forward-looking approach to attainment of PM standards in addition to Ozone and CO.
- o Proposals are workable:
 - recognizes that areas have problems of differing severity; proposes attainment dates and controls that differ by the seriousness of the problem.
 - establishes a permit system as part of a revamped and streamlined SIP process.
 - revises the inventory, modelling and monitoring process to assure more effective planning based on new scientific knowledge.
- o Proposals are balanced and comprehensive:
 - Outlines new controls on all major segments of problem e.g. mobile sources, large point sources, and small or area sources.
 - Strikes a balance between Federal and state/local role; provides extensive national controls, stipulates additional federal mandates to be locally implemented, and requires local discretionary measures through an annual three percent reduction requirement.



Nonattainment Proposals are Effective

Urban Air Quality Benefits

Number of cities
not meeting clean air goals



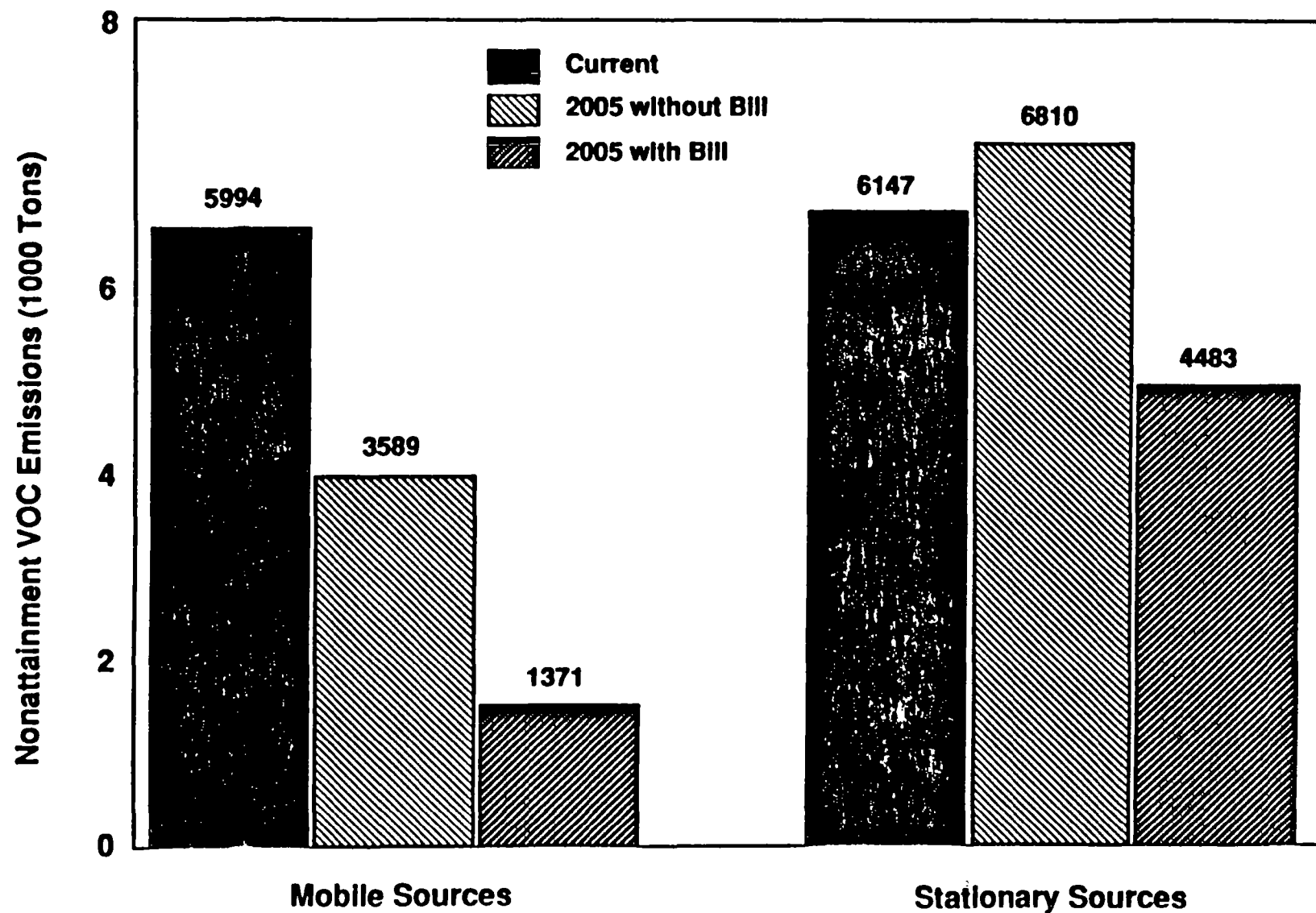
NA Proposals are Effective

Talking Points

- o The fundamental goal of this proposal is expeditious attainment of the NAAQS; Of 124 Ozone and CO nonattainment areas, all but four ozone nonattainment areas achieve this goal within ten years or by 2000. All areas will attain by 2010.
- o Even in the few areas not attaining by 2000, dramatic progress will have been made. Emissions in New York, Chicago, and Houston will be down by an average of 60 percent. Emissions in Los Angeles will also be down by 60 percent in 2000.



The Proposal Has a Major Impact on VOC Emissions



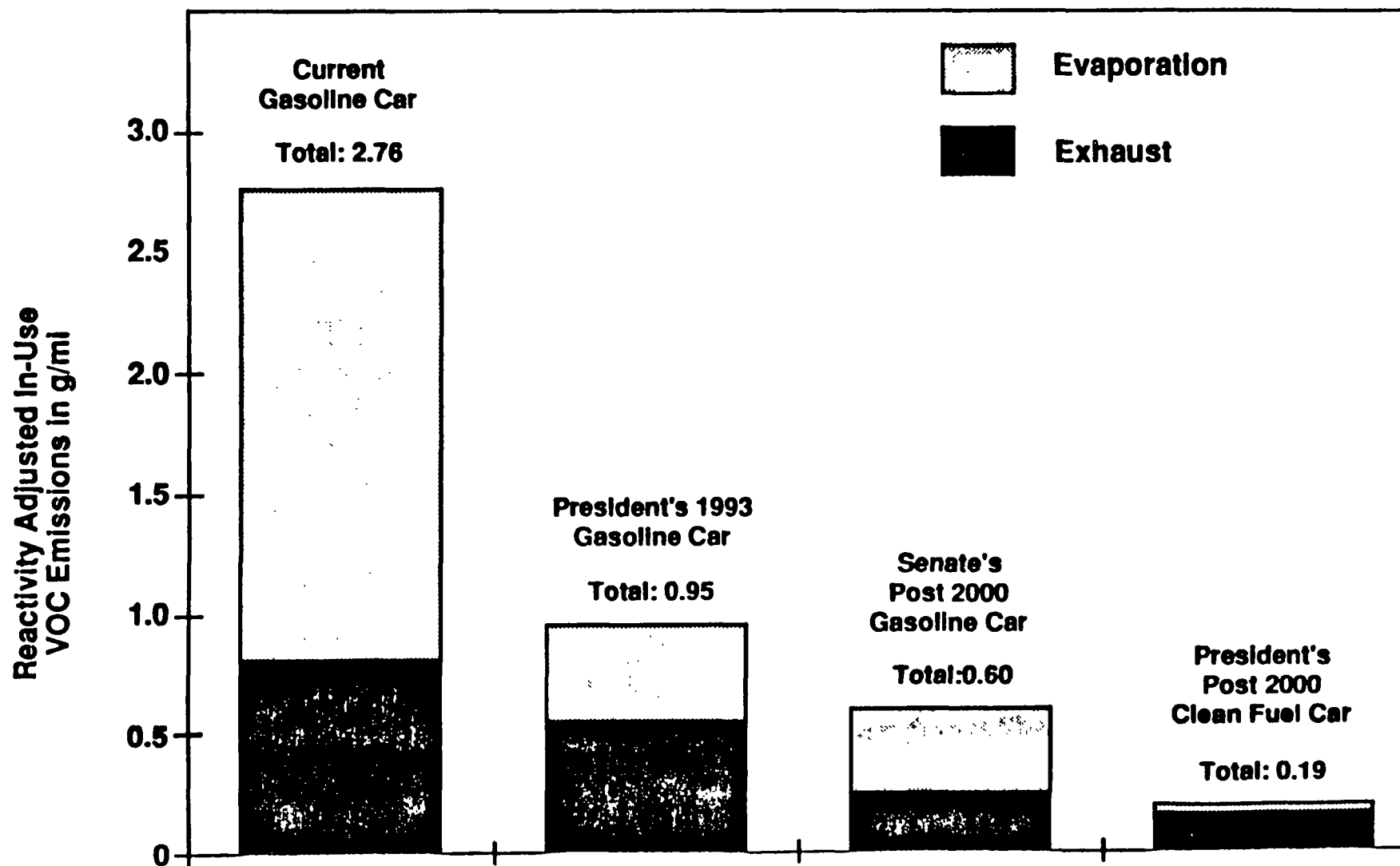
The Proposal has a Major Impact on Emissions

Talking points

- o In reaching these attainment goals, the proposals achieve a major reduction in the national inventory of emissions. For example, VOC from stationary sources should drop by 27 percent from 1987 levels.
- o These reductions are achieved in face of significant projected emissions increases resulting from growth in the population and the economy. Without these proposals we predict that stationary sources emissions (from large and small sources) will grow by 11 percent. Our proposals thus achieve a reduction of 37 percent from emissions levels that will result if no action is taken.
- o Reduction in mobile sources are particularly impressive. Emissions from mobile sources in 2005 should decrease by 77% from 1987 levels. Mobile sources which represented 49% of nonattainment area emissions in the late 1980's will be only 23 percent of the inventory in 2005.
- o These reductions are achieved through shared responsibility between Federal and State officials with an active Federal role.. In 2005, for example of the total anticipated reductions of 7.8 million tons of VOC, 74 percent are associated national mandates, 9 percent are associated with Federal requirements implemented by state officials, and the remaining 17 percent is determined by state discretion.
- o The nationally mandated reductions provide significant relief from the burden imposed on nonattainment areas from pollutants transported in from upwind attainment areas.



The President's Proposal Greatly Reduces Per Car Emissions



Mobile Sources: A comprehensive Response

Talking Points

- o The major reductions in mobile sources emissions just noted are achieved through a comprehensive, phased program which targets not only the vehicle (characteristic of previous changes to the Clean Air Act) but also fuels.
- o As the chart shows, the various measures in the Administration bill will have a major impact on per-car emissions in the mid 90's. Emissions of VOCs will be down over 65 percent from current cars.
- o Reductions in the long term are even more dramatic. After the year 2000, these proposals could lead to a 93 percent reduction in per car emissions. This is roughly one third the per car emissions that could be expected from the Senate proposal.



The Clean Fuels Program: Addresses the Long Term Problem

- **Introduces new vehicles that operate on clean burning fuels**
 - Natural gas
 - Ethanol
 - Methanol
 - Reformulated gasoline
- **Required in nine urban areas with worst smog problems**
- **New clean-fueled buses will replace 75% of urban transit fleets beginning in 1991**

The Clean Fuels Program addresses the Long Term

Talking Points

- o **Because of the uniqueness of Clean fuels program, I would like to highlight it. The key elements are summarized on the chart.**
- o **First, our proposal is fuel neutral. Market forces can determine what fuel will ultimately be accepted.**
- o **Second, Several of these fuels are widely used in nations outside the U.S. The question is not whether these fuels are practical, but which is most acceptable in U.S..**
- o **Thus, the program is designed to be large enough to develop significant market with supporting infrastructure and fuel delivery system.**
- o **Our bill offers a major challenge and opportunity to the oil and auto industries. If they can put forward a proposal for clean fuels and cars that achieves environmental benefits equal to our alternative fuels program the bill allows us to consider it.**
- o **As a major first step, our program requires new urban buses to use alternative fuels beginning in 1991. We can look forward to the time when the bus we are all sometimes stuck behind in traffic does not belch clouds of black smoke at every light.**
- o **I urge the Senate to consider the President's alternative fuel program thoughtfully. I recognize the requirement to use alternative fuel vehicles is not in the Senate bill. I believe that as you consider this, however, you will find these provisions to be an essential and cost-effective element in our strategy to attain and maintain clean air.**



Air Toxics Proposals are Streamlined and Aggressive

- **Streamlined**
 - Shifts focus to sources
 - Combines technology and health based approaches

- **Aggressive**
 - Reviews 191 pollutants
 - Stringent definition of MACT
 - 50% mandates reduction of most of risk

- **Workable**
 - Recognizes linkage among titles
 - Has real and realistic deadlines

Air Toxics Proposals are Streamlined and Aggressive

Talking Points

- o A major goal of the air toxics proposal is to reduce the time required to responsibly regulate air pollutants. Our proposals accomplish this in several ways. First, it includes with the bill itself a list of the 191 pollutants of concern. Second, it focuses on sources rather than seeking regulation on a time consuming pollutant-by-pollutant basis. Finally, it combines a technology approach which can be implemented rather quickly in the first phase with a health based approach in the second which can eliminate any significant public risks that remain.
- o Our requirement of Maximum Achievable Control Technology imposes stringent controls on both new and existing sources. This first technology based step achieves a major reduction in the risk associated with these pollutants.
- o The actual language of the bill is instructive here. For new sources the bill indicates that MACT "shall not be less stringent than the emission control that is achieved in practice by the best controlled source." This is as stringent as language in the current act and is equivalent to any in any other proposal we have seen.

The bill represents a substantial tightening of standards applied to existing sources under the existing act: for these sources MACT "shall be at least as stringent as the emission controls achieved in practice by the best controlled similar sources."

- o Our proposals are workable. We have worked to integrate the various titles to ensure they work together. We recognize, for example, the significant air toxics benefits associated with the reductions in VOC associated with Titles I and II of the bill and have avoided duplicative requirements in Title III.



The President's Bill A Comprehensive Approach

- **Point sources (factories, chemical plants)**
 - MACT
 - Residual risk

- **Area sources (dry cleaners, gas stations)**
 - MACT
 - TSDFs
 - Nonattainment provisions

- **Mobile sources**
 - Clean fuels

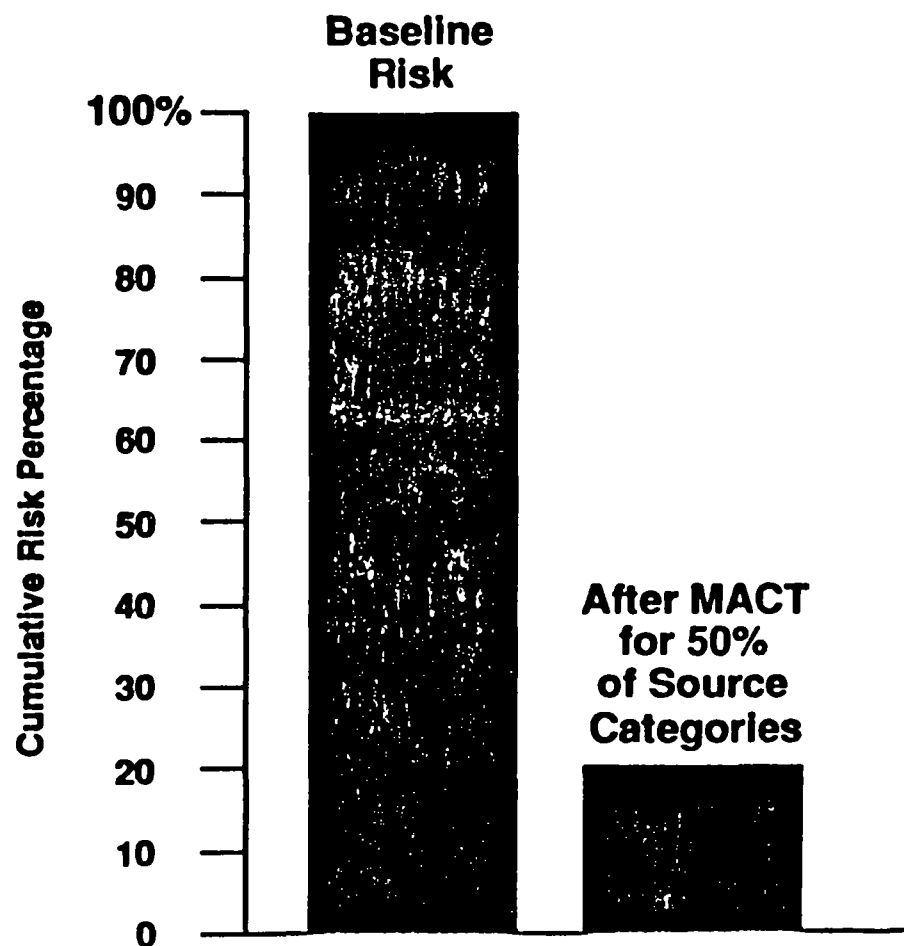
The President's Bill: A Comprehensive Approach

Talking Points

- o The bill offers a comprehensive approach to the air toxics problem. New controls will be imposed on point, area, and Mobile sources.
- o Point sources will be subject to both the Technology based standards associated with MACT, and the health based second phase.
- o Area sources will be subject to technology based regulation. Significant reductions will also occur as a result of VOC reductions under Title I. Major sources of area source risk such as TSDFs (treatment, Storage and Disposal Facilities) will be regulated as part of the Administration's overall approach to the toxics problem.
- o Mobile sources of toxics can be regulated under Title III. In addition, Major reductions will result from regulations imposed under Title II, particularly from the clean fuels program.



Mandated Technology Standards Drastically Reduce Risk and Emissions from Stationary Sources



President's Proposal Reduces Risk From All Source Types

Talking Points

- o The proposals achieve reductions in all major sources of air toxics risk. Mobile and area source risk is cut in half or more. Total risk is cut by 60 percent.
- o The most significant reductions are in risk associated with major point sources. Here risk is reduced by 80 percent.
- o Note that this 80 percent results only from the requirement in the bill to regulate the first 50 percent of the sources under the technology-based phase I of the program. Significant further reductions will result from review of the remaining 50 percent of the sources, and from the second health-based phase of the program.
- o This highlights a point that has sometimes been obscured in discussion of our proposal: 50 percent of the sources represents a disproportionate share of the total human health risk posed by these pollutants.
- o I should also note here that the Agency will review all the sources categories listed as part of this bill's requirements. While this was always the intent of the legislation, this has been clarified in Congressman Lent's substitute for HR 3030, which he has recently introduced in the House.



Permitting/Implementation Making the System Work

- **Permits integrate requirements under different titles**
- **Streamlined process**
- **Provides adequate resources**
- **Enforceable by state and federal**

Permitting/Implementation: Making the system work

Talking Points

- o I would like to conclude by noting two major features of this bill that, while perhaps lacking the glamor of our alternative fuels proposals, are essential if our efforts to achieve real change are to be successful. The permit program and our enhanced enforcement efforts.
- o The proposed permit program is integrated across the several titles of the bill. It is designed to simplify and streamline the overall SIP process.
- o The program provides the information essential to develop better inventories necessary for regulatory and market-incentive approaches.
- o The program provides the resources necessary for states to implement and enforce the proposals.
- o The program establishes an adequate legal base for both Federal and state enforcement.



Strong Enforcement

- **Enhanced criminal enforcement**
 - Longer prison terms
 - Higher fines
- **Easier commencement of civil actions**
- **Administrative penalties**
- **On the spot fines**
- **Enhanced authority to prevent criminal violators from receiving federal contracts, grants or loans**
- **Operating permit program established**

Strong Enforcement

Talking Points

- o In general, these new enforcement provisions summarized in the figure are designed to provide the EPA and the states with authority comparable to that in the Clean Water Act.
- o The provisions are designed to bring air pollution under greater public scrutiny, and to make it easier to pursue civil and administrative remedies where these are appropriate.
- o The provisions help ensure that violators will experience more timely and, as warranted, more severe penalties.
- o This authority is necessary if the bill is to achieve in practice its laudable and ambitious goals.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Date: January 17, 1990

Subject: Clean Air Act Amendments Update.

From: Glenn Hanson *GH*

To: Regional Clean Air Act Contacts.

Last week's Senate Subcommittee hearing on alternative fuels went quite well for the Agency. Bill Rosenberg and Dick Wilson testified on behalf of EPA. The major issues which were raised by Senator Baucus, Chaffee, etc., during the hearing included public acceptance and buy in into the program from the standpoint of actually purchasing clean cars/fuels once they are available. This includes what sort of authorities (e.g., SIP or otherwise) and incentives (e.g., cars and fuels comparably priced with non-clean cars and fuels) are needed to meet these goals. Another major issue is the perception that the clean fuels program is principally a methanol program and does not encourage other types of clean fuels.

Bill Rosenberg assured the Subcommittee that the Administration's proposal was "fuel neutral" and that as long as the reductions were achieved that any combination(s) of clean fuels/cars would be acceptable.

The Chaffee proposed alternative fuels amendment does include the Tier II tailpipe standards and, from what I could discern, it appears that this provision will remain in the amendment when it is introduced on the floor of the Senate for consideration.

As you may be aware, during yesterday's RA Clean Air Act conference call, it was agreed that Bill Rosenberg and Judith Gleason would co-sign a memorandum which would more explicitly establish the goals, objectives and timing of these calls. additionally, it is intended that an agenda would be sent to the Regions the morning before each call. I'll make sure you get a copy of the memorandum and any other details that you may need to prepare for the calls.

Today's pouch should include the following:

1. Newsclips of interest.
2. Copies of recent "Inside EPA".
3. A copy of Bill Rosenberg's testimony on alternative fuels given at last Thursday's hearing. I would have included a copy of our Congressional Hearing Report on the hearing but it's still not ready. I'll include it in the next pouch.

U. S. ENVIRONMENTAL PROTECTION AGENCY

DATE: January 8, 1990

SUBJECT: Clean Air Act Amendments Update.

FROM: Glenn Hanson 

TO: Regional Clean Air Act Contacts

Happy New Year to all of you. Here it is the first day in Washington on my rotational assignment and its already getting quite busy. I would like to thank George Abel for leaving me with excellent notes to help me get started.

In preparation for Congress' reconvening on the 23rd of this month, some events on the Hill are already scheduled for this week and next. First, on January 11 the Senate Subcommittee on Environmental Protection has scheduled a hearing on alternative fuels. Second, on January 16 and 17, Clean Air Act Amendments briefings for non-Committee Senators and staff will be held in anticipation of the commencement of full Senate deliberations on the Amendments around the 23rd. Bill Rosenberg, Rob Brenner and other key Agency representatives will be involved in these briefings. Finally, on January 18 there will be an EPA all hands briefing on the Amendments for those who are interested. OAR hopes to tape this presentation and send it to, among others, the Regions. If the briefing is taped, I'll send it to you as soon as I have it.

As you are aware, Katherine Moore is working with a contractor to put together a report on CAAA Q's & A's. This information will be cataloged by Title. Title V will be the straw for how the report is to be designed for all CAAA information. As this information becomes available, it will be sent to you.

OPAR (Kate Fay) is also putting together a side-by-side analysis of all CAAA proposals. This should be completed by the time Congress reconvenes on the 23rd. Again, I'll get it to you as soon as I have it.

U. S. ENVIRONMENTAL PROTECTION AGENCY

DATE: December 1, 1989

SUBJECT: CAA news and other items

FROM: George Abel

TO: Regional Clean Air Act Contacts

Even though Congress has recessed, the activity level in HQ remains high. The staff of the various committees are still working hard to fashion the compromises that will be needed to allow eventual agreement and passage of some form of bill by both houses. Some of the major issues still remaining are the cost sharing provisions being promoted by the midwest states to help defray the costs of achieving their share of the SO₂ reductions in the acid rain bill, whether a "cap" on emissions will be maintained, whether credits will be given for early reductions or for reductions achieved by technology, whether there will be an exemption for the "clean" western states, what the impacts of the bill will be on global warming, what the impact on rates for individual utilities might be, whether there will be an alternative fuels provision for mobile sources, whether there will be a second stage of tailpipe emission controls, etc., etc.

Another hot issue is the recent release of the proposed NSPS/111d regulations. OAR is very committed to getting a good package out. The mode OAR wants to be in until time to finalize the package is one of listening to all sides and assuring them we will give them all a fair hearing. I've included some news clips on the release of the proposal. OAQPS mailed a more detailed package to your division directors.

Today's pouch should include the following:

- 1 News clips on MWC release.
- 2 Two recent "Inside EPA's".
- 3 Summary of the status of Congress actions when it recessed.
- 4 A set of additional news clips of interest.

Next week, December 7, will be my last week here as your representative in OPAR. I can say to any who are considering taking on this assignment that it is definitely a worthwhile experience. It gives a regional person a real perspective on how decisions are made, who some of the key players are, and the amount

U. S. ENVIRONMENTAL PROTECTION AGENCY

DATE: November 22, 1989

TO: Regional Clean Air Act Contacts

FROM: George Abel

This morning the Congress adjourned for the Christmas-New Year holidays. They expect to return on January 23. I'm sending along a copy of the Hearing Report for the final session of the Senate Environment and Public Works Committee so you can see some of the changes made to the bill and get an idea of the many compromises that still need to be worked out.

Today's pouch should include the following:

- 1 Report on the Senate Environment and Public Works Committee mark-up of all titles of the CAA
- 2 News clips on a number of items of interest.

If I can be of assistance, please give a call. (FTS 475-8952).

U. S. ENVIRONMENTAL PROTECTION AGENCY

DATE: November ²¹₁ 1989

TO: Regional Clean Air Act Contacts

FROM: George Abel

Most of you received an update on the status of the various bills at the Air Branch Chief's meeting at Santa Fe, so I'll just review a few of the highlights for you.

Senate: The full Environment and Public Works Committee completed its mark-up of all titles, including the permit and enforcement provisions, and reported them to the floor on Nov. 16. Staff here are very pleased with the outcome in the Senate. The bill reported out is close to the President's bill and the expeditious action will put pressure on the House to speed up their progress. The Senate will probably reinstate alternative fuels in floor action. Congress expects to recess tomorrow. Senator Mitchell has promised to begin floor action when the legislators return on Jan. 23. A goal President Bush is now pushing is to have a bill signed into law by Earth Day in May 1990.

House: The House is not as far along in moving a bill through the legislative process, but, in fact, is probably in better shape than the Senate in terms of forging the compromises needed to arrive at a final bill. A complete bill has been reported to Dingell's full committee. It is undergoing review by Sharp's Energy Subcommittee for the cost sharing proposals the mid west representatives made in the acid rain provisions.

Today's pouch should include the following:

- 1 Nov. 9 report hearing by the House Subcommittee on Investigations and Oversight on the impact of proposed legislation on sanctions for transportation project, the highway trust fund, and EPA-DOT conformity activities.
- 2 Nov. 14 report on the Senate Committee on Energy hearing on alternative fuels.
- 3 Nov 14 report on the Senate Subcommittee on Environmental Protection on the mark-up of the acid rain bill.
- 4 Copy of Sununu's response to Waxman on the Administration's position on the Act.
- 5 Washington Post article on the Senate acid rain bill.

U. S. ENVIRONMENTAL PROTECTION AGENCY

DATE: 03 November 1989

TO: Regional Clean Air Act Contacts

FROM: Stephen Perkins 

A development on the acid rain front. Dingell did offer the outlines of proposed revisions to Title V of H.R. 3030 Thursday afternoon, but it was not what you may have read about in Thursday morning's Wall Street Journal. It claims to retain the cap, the 10 million ton goal, and the allowance system, and does not have a generation fee or tax. However, it does have cost sharing provisions in the form of a "polluter pays" emission fee on utilities and industrial sources which would be used to offset capital costs for some big midwest reductions.

The Administration's official position was no comment. That's because, except for cost sharing, the offering looks interesting and we are open to working with Dingell to see where this may lead. The cost sharing provision may have a major emissions leak if as implied at the top of p. 8, industrial sources are given allowances but not required to hold them at year's end. That could be a 4.5 million ton leak. The cost sharing provisions will be a major hurdle as the White House (read: Sununu) is dead set against it. It will be interesting to see where this goes.

Today's pouch should include the following:


1. A copy of a release on the Dingell proposal.
2. A copy of Friday's Washington Post coverage of the above.
3. A copy of Thursday's Wall Street Journal article which incorrectly pinned the Edison Electric Institute's trial balloon on Dingell. EEI still has no sponsors for its offering. Also attached is a copy of a Rep. Moorhead piece against cost sharing.

So long for me. If George can be of assistance, please give a call. (FTS 475-8952).

U. S. ENVIRONMENTAL PROTECTION AGENCY

DATE: 02 November 1989

TO: Regional Clean Air Act Contacts

FROM: Stephen Perkins 

Mark up in the Senate continues to be postponed. Folks are still talking about alternative fuels. That still will be the next mark up session, probably Tuesday. The promise of early floor action looks dim. The rumor of no House action before next year is getting stronger.

I also have a favor to ask of you from the acid rain folks here. They're trying to better define the emissions from utility boilers permitted between 1985 and 1989 and any others that may be in operation by the date of enactment (say 4/1/90). For the sources on the enclosed list in your region, please provide us with the following information:

1. Are all the units on the list permitted?
2. Are there any other coal or oil-fired steam units expected to be in operation?
3. List the plant name, unit number, SO2 emission limit in permit, with averaging time, and date of permit or permit revisions.

Please phone or fax that data back to my replacement, George Abel, by 11/08 with a contact we could follow up with if we have any other questions. Thanks.

Today's pouch should include the following:

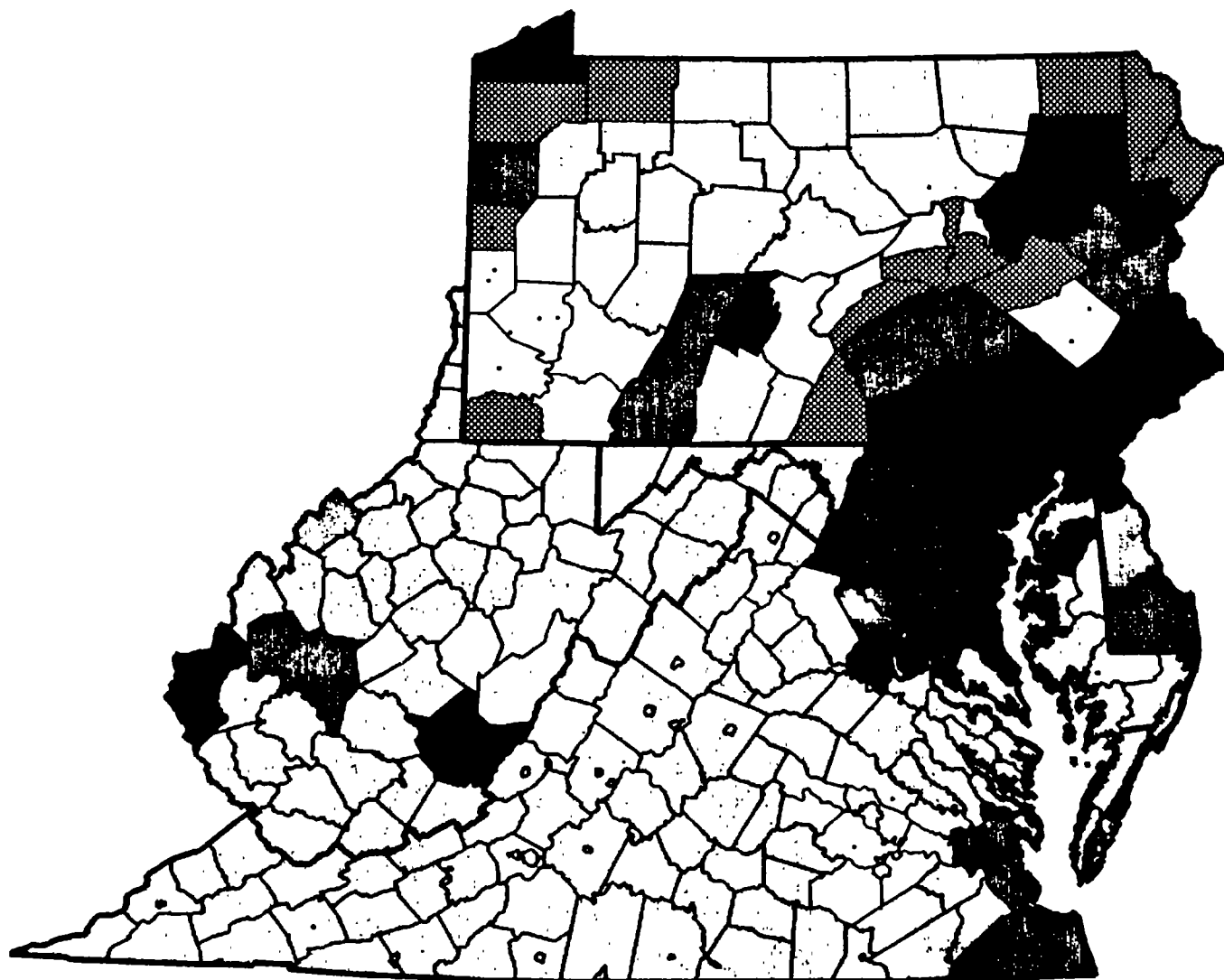
1. The list of utility sources we need your help with.
2. A copy of the report on the Senate's 10/26 mark up of Title I. I've not included the amendments since they were in the last pouch package.
3. A copy of amendment # 18 from the Senate Title I packages which was missing from my last mailing..
4. Copies of some views on permitting and enforcement from NAM. Expect more of this type of stuff to come forth from industry groups in the coming weeks.

Meeting Notes

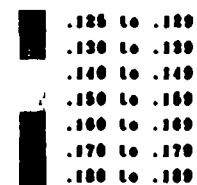
Meeting Notes

Meeting Notes

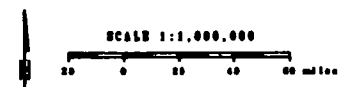
1986 - 1988 REGIONAL OZONE PROFILE REGION III



Ozone Design Values



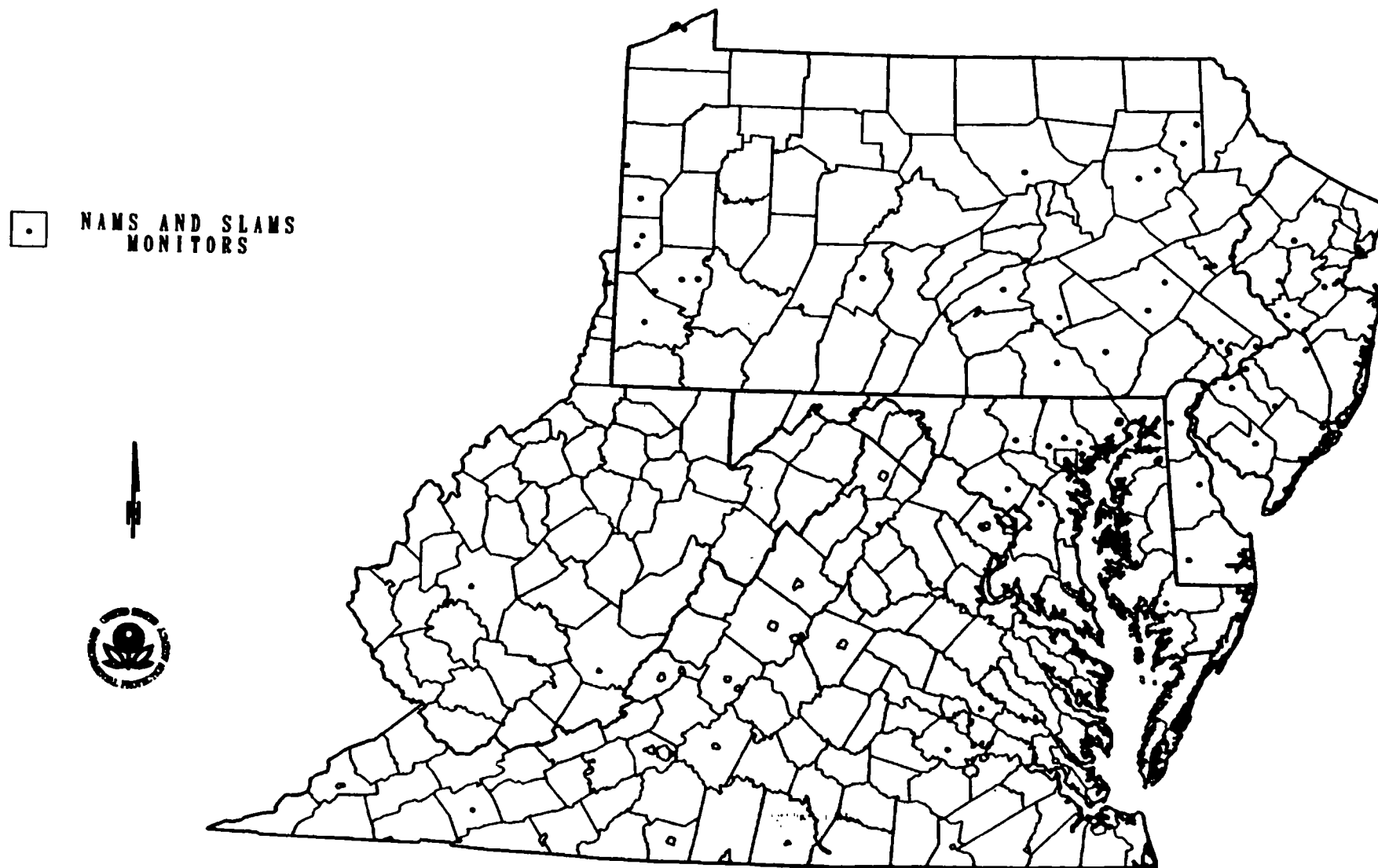
- Ozone Monitoring Locations
- Additional Areas Designated Nonattainment
- Areas Designated Attainment



Data: Decomp data from USGS 1:1,000,000 DLS
 Projection: UTM Zone 18
 Plotted: September 1, 1989
 Produced by: EPA Region III - Philadelphia
 Information Resources Management Branch
 Produced for: EPA Region III - Philadelphia
 Air Programs Branch



OZONE MONITORING LOCATIONS IN REGION III AND NEW JERSEY



■ 1999 Ozone SIP-Call Area
 ▨ 1999 Ozone SIP-Call Area
 ■ Additional Areas Designated Nonattainment for Ozone
 □ Areas Designated Attainment
 ○ Ozone Monitoring Locations

DELAWARE			
Sussex	PENNSYLVANIA		
Adams	Berks	Blair	Cambria
Columbia	Cumberland	Dauphin	Greene
Lancaster	Lancaster	Lebanon	Leflore
Warren	Worcester	Perry	Sumner
Wyoming	Tioga		
	WEST VIRGINIA		
Greenbrier	Lincoln	Putnam	

DELAWARE			
New Castle	Dent		
HARTLAND			
Anne Arundel	Baltimore	Carroll	Cecil
Charles	Frederick	Culbert	Harford
Prince George's	Boward	Montgomery	Queen Anne's
Baltimore City			
PENNSYLVANIA			
Allegheny	Armstrong	Chester	Deke
Builer	Carbon	Chesler	Delaware
Fayette	Lobich	Montgomery	Northampton
Philadelphia	Washington	Westmoreland	
VIRGINIA			
Charles City	Dinwiddie	Fairfax	Chesterfield
Gloucester	Gooseland	Henrico	Henrico
James City	Loudoun	Prince George	New Kent
Yorkham	Stafford	Tor	Prince George
Alexandria	Chesapeake	Hemples	Prince William
Fairfax City	Bopewell	Horfolk	Colonial Heights
Falls Church	Stafford	Stafford	Stafford
Richmond	Stafford	Stafford	Stafford
Arlington	Stafford	Stafford	Stafford
WEST VIRGINIA			
Cabell	Verge	Wood	

PENNSYLVANIA			
Crawford	Franklin	Greene	Junata
Lawrence	Pike	Schuylkill	Northumberland
Snyder	Somerset	Warren	Yazoo

Date	Decompose date from USCS 1 2,000,000 BIB
Projection	UTM Zone 18
Plotted	November 22, 1980
Produced by	IPR Region III - Philadelphia Information Resources Management Branch
Produced for	IPR Region III - Philadelphia Air Programs Branch



Region III Ozone SIP Call Areas
including the Expanded Planning Areas
(As of November, 1989)

<u>AREA</u>	<u>POPULATION (1000)</u>
<u>Pennsylvania</u>	
Philadelphia - Wilmington - Trenton CMSA	
Philadelphia County	1637
Bucks County	513
Montgomery County	663
Chester County	334
Delaware County	557
Allentown - Bethlehem MSA	
Carbon County	54
Lehigh County	278
Northampton County	231
Pittsburgh - Beaver Valley CMSA	
Allegheny County	1388
Fayette County	157
Washington County	214
Westmoreland County	383
Beaver County	195
Pittsburgh - Original SIP Additional Areas	
Butler County	148
Armstrong County	78
Altoona MSA	
Blair County	133
Erie MSA	
Erie County	281
Harrisburg - Lebanon - Carlisle MSA	
Cumberland County	188
Dauphin County	236
Lebanon County	111
Perry County	38
Johnstown MSA	
Cambria County	175
Somerset County	81

<u>AREA</u>	<u>POPULATION (1990)</u>
Lancaster MSA	
Lancaster County	387
Reading MSA	
Berks County	318
Scranton - Wilkes-Barre MSA	
Columbia County	61
Lackawanna County	223
Luzerne County	333
Monroe County	79
Wyoming County	28
Sharon MSA	
Mercer County	124
York MSA	
Adams County	70
York County	324
<u>Maryland</u>	
Metropolitan Baltimore MSA	
Anne Arundel County	397
Baltimore County	673
Carroll County	108
Harford County	152
Howard County	141
Baltimore City	754
* Queen Anne's County	29
Philadelphia - Wilmington - Trenton CMSA	
* Cecil County	66
Washington, D.C. MSA	
* Calvert County	41
* Charles County	84
* Frederick County	127
Montgomery County	643
Prince Georges County	678

AREAPOPULATION (1980)District of Columbia

Washington, D.C. MSA

Washington, D.C.	626
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Delaware

Philadelphia - Wilmington - Trenton CMSA

New Castle County	413
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Non - MSA Area

* Kent County	103
* Sussex County	116

Virginia

Washington, D.C. MSA

Arlington County	158
Fairfax County	688
Loudoun County	64
Prince William County	169
* Stafford County	48
Alexandria City	108
Fairfax City	20
Falls Church City	10
Manassas City	20
Manassas Park City	7

Richmond - Petersburg MSA

* Charles City County	7
Chesterfield County	166
* Dinwiddie County	21
* Goochland County	13
* Hanover County	53
Henrico County	194
* New Kent County	10
* Powhatan County	13
* Prince George County	27
* Colonial Heights City	17
* Hopewell City	24
* Petersburg City	40
Richmond City	217

AREAPOPULATION (2000)

Norfolk - Virginia Beach - Newport News MSA

* Gloucester County	26
* James City County	26
* York County	40
* Chesapeake City	130
* Hampton City	125
* Newport News City	157
* Norfolk City	283
* Poquoson City	10
* Portsmouth City	111
* Suffolk City	50
* Virginia Beach City	319
* Williamsburg City	11

WEST VIRGINIA

Parkersburg - Marietta MSA

* Wood County	93
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Huntington - Ashland MSA

* Cabell County	106
* Wayne County	45

Charleston MSA

* Kanawha County	228
* Putnam County	41

Non - MSA Area

* Greenbrier County	37
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KEY:

* indicates area currently designated attainment for ozone.

1988 SIP Call Area

1989 SIP Call Area

REGION III STATUS
CORRECTION OF MAY 1988 SIP DEFICIENCIES
FY' 90

STATE	DEF. REG.	MISSING	OTHER	I/M	NSR	TOTAL	SPMS TARGET	REGION III PROJECTION
DC	5	-	1	6	-	12	8	0
DEL	9	1	1	5	-	16	16	16
MD	16	1	10	-	-	27	21	21
PA	27	2	30	6	27	92	60	31
AC	11	2	4	-	-	17	11	9
PC	1	2	1	-	-	4	4	4
VA	39	5	15	-	-	59	50	35
	108	13	62	17	27	227	170	116

REGION III
CORRECTION OF MAY 1988 SIP DEFICIENCIES
FY '90 TARGET DATES

First Quarter - December 31, 1989

Delaware - 9 deficient regulations
Delaware - 1 missing regulation
Pennsylvania - 2 missing regulations

Third Quarter - June 30, 1990

Maryland - 16 deficient regulations
Maryland - 4 other regulations
Pennsylvania - 15 deficient regulations
Pennsylvania - 8 other regulations

Fourth Quarter - September 30, 1990

Delaware - 1 other regulation
Delaware - 5 I/M
District of Columbia - 5 deficient regulations
District of Columbia - 3 other regulations
Pennsylvania - 8 deficient regulations
Pennsylvania - 21 other regulations
Pennsylvania - 6 I/M
Allegheny County - 6 deficient regulations
Allegheny County - 1 other regulation
Allegheny County - 2 missing regulations
Philadelphia County - 1 deficient regulation
Philadelphia County - 1 other regulation
Philadelphia County - 2 missing regulations
Virginia - 37 deficient regulations
Virginia - 11 other regulations
Virginia - 2 missing regulations

REGION III
NEW INITIATIVES

	<u>RVP</u>	<u>DRY CLEANING</u>	<u>I/M</u>	<u>STAGE II</u>
DE	Expected Secretary's signature		Beginning 4/90 Statewide	
MD	Submitted to EPA	Draft regulations using smaller cut-off levels than the CTG	Beginning 1/89 A) expanded vehicle coverage B) tampering check	
PA	Adopted by EQB In court		DOT preliminary development	Regulations at Governor's office
PHILA	Approved by Phila Air Pollution Control Board			Approved by Philadelphia APCB
VA	Regulation under development		Beginning 1/89 A) expanded vehicle coverage B) computerized analyzers C) tighter enforcement D) tampering check	

**FY'90 EMISSION INVENTORY GRANT COMMITMENTS
REGION III STATES**

State	Point	Area	Mobile
PENNSYLVANIA	11/30/89	11/30/89	6/30/90
PHILADELPHIA	11/30/89	----- ¹	----- ¹
ALLEGHENY CO	3/1/90	----- ¹	----- ¹
DELAWARE	11/30/89	11/30/89	11/30/89
MARYLAND	11/30/89	11/30/89	11/30/89
WASHINGTON DC	11/30/89	----- ²	----- ²
VIRGINIA	11/30/89	11/30/89	3/1/90
WEST VIRGINIA	12/31/89 ³	3/31/90	3/31/90

1. PA responsible for submission

2. Washington Council of Governments (COG) responsible for submission

3. Unrealistic date as contract is not yet issued

O₃/CO EMISSION INVENTORY ACTIVITIES

MEETINGS

- Regional meetings with all states were held in January and September to discuss emission inventory development and issues.
- ATRMD has participated in interstate emission inventory planning sessions for Philadelphia, Washington, D.C., and Huntington, WV areas.
- ATRMD has met individually with states to discuss problem areas on an on-going basis.

FUNDING

- Region III has awarded funds to all states for baseyear emission inventory work in FY'90.
- \$189,000 was awarded to the D.C. area in special 105 funds in FY'89 for interstate emission inventory work.
- \$200,000 has been set aside in FY'90 funds for emission inventory development work for the Philadelphia area.

ADDITIONAL REGIONAL SUPPORT

- ATRMD has worked with West Virginia to develop an LOE contract for emission inventory work. WV is unable to undertake the effort on their own due to extreme personnel shortages.

CROSS-MEDIA EI PROJECTS

- ATRMD is undertaking several projects which investigate VOC contributions from other media (see attachment).

CROSS-CUTTING PROGRAM INITIATIVES

PROJECT NAME: OZONE/CARBON MONOXIDE EMISSION INVENTORIES

CONTACT NAME: David Arnold, Rebecca Taggart, Kelly Bunker

LEAD DIVISION: AMD

PROJECT DESCRIPTION:

In response to the continuing ozone and carbon monoxide (urban smog) problem, the U.S. EPA announced a strategy to address this issue beyond the 1987 attainment date in the current Clean Air Act(CAA). Part of this strategy involved notifying the Governor's of all states with ozone/CO nonattainment areas that a comprehensive re-planning effort must be undertaken. The keystone to such an effort is the development of a detailed and complete emissions inventory for precursors to ozone. The large number of areas in Region III that have failed to attain the NAAQS may be due in part to a significant underestimation of the total atmospheric loading of VOC, NOx and CO contained in the 1982 attainment demonstration. Therefore, Region III and the States have initiated work to identify and quantify emissions from major and minor sources. Special emphasis will be placed on identifying sources in other program media as well as nontraditional air pollution sources. This inventory will also serve as a foundation to develop other air program inventories such as air toxics and acid rain in response to possible CAA Amendments.

SIGNIFICANT MILESTONES--both past and future	PROJECTED DATE	COMPLETED DATE
1. Proposed Ozone/CO Post 87 Policy	11/87	11/17/87
2. Post 87 SIP Calls (Round 1)	05/88	05/26/88
3. Emission Inventory Guidance for VOC/CO/NOx (Point/Area Source)	10/88	11/17/88
4. Emission Inventory Guidance for VOC/CO/NOx (Mobile Source)	01/89	02/28/89
5. Water Program database survey	07/89	07/11/89
6. Identify POTW/industrial discharges	07/89	07/21/89
7. Determine POTW/industrial emissions	08/89	08/04/89

SIGNIFICANT MILESTONES	PROJECTED DATE	COMPLETED DATE
8. Summary Report POTW/industrial impact	09/89	09/18/89
9. Post 87 SIP Calls (Round 2)	10/89	11/08/89
10. Cross-check OSWER TSDF database	10/89	
10. LUST Program database survey	01/90	
11. Cross-check SARA Title III (TRI) database	02/90	
12. VOC/Toxics Co-Control Study (MD)	03/90	
13. RCRA/Landfill Program database survey	03/90	
14. Superfund site data survey	04/90	
15. TSCA/FIFRA Program database survey (pesticides applications)	05/90	
16. Cross-check ROMNET/NAPAP database	06/90	
17. Completion of baseyear State Emission Inventories (Round 1)	09/90	
18. UAM speciation of inventory (10 chemical classes)	11/90	
19. Completion of baseyear State Emission Inventories (Round 2)	10/91	
20. Air Toxics Inventory integration	TBD	
21. Acid Rain Inventory integration (NOx)	TBD	

REGION III
RULE EFFECTIVENESS STUDIES

I. PAST ACTIVITIES

A. Gasoline Marketing in FY'87-'88

1. Refineries, Bulk Terminals, Bulk Plants
 - a. Philadelphia, Pennsylvania
 - b. New Castle, Delaware
 - c. Baltimore, Maryland
 - d. Washington area (MD, DC, VA)
2. All field work completed, except Delaware
3. Final report for Baltimore bulk terminals completed

B. Stage I in Southeast Pennsylvania - FY'88

1. All field work completed
2. Final report by December 1989
 - a. Preliminary results indicate rule effectiveness is < 67%
 - b. Similar results found in Kansas City, Kansas and Kansas City, Missouri

II. CURRENT ACTIVITIES

A. Stage I in Metropolitan Washington

1. Region III, EPA-SSCD, EPA-FOSD, Maryland and Virginia participating
2. Field work completed June 2, 1989
3. Final report expected to be completed by Spring 1990

III. FUTURE ACTIVITIES

- A. All States, except West Virginia, expected to conduct own study
- B. Selection of Source Category to be in conjunction with EPA
- C. EPA's protocol and Region III's checklist to be used
- D. Final reports expected by September 30, 1990

WASHINGTON D.C. STAGE II AND INSPECTION/MAINTENANCE (I/M)

D.C. is considering bills which will:

(1) Eliminate Stage II vapor recovery systems:

- Stage II is currently used in D.C. and is required in SIP
- November 1, 1989 - D.C. Public Hearing - Region III testified against Stage II Bill
- As a result of hearing, a moratorium is being considered for Stage II starting January, 1991
- The bill is going to full committee review on November 28 and Council vote on December 5 and 19
- District Congressional Committee will be given a 30 day review
- If this bill is passed a finding of SIP nonimplementation should be considered
- November 21, 1989 - Region III sent a follow-up letter to the Council reiterating EPA's position on the bill

(2) Undercut the effectiveness of the I/M program:

- D.C. is considering allowing decentralized, private gas stations to inspect vehicles initially
- Current programs allow initial inspections at centralized stations only
- Bill will result in a loss of hydrocarbon and carbon monoxide reductions
- October 11, 1989 - Public Hearing - OMS testified against bill
- October 31, 1989 - Region III sent a follow up letter explaining in detail EPA's opposition to bill

REGIONAL INITIATIVES ON TRANSPORTATION CONTROL MEASURES (TCMs)

- Ozone replanning will likely require consideration of TCMs
- Region III is developing a strategy to address mobile/transportation issues
- Meetings are being held with relevant organizations to discuss the role of TCMs and to develop public and private sector support for such measure

URBAN AIRSHED MODEL (UAM) MODELING CENTER

- As part of the ozone replanning, the UAM will likely be applied for certain Region III cities
- Cost and expertise are major issues
- Region III is negotiating with The Maryland AMA to serve as the Region III UAM modeling center
- Regional and Headquarters funding will be required for that effort
- Significant cost savings will be realized

AIR PROGRAMS BRANCH EXTERNAL COMMUNICATIONS TRACKING SYSTEM
List of All Communication Records for the Ozone Program

11/29/89

PROGRAM	DATE	PARTY	CAA	SUBJECT	STAFF	T_COST	W/HRS	LEG AUT	STATUS
1	OZ	10/11/88 WVA,OH,KY	N	03/CO INVENTORIESO	JB,DA,RT,	0 00	30.0		ACTUAL
2	OZ	10/18/88 ASSOC WEIGHT & MEASURES	N	STAGE II	KB, , ,	0 00	4 0		ACTUAL
3	OZ	10/24/88 REGION I-II-III	N	ROMNET	TM,JB,DA,	0 00	15.0		ACTUAL
4.	OZ	10/25/88 CO TASK FORCE	N	CO NONATTAINMENT	DA,RT,LB,	0.00	9.0		ACTUAL
5.	OZ	10/27/88 MASROPC	N	03 STRATEGIES	DA, , ,	0 00	9 0		ACTUAL
6	OZ	11/01/88 MARYLAND	N	SIP CALL	TM,DA,CS,	0 00	9 0		ACTUAL
7	OZ	11/02/88 DELAWARE	N	SIP CALL	DA,CS,IA,	0 00	24.0		ACTUAL
8	OZ	11/04/88 PENNSYLVANIA	N	SIP CALL	DA,RT,CS,	0.00	24 0		ACTUAL
9	OZ	11/09/88 PA, DER STAFF	N	EI, VOC REGS	DA, , ,	0 00	14 0		ACTUAL
10	OZ	11/14/88 REGION I-II-III STATES	N	ROMNET	LB,CS, ,	0.00	10 0		ACTUAL
11	OZ	11/15/88 REGION I-II-III STATES	N	ROMNET	RT, , ,	0 00	5 0		ACTUAL
12	OZ	11/16/88 REGION I-II-III STATES	N	EI REQUIRE	DA,RT,KB,CS	0 00	90 0		ACTUAL
13	OZ	11/18/88 STATE SECRETARIES	N	TAG-03	TM,JB, ,	0 00	10 0		ACTUAL
14	OZ	11/21/88 RICHMOND NEWS-LEADER	N	SANCTIONS	DA, , ,	0 00	0 5		ACTUAL
15	OZ	11/22/88 PILCOP/DER	N	304 SUIT	TM,JB,RT,DA	0.00	8 0		ACTUAL
16	OZ	12/06/88 MASROPC	N	03 STRATEGIES	TM,JB,DA,RT	0 00	16 0		ACTUAL
17	OZ	12/09/88 FOSD/SSCD	N	VOC RULE EFFECT	DA,CS, ,	0.00	16.0		ACTUAL
18	OZ	12/12/88 DELAWARE	N	SIP CALL	DA,IA, ,	0.00	10.0		ACTUAL
19	OZ	12/14/88 ALEXANDRIA GAZ	N	OZONE NA	DA, , ,	0 00	1.0		ACTUAL
20.	OZ	12/19/88 FOCUS MAG (DON COX)	N	OZONE NA	CS, , ,	0.00	1 0		ACTUAL
21	OZ	12/20/88 WASHINGTON COG	N	03 PLANNING	DA, , ,	100.00	8.0		ACTUAL
22.	OZ	01/06/89 COG - MD,VA,DC	N	03/COEI	DA, , ,	0 00	8 0		ACTUAL
23	OZ	01/13/89 FRIENDS SEL SCHOOL	N	OZONE	CS, , ,	0 00	1 0		ACTUAL

	PROGRAM	DATE	PARTY	CAA	SUBJECT	STAFF	T_COST	W/HRS	LEG AUT	STATUS
24	OZ	01/24/89	REG 3 - STATES	N	OZONE EI, REGS	DA,CS,RT,	180 00	48.0		ACTUAL
25	OZ	02/02/89	GIRL SCOUTS	N	CLEAN AIR	RT, , ,	0 00	4.0		ACTUAL
26	OZ	02/03/89	PHILADELPHIA INQUIRER	N	RVP	DA, , ,	0 00	1 0		ACTUAL
27	OZ	02/07/89	MASROPC	N	03 STRATEGIES	DA, , ,	100.00	9 0		ACTUAL
28	OZ	03/09/89	ALEXANDRIA GAZ	N	SANCTIONS	DA, , ,	0 00	0 5		ACTUAL
29	OZ	03/13/89	BUCKS CO TIMES	N	CFC'S	DA, , ,	0 00	0 5		ACTUAL
30	OZ	03/15/89	PA. SENATE	N	RVP REGS	JB,DA, ,	60 00	16 0		ACTUAL
31	OZ	03/30/89	SSCD/EOSD	N	VOC RULE EFFECT	CS, , ,	100 00	9 0		ACTUAL
32	OZ	04/05/89	STATE OZONE MODELERS	N	ROMNET, 5-CITY STUDY	LB, , ,	0 00	2 0		ACTUAL
33	OZ	04/12/89	MD/OPPE	N	03/AIR TOXICS	RT, , ,	100 00	9 0		ACTUAL
34	OZ	04/13/89	VA NEWSPAPER	N	OZONE STRATEGIES	RT, , ,	0 00	0 5		ACTUAL
35	OZ	04/14/89	FRANKLIN INSTITUTE	N	STRAT/03/ACID RAIN	RT, , ,	0.00	3 0		ACTUAL
36	OZ	04/18/89	STATE OZONE MODELERS	N	ROMNET, 5-CITY STUDY	LB, , ,	0 00	3 0		ACTUAL
37	OZ	04/19/89	ALLEGHENY CO	N	OZONE PLANNING	DA,RT, ,	400 00	18 0		ACTUAL
38	OZ	04/26/89	MITRE CORP	N	03 MANAGEMENT	CS, , ,	100.00	9 0		ACTUAL
39	OZ	04/27/89	ST. MARY'S HOSPITAL	N	OZONE	RT, , ,	15 00	4 0		ACTUAL
40	OZ	04/27/89	REGION I & II	N	03 MAPPING	LB, , ,	0.00	4 0		ACTUAL
41	OZ	05/03/89	DUPONT ELEM SCHOOL	N	03 STRATEGIES	CS, , ,	0 00	2 0	MAND	ACTUAL
42	OZ	05/04/89	MASROPC	N	03 STRATEGIES	DA, , ,	80 00	4 0		ACTUAL
43	OZ	05/10/89	CONGRESSMAN WELDON'S	N	SE/PA 03	RT, , ,	0.00	2 5		ACTUAL
44	OZ	05/23/89	DELAWARE	N	SIP CALL	DA,CS,JL,	20 00	12 0		ACTUAL
45	OZ	05/26/89	PA ENERGY OFFICE	N	OZONE POLICY	DA, , ,	0.00	0.5	REAC	ACTUAL
46	OZ	06/02/89	VA. BOARD	N	03 POLICY	TM,CS, ,	250 00	16.0		ACTUAL
47	OZ	06/06/89	WV CHAMBER OF COMMERCE	N	OZONE PLANNING	TM,DA, ,	0.00	3.0	REAC	ACTUAL
48	OZ	06/13/89	JACK WISO (citizen)	N	OZONE NONATTAINMENT	DA, , ,	0.00	0.5	REAC	ACTUAL
49	OZ	06/18/89	WASHINGTON POST	N	AIR QUALITY TRENDS	DA,LB, ,	0.00	1 0	REAC	ACTUAL

PROGRAM	DATE	PARTY	CAA	SUBJECT	STAFF	T_COST	W/HRS	LEG AUT	STATUS	
50	OZ	06/21/89	PHILA INQUIRER	Y	ALTER FUELS PROV	EE, , ,	0 00	0.0	MAND	ACTUAL
51	OZ	06/29/89	REGION 2,3 STATES	N	MOBILE SRCE EMISSIONS	DA,KB,RF,	0 00	24.0	REAC	ACTUAL
52	OZ	08/21/89	CHEMICAL ENG'S CONF	Y	OZONE	TM, , ,	0.00	2.0	MAND	ACTUAL
53	OZ	08/29/89	STATE DIRECTORS	Y	CAA GENERAL	TM,CS,KB,	0 00	21.0	MAND	ACTUAL
54	OZ	09/18/89	STATE PLANNING CHIEFS	Y	OZONE PLANNING	DA,CS,RT,KB	300 00	60 0	REAC	ACTUAL
55	OZ	09/26/89	MD AERL	N	OZONE/RVP REGS	DA,RF, ,	35 00	16.0	REAC	ACTUAL
56	CC	09/27/89	DE HIGH SCHOOLS	N	ANTI-TAMPERING	KB, , ,	35 00	8 0	REAC	ACTUAL
57	CT	09/28/89	DVRPC	Y	CAA/OZ	TE,DA, ,	0 00	6 0	MAND	ACTUAL
58	CZ	10/02/89	VA SAPCB/SABAP	Y	OZONE/CAA	TE,DA,EJ,	400 00	35 0	REAC	ACTUAL
59	CL	10/11/89	STATE MONIT DIR	Y	OZONE/CAAA	DA, , ,	100 00	18.0	MAND	ACTUAL
60	OZ	10/11/89	D C COUNCIL	Y	I/M	KB, , ,	115 00	16 0	MAND	ACTUAL
61	OZ	10/12/89	SEPTA/ENV GROUPS/EPA	Y	MASS TRANSPORTATION	LB, , ,	0 00	0 0	MAND	ACTUAL
62	OZ	10/17/89	ENVIRONMENTAL GROUPS	Y	GLOBAL WARM IN PHILA	RT, , ,	0 00	2 0	MAND	ACTUAL
63	OZ	10/26/89	SO EAST ELECTRIC EXCH	Y	CAA/ACID RAIN	TE, , ,	0 00	0.0	MAND	ACTUAL
64	OZ	11/01/89	D C CITY COUNCIL	Y	STAGE II VAPOR CONTR	KB,DA, ,	100 00	16 0	MAND	ACTUAL
65	OZ	11/10/89	UNIV OF PA	Y	OZONE/CAAA	SI, , ,	0.00	8 0	MAND	ACTUAL
66	OZ	11/15/89	EPA CONF REGION 111	Y	AIR QUALITY EFFECTS	SL, , ,	0 00	0.0	MAND	ACTUAL
67	OZ	11/16/89	ENGINEERS/TRANSPORTATION	Y	MOB SOUR REGS/TECH	LB, , ,	0 00	2.0	MAND	ACTUAL
68	OZ	11/17/89	DE COUNTY INSPEC ASSOC	Y	SPEECH ON CAA PROPOS	TE,DA, ,	0 00	16.0	MAND	ACTUAL
69	OZ	11/20/89	TRANS/PLANNING/ENV	Y	MASS TRANS/TRANS	LB, , ,	0 00	2.0	MAND	ACTUAL
70	OZ	11/29/89	SEPTA/BUSINESS COMM	Y	MASS TRANSIT	LB, , ,	0.00	2.0	MAND	ACTUAL

Fiscal Year 1989 Totals	1875.00	641.5
Fiscal Year 1990 Totals	715.00	117.0
Totals	2590.00	758.5

SOUTHEAST PA OZONE LAWSUIT

BACKGROUND

- 1982 SIP CONTAINED 30 TPD VOC EMISSION REDUCTION SHORTFALL
 - 1983 SIP SUPPLEMENT #1 COMMITTED STATE TO ADOPT ADDITIONAL CONTROL MEASURES TO ELIMINATE THE SHORTFALL
 - 1985 SIP SUPPLEMENT #2 ATTEMPTED TO DEMONSTRATE THAT ADDITIONAL CONTROL MEASURES WERE UNNECESSARY
 - 1987 EPA PROPOSES DISAPPROVAL OF SUPPLEMENT #2
 - APRIL 5, 1989 EPA FINALIZES SUPPLEMENT #2 DISAPPROVAL
 - APRIL 11, 1989 PILCOP FILES SUIT IN DISTRICT COURT
 - DECEMBER 7, 1989 BRIEFING FOR ROSENBERG
-

LAWSUIT OVERVIEW

VULNERABLE TO SUMMARY JUDGEMENT

- NONIMPLEMENTATION OF SUPPLEMENT #1 MEASURES WITH AIR GRANT SANCTIONS
- FAILURE TO SET DATE CERTAIN FOR NEW SIP
- FIP FOR UNCORRECTED REGULATORY DEFICIENCIES IDENTIFIED IN MAY 1988 SIP CALL

LESS VULNERABLE

- NONATTAINMENT-WIDE I/M
- SIP CALLS BASED ON 1988 DATA
- HIGHWAY GRANT SANCTIONS
- ENFORCEMENT OF CURRENT SIP

CURRENT STATUS

. REGION III HAS DRAFTED A NONIMPLEMENTATION NOTICE OF INTENT, AS AGREED AT THE ROSENBERG BRIEFING.

. OGC HAS RECOMMENDED THAT A SETTLEMENT OFFER BE MADE TO THE PLAINTIFFS IN EXCHANGE FOR DELAYING ACTION ON THE NONIMPLEMENTATION CLAIM AND SETTLING ALL OTHER CLAIMS AGAINST EPA. THE OFFER WOULD CONSIST OF:

-THE NOTICE OF INTENT, WITH A COMMITMENT TO EITHER PROPOSE NONIMPLEMENTATION OR PROVIDE WRITTEN NOTICE THAT THE STATE HAS MET ITS OBLIGATIONS UNDER THE SIP WITHIN SIX MONTHS OF PUBLICATION.

-EPA WOULD SET A DATE CERTAIN FOR SUBMITTAL OF A NEW OZONE SIP

-EPA WILL REFRAIN FROM FILING A SUMMARY JUDGEMENT MOTION ON ALL CLAIMS, AND A MOTION TO DISMISS CERTAIN CLAIMS ON PROCEDURAL GROUNDS.

Prepared by: R. Taggart
January 8, 1990

11/20

Brenda -

Please

get this onto

a disk for me.

Bill Beal did it

Thanks -

Tom

PENNSYLVANIA OZONE SUIT
Conference Call
November 13, 1989
11:30 am

Background

Several environmental groups have sued EPA and the Commonwealth of Pennsylvania, alleging violations of nondiscretionary and discretionary duties regarding Pennsylvania's ozone SIP. The complaint alleges that Pennsylvania failed to meet several SIP commitments.

The most significant complaints against EPA are that EPA failed to:

- 1.) fix a time for Pennsylvania to revise its SIP in response to the 1988 SIP call
- 2.) make a finding that the state has failed to implement the plan and to impose the air grant cutoff sanction

Region III, OAQPS and OGC agree that the same September 1991 deadline that was used in response to similar litigation in 4 other jurisdictions should be set for Pennsylvania (response to item (1.)).

Region III and OAQPS disagree on the proper response for (2.).

Nonimplementation Finding

February 1985--EPA approved Pennsylvania's submittal of a supplement to its 1982 ozone SIP (Supplement #1) that purported to address the 5.5% emission reduction shortfall in the original submittal and committed to adopt measures sufficient to eliminate the shortfall by 3/15/85.

September 23, 1985--Supplement #2 recalculated the baseline and emission inventories, concluding that no additional control measures were necessary.

April 5, 1989--EPA disapproved Supplement #2 because of the unenforceability of a number of emission reductions responsible for eliminating the shortfall. Pennsylvania has petitioned EPA to reconsider.

REGION III--has prepared a Federal Register notice proposing to make a finding of nonimplementation of the Supplement #1 commitments to eliminate the 5.5% emission reduction shortfall. This notice indicates that upon a final finding the Section 173(4) construction ban would automatically go into effect but that EPA has the discretion not to cut off air grant funds (176(b)) and sewage grant funds (316).

OGC--could be comfortable with the nonimplementation finding but has serious problems with the Region's language on air grant cutoff. OGC feels that we need to decide very soon how the Agency should respond to the suit. They would like to schedule a meeting with Mr. Rosenberg soon.

OAQPS--feels that there is nothing distinguishing about the Philadelphia situation that would justify a nonimplementation finding there but not elsewhere. Such a finding might also jeopardize the Clean Air legislation as well. The present OAQPS position is that the State is still obligated to fully implement its plan and the unimplemented measures should be folded into the SIP call.

Excerpts from a memorandum:

Re: Meeting of Mid-Atlantic States on Ozone (O₃) and Carbon Monoxide (CO)

From: John Silvasi, etc.

To: G.T. Helms, etc.

PLACE AND DATE OF MEETING

Rehoboth Beach, DE, Sept. 18 & 19, 1989

Representatives of PA, DE, MD, VA, WV, DC, Philadelphia, Allegheny County (PA), and NJ (see attached partial list).

B. CORRECTION OF SIP DEFICIENCIES

Attachment __ provides a summary status of correction of SIP deficiencies.

The major problems that most of the representatives voiced was the requirement for the exemption level of 3 pounds of VOC/hour or 15 pounds of VOC/day for miscellaneous metals category. Under MD law, the State cannot adopt regulations unless all affected sources can be identified; MD cannot identify all sources under the 3 lb/15 lb cutoff. Under VA law, the agency must at least identify the number of sources covered; the VA agency cannot do this for the 3 lb/15 lb cutoff. Therefore, these two States are prohibited from adopting the cutoff under their own rules.

The NJ representative indicted that it uses director's discretion in approving single source variances and does not submit those variances to EPA. Submitting them to EPA would be an administrative impossibility, since NJ processes over 6000 changes a year.

Region III is requiring all of its States to adopt 3 capture efficiency test methods into their SIPs (viz. those specified in Part 60, Subparts QQ and BBB, and the gas-gas with enclosure method under development in Emission Measurement Branch). [Note that this is not entirely consistent with headquarters guidance, which requires merely that the SIPs require capture efficiency tests but that the SIPs need only commit to adopt CE test methods after EPA publishes a final test method applicable to other than specified NSPS sources.]

Note: PA is also objecting to the requirement for the exemption level of 3 pounds of VOC/hour or 15 pounds of VOC/day or 10 tons of VOC/year (potential). PA wants a 50 tons of VOC/year actual limit.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Office of Air Quality Planning and Standards
Research Triangle Park, North Carolina 27711

Allan
Reg. Unit
mat'l
02/10

04 DEC 1989

MEMORANDUM

SUBJECT: Summary of FY 1989 Response to Phase I Requirements of the Post-1987 Ozone/Carbon Monoxide State Implementation Plan (SIP) Call

FROM: G. T. Helms, Chief *TH*
Ozone/Carbon Monoxide Programs Branch (MD-15)

TO: Air Branch Chiefs, Regions I-X

As you recall, the Phase I requirements of the post-1987 ozone/carbon monoxide (CO) SIP calls are that the final regulatory submittals for correcting the deficiencies in the volatile organic compound (VOC) regulations and for adopting missing regulations be sent to the Environmental Protection Agency (EPA) by September 30, 1989. The other Phase I requirement is that the emission inventories be submitted to EPA by November 17, 1989.

I have attached a report generated from the October 4, 1989 Regional update of the Regional Priorities Tracking System (RPTS) which shows that only about 20 percent (762 of 3731) of the deficiencies and 25 percent (23 of 91) of the missing regulations were completed by the September 30 deadline. A survey which was designed to gain information on the status of the emission inventory development was distributed in early August. The results of the survey show that about 70 percent of the ozone and 73 percent of the CO emission inventories are projected to be submitted by December 1989.

Because the response to the Phase I requirements was so low, the Regional Air Division Directors, during their October meeting, agreed to commit to at least 75 percent of the original universe of deficiencies and missing regulations in the FY 1990 Strategic Planning and Management System (SPMS) targets. Regions with prior commitments of greater than 75 percent would still be held to those commitments. The SPMS targets are intended to provide an incentive for Regions to encourage their States to correct the deficiencies in the VOC regulations and adopt the missing regulations. "Leveling the playing field" is an important effort that will form the basis of the future ozone control program.

If you have questions or comments, please call me (FTS 629-5527). Thank you for your cooperation.

Attachment

cc: J. Calcagni J. Stubberfield
S. Hitte T. Williams
S. Holman
B. Howard
J. Silvasi

RESPONSE TO PHASE I OF THE POST-1987
OZONE/CARBON MONOXIDE STATE IMPLEMENTATION
PLAN (SIP) CALLS

By

Sheila C. Holman

U. S. ENVIRONMENTAL PROTECTION AGENCY
Office of Air Quality Planning and Standards
Air Quality Management Division
Research Triangle Park, North Carolina 27711

November 1989

RESPONSE TO PHASE I OF THE POST-1987 SIP CALLS

This report details the response to the requirements of Phase I of the post-1987 ozone (O₃)/carbon monoxide (CO) State Implementation Plan (SIP) calls. The report is generated from the data in the O₃/CO SIP Deficiency/Correction portion of the Regional Priorities Tracking System (RPTS). The system was updated by October 4, 1989 and the report is based on all final regulations submitted on or before September 30.

The report is divided into three sections which mirror the Phase I requirements: deficiency correction; adoption of missing regulations; and emission inventory development. The first two sections, deficiency correction and adoption of missing regulations, detail the success by Region for their States in submitting final rules. The third section, emission inventory development, focuses on the projected completion dates of the emission inventories. AQMD recently distributed a survey designed to gather information necessary to evaluate the current status of the emission inventory development. The Regions were asked to complete the survey for each agency (State/local) and return it to AQMD by August 18. The survey results were compiled and a portion of the results are presented in this report.

Deficiency Correction

There are 3731 deficiencies (1001 regulations) in the RPTS database.

Figure 1 displays the overall number of deficiencies corrected. The empty bar shows the universe of deficiencies. The righthatch bar shows the total number of final submittals received to correct the deficiencies. A total of 762 deficiencies (20.4 percent) were corrected by September 30, 1989.

Figure 2 displays the number of deficiencies corrected by Region. Again, the empty bars represent the universe of deficiencies, while the righthatch bars show the completion rate.

Figure 3 represents the overall number of regulations submitted to correct deficiencies by September 30, 1989. The empty bar is the universe of regulations in the RPTS database; the righthatch bar is the number of regulations submitted by September 30, 1989. A total of 196 out of 1001 regulations (19.6 percent) were submitted.

Figure 4 portrays the number of regulations submitted by Region. The empty bars are the universe; the righthatch bars are the number of regulations submitted.

Adoption of Missing Regulations

There are 91 missing regulations in the RPTS database. Regions I, II, III, V, VI, and IX identified missing regulations in their States.

Figure 5 shows the overall response for submitting final rules to adopt missing regulations. The empty bar reflects the universe of missing regulations; the righthatch bar displays the number of submittals received. A total of 23 final submittals (25.3 percent) were received by September 30, 1989.

Figure 6 shows by Region the universe and the number of submittals received by September 30, 1989.

Table 2 displays the total universe of missing regulations and the commitment and completion numbers by July 7, 1989 for the two milestones by Region.

Emission Inventory Development

Figures 7 and 8 reflect the expected dates of submittal for the ozone and CO emission inventories. Approximately 70 percent of the ozone and 73 percent of the CO emission inventories are projected to be submitted by December 1989.

Figures 8-10 show the problems associated with the volatile organic compound, the nitrogen oxide, and the CO portion of the inventories. The most prevalent problems cited were time, personnel, and VMT data.

FIGURE 1

FY 1989 OZONE/CO PHASE I ACCOMPLISHMENTS
FINAL RULES SUBMITTED TO CORRECT DEFICIENCIES
OVERALL - NUMBER OF DEFICIENCIES

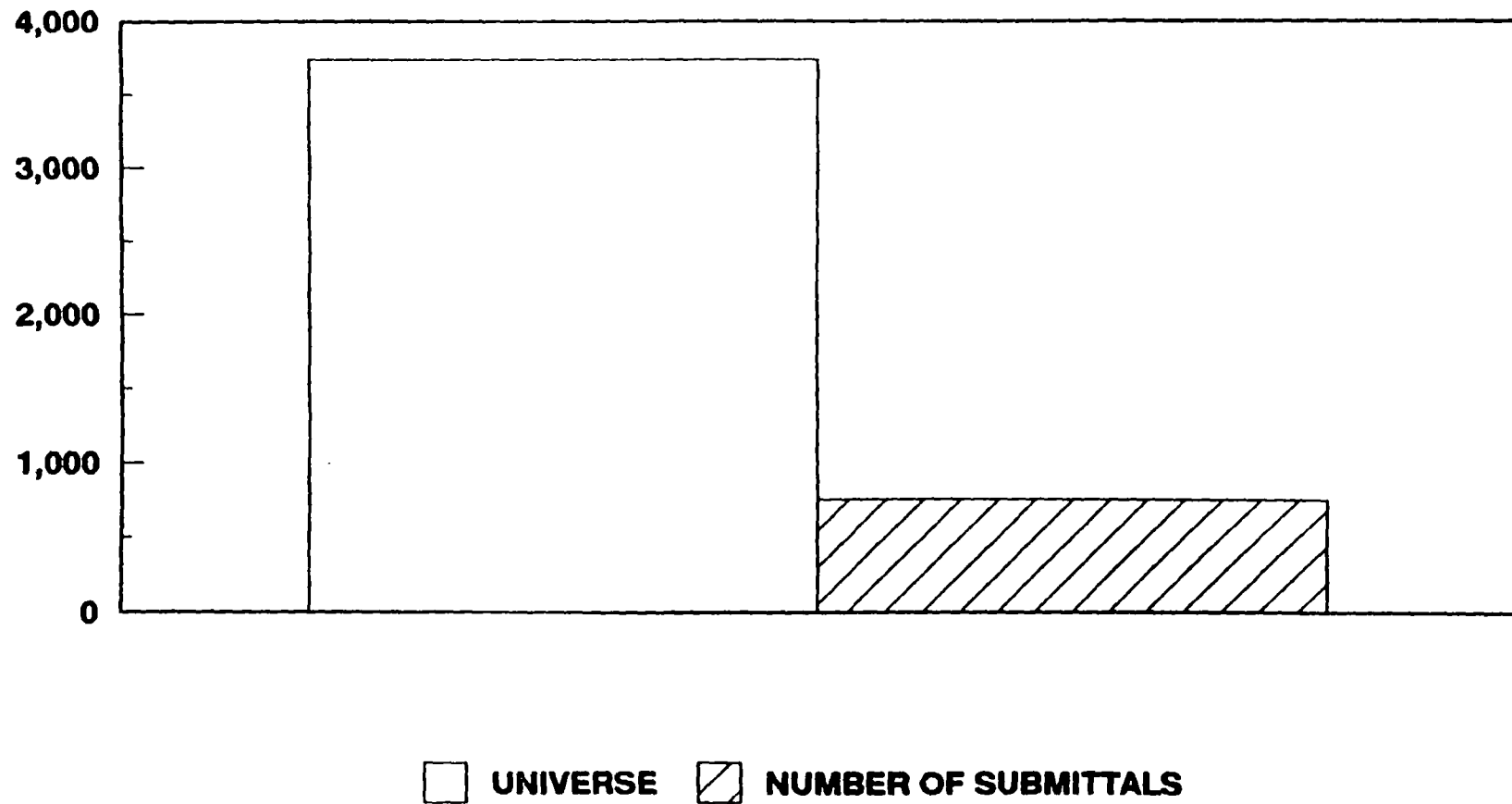


FIGURE 2

FY 1989 OZONE/CO PHASE I ACCOMPLISHMENTS

FINAL RULES SUBMITTED TO CORRECT DEFICIENCIES

NUMBER OF DEFICIENCIES

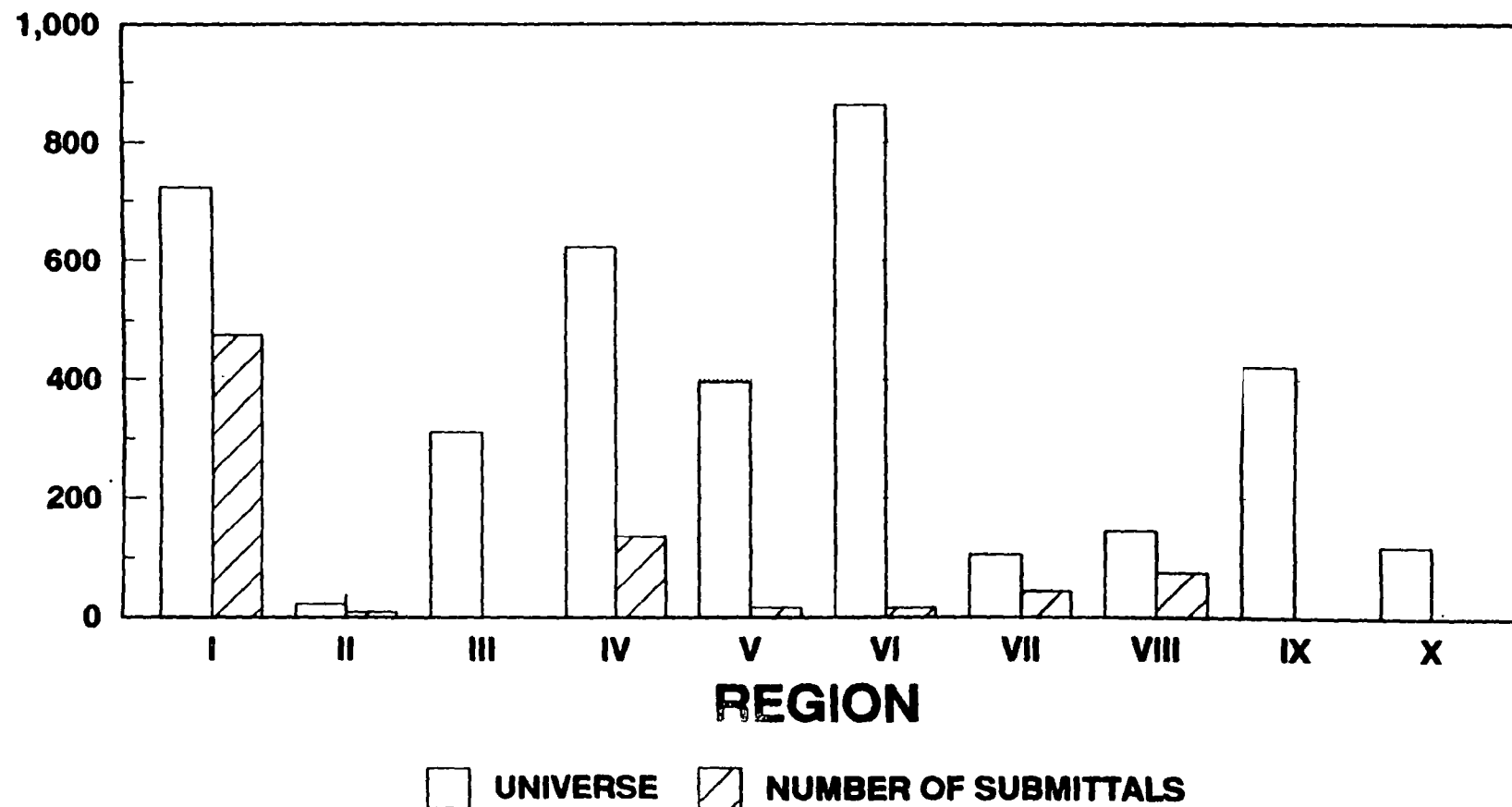


FIGURE 3

FY 1989 OZONE/CO PHASE I ACCOMPLISHMENTS

FINAL RULES SUBMITTED TO CORRECT DEFICIENCIES

OVERALL - NUMBER OF REGULATIONS

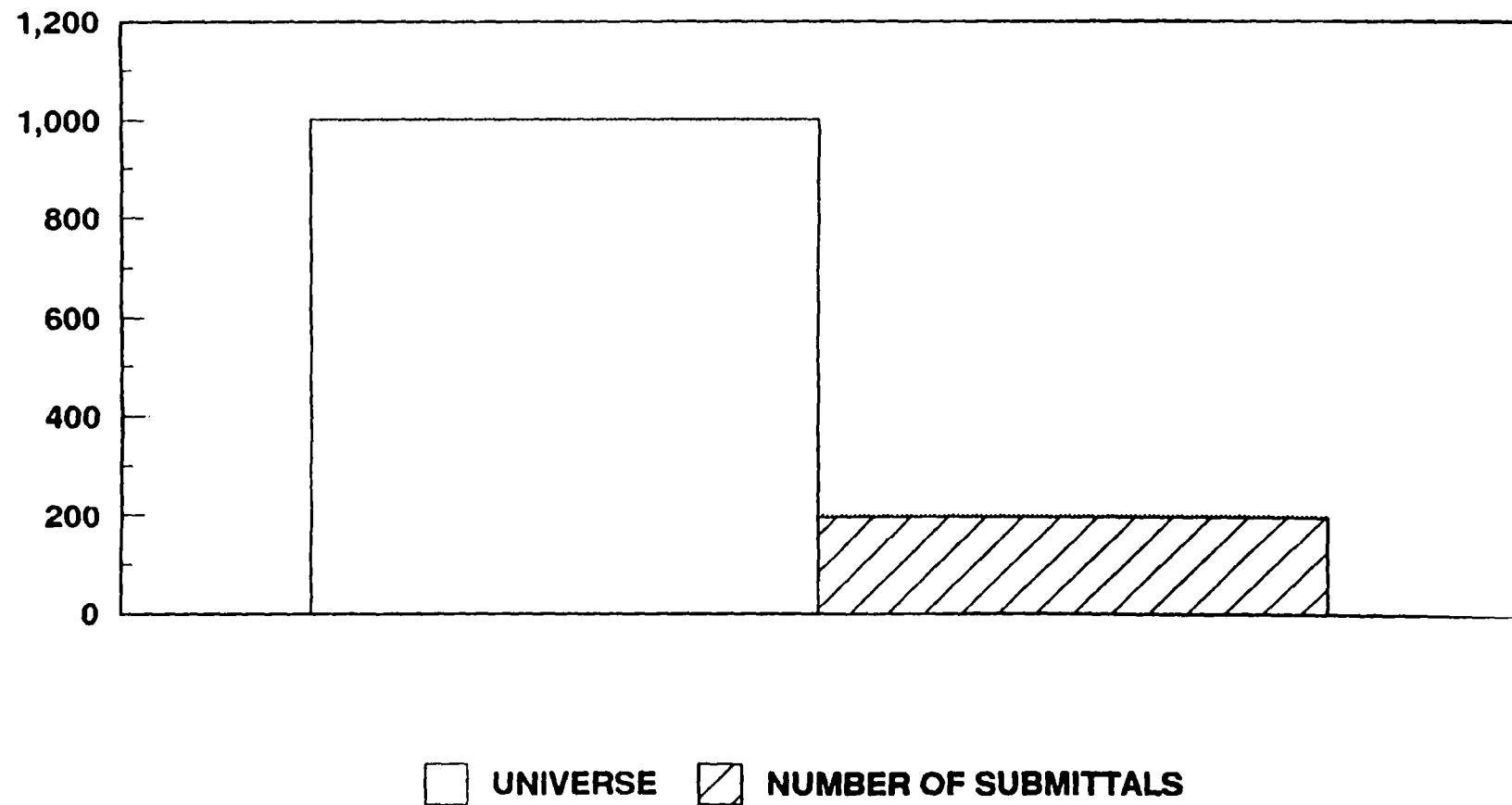


FIGURE 4

FY 1989 OZONE/CO PHASE I ACCOMPLISHMENTS

FINAL RULES SUBMITTED TO CORRECT DEFICIENCIES

NUMBER OF REGULATIONS

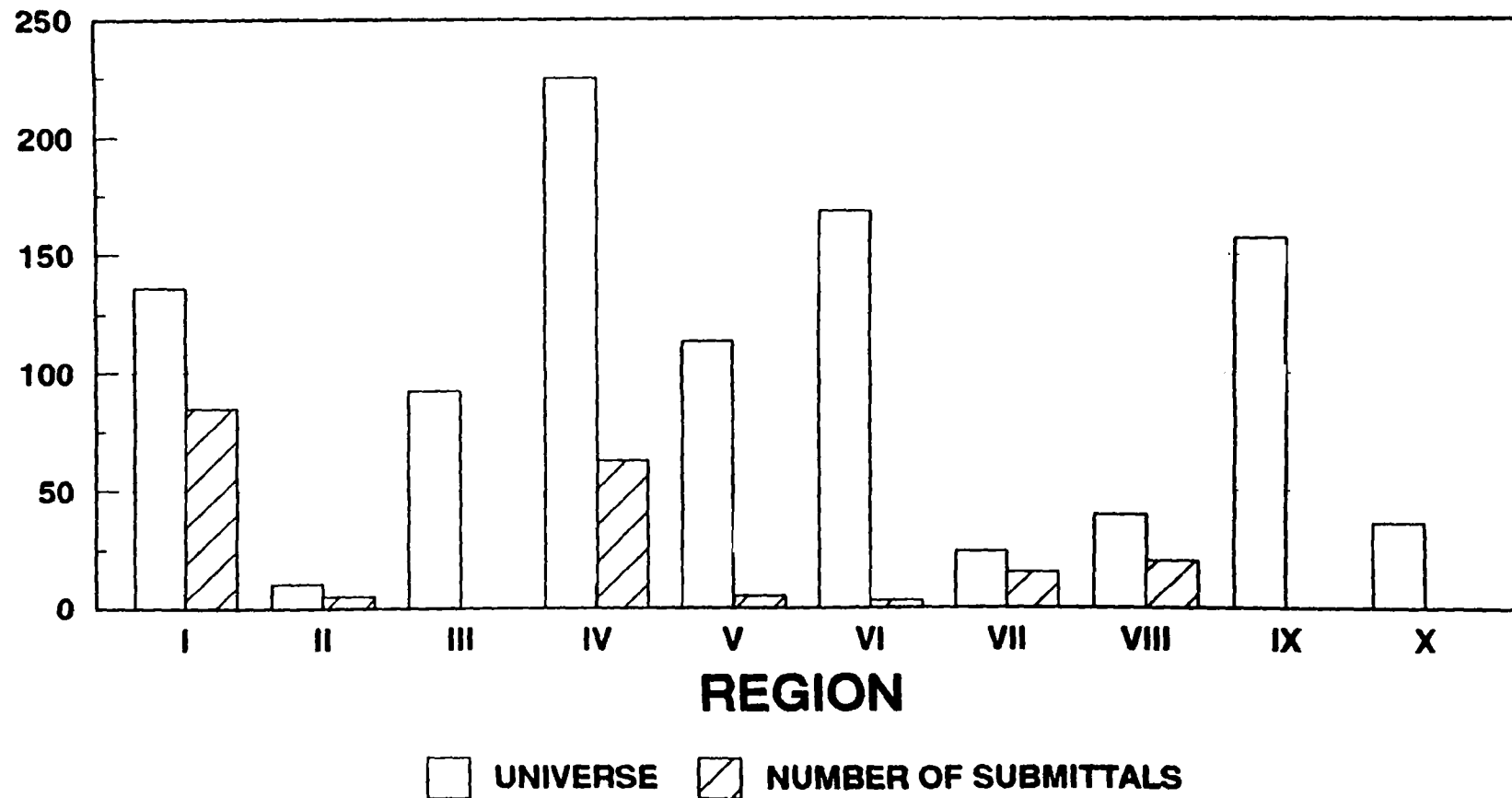


FIGURE 5

FY 1989 OZONE/CO PHASE I ACCOMPLISHMENTS

FINAL RULES SUBMITTED FOR MISSING REGULATIONS

OVERALL

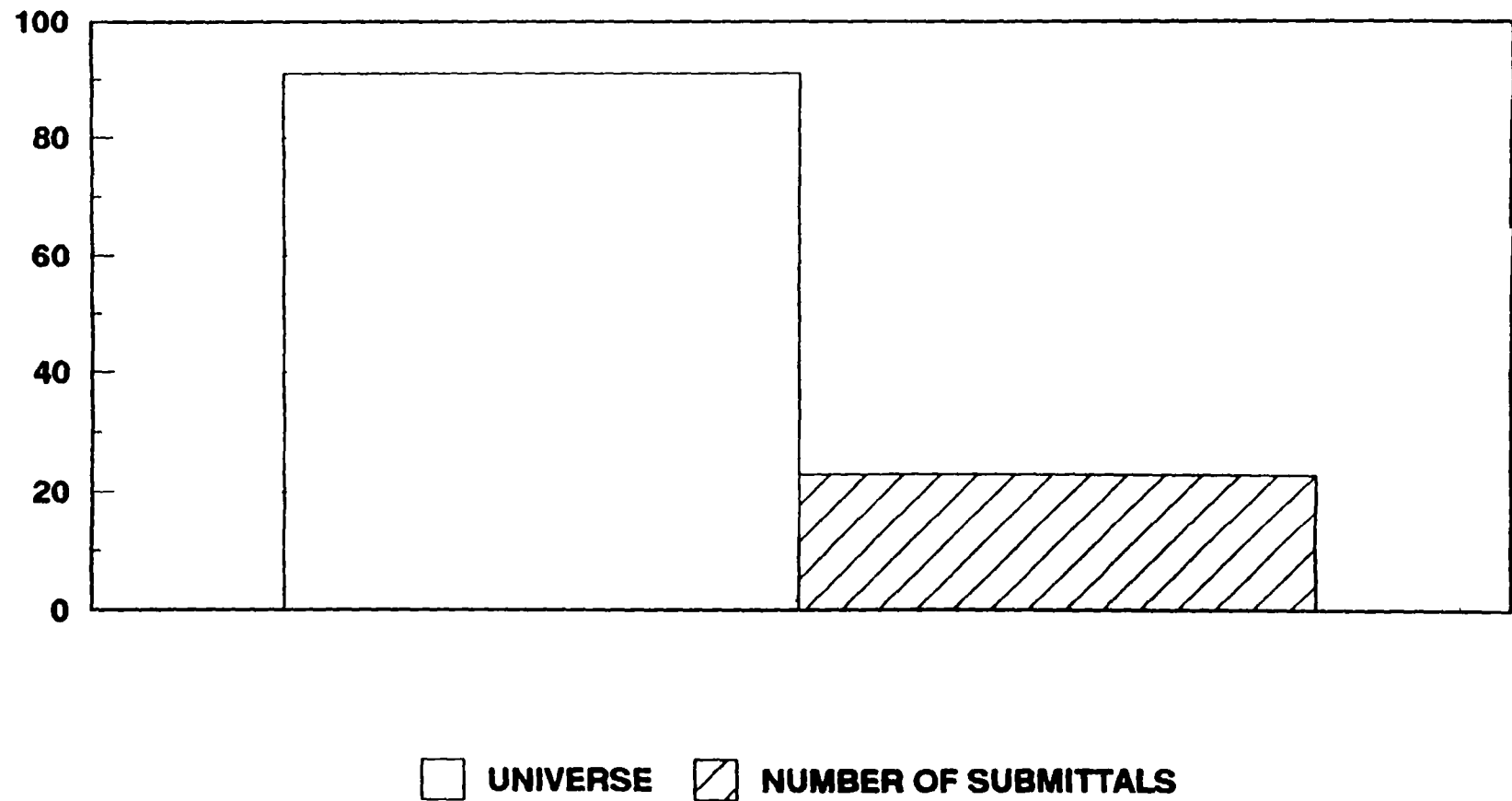


FIGURE 6

FY 1989 OZONE/CO PHASE I ACCOMPLISHMENTS

FINAL RULES SUBMITTED FOR MISSING REGULATIONS

NUMBER OF REGULATIONS

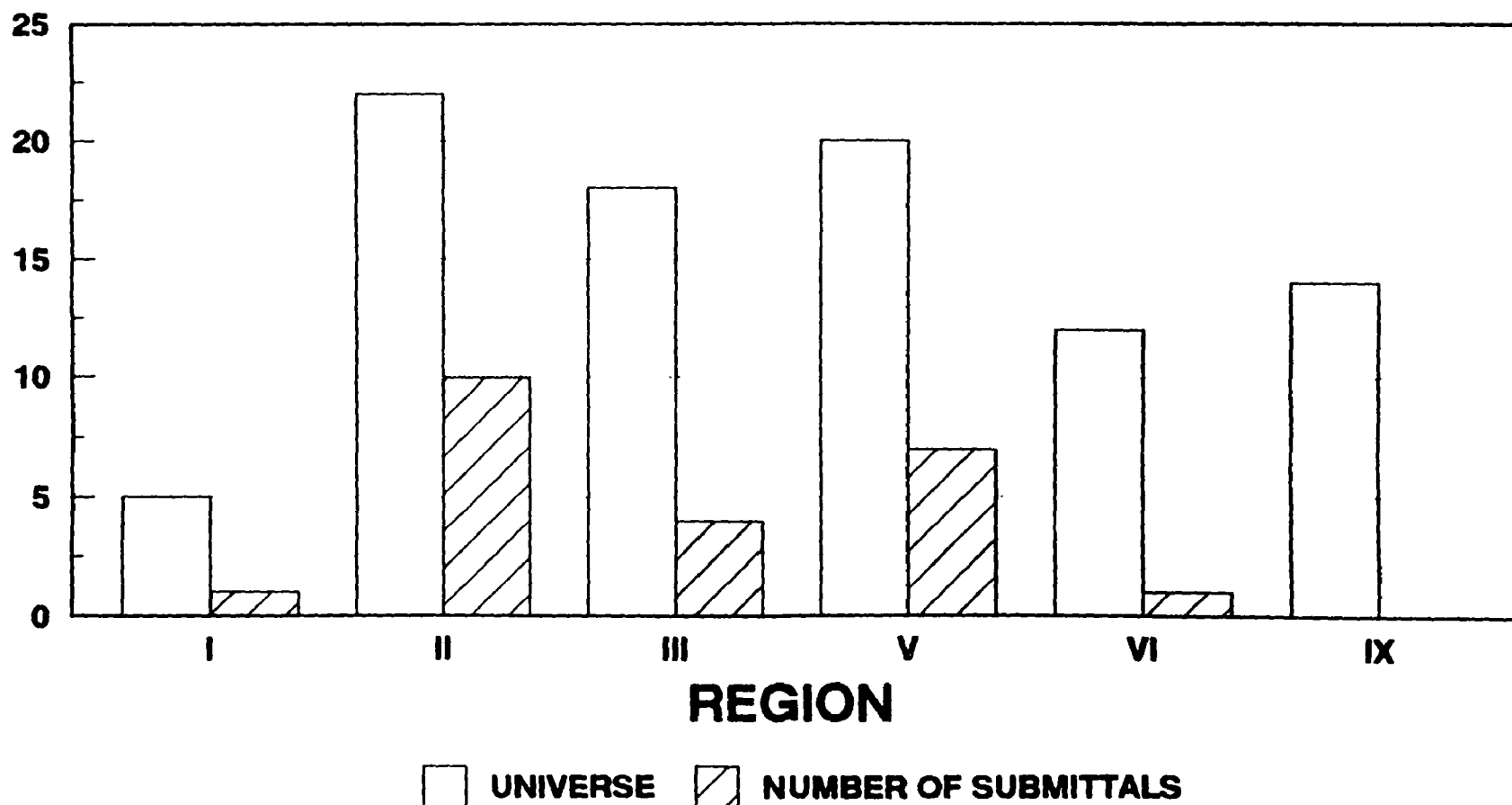
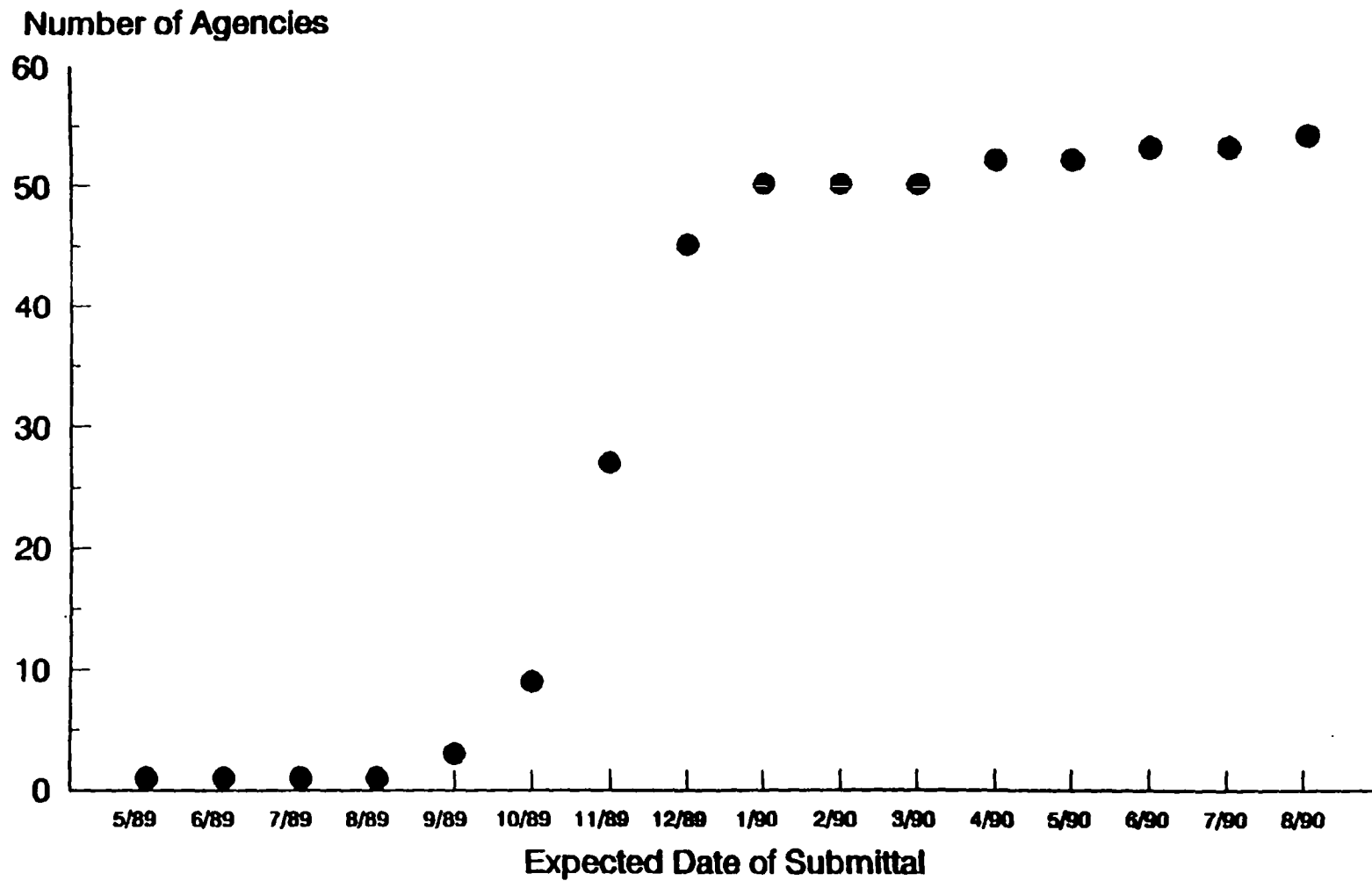
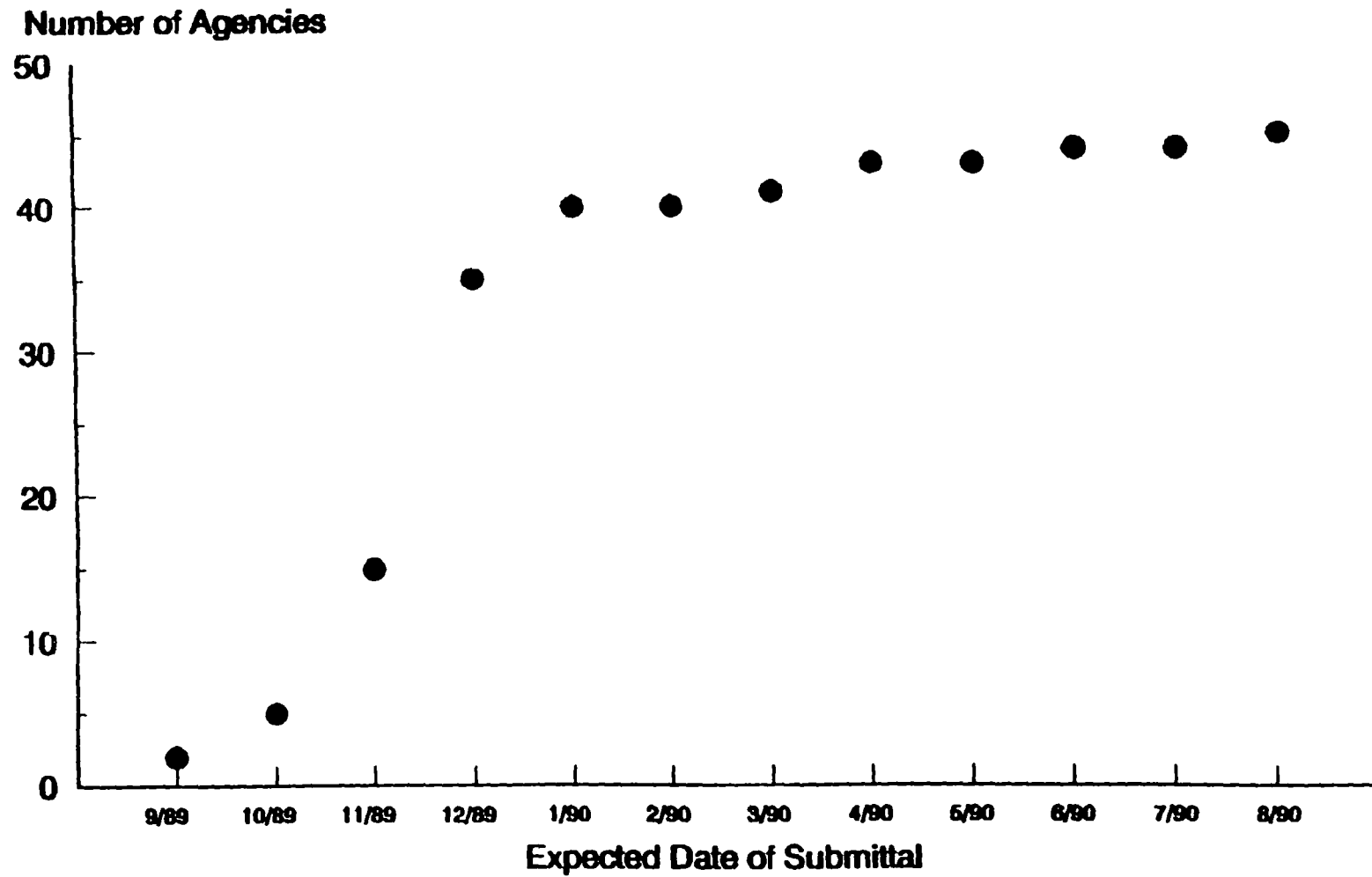


FIGURE 7
Ozone SIP Inventories
Expected Submittal Dates (cumulative)



Ten Agencies did not provide an expected submittal date

FIGURE 8
CO SIP Inventories
Expected Submittal Dates (cumulative)



Three Agencies did not provide an expected submittal date

FIGURE 9

Ozone SIP Problem Summary VOC Inventory

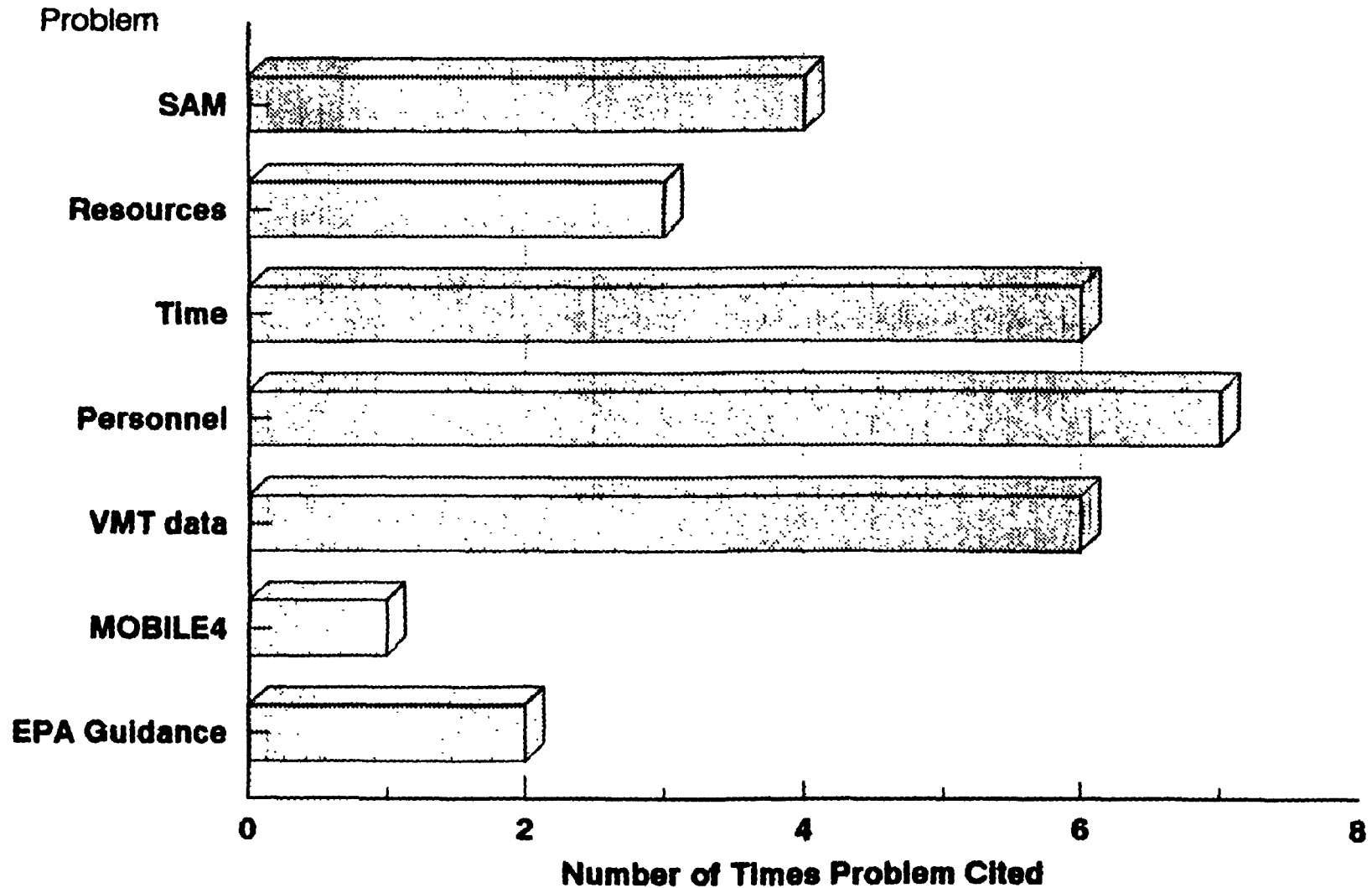


FIGURE 10

Ozone SIP Problem Summary NOx Inventory

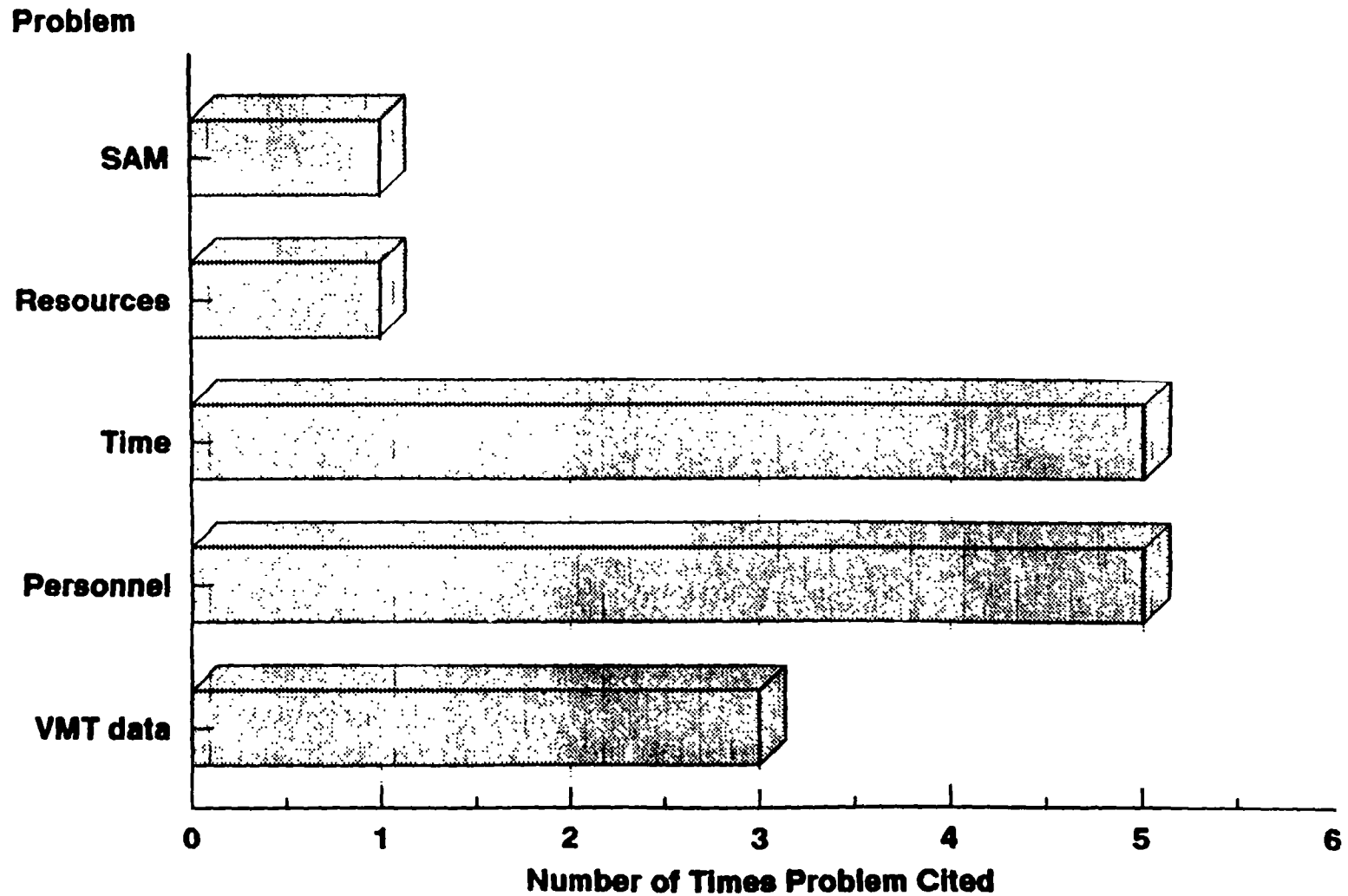
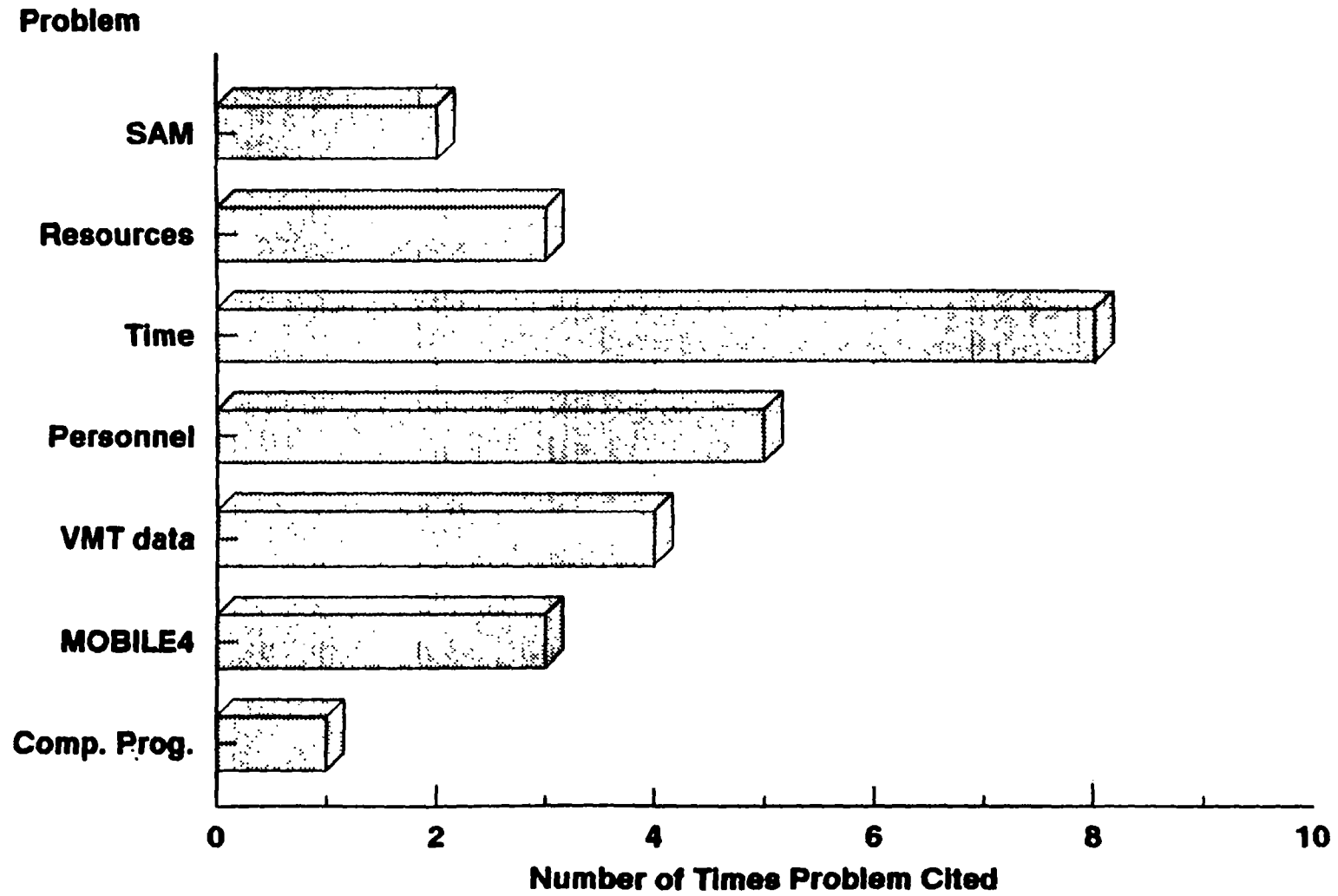


FIGURE 11

CO SIP Problem Summary CO Inventory



JAN 18 1990

BACKGROUND -- REGION 3 VISIT
Office of Mobile Sources

Gasoline Volatility Litigation - During the week of January 8, 1990, EPA entered into a settlement agreement with the State of Pennsylvania to settle litigation filed by the State over EPA's failure to adopt Phase 2 RVP standards in its March 22, 1989, final rule for the federal gasoline volatility program. In the settlement, EPA agreed to have a final rule for phase 2 of the program signed by the Administrator by June 1, 1990.

State Gasoline Volatility Programs - Region 3 has advised OMS that several states in Region 3, including Pennsylvania, Maryland, and Delaware, are at various stages of consideration of state RVP programs (that would be more stringent than the current federal program) to start in the summer of 1990. Before such state programs could be effective, it is necessary for EPA to approve SIP revisions which would show that the programs are necessary for attainment of the ozone standard. OMS is working with Region 3 to get these SIP revisions submitted by the states as soon as possible, and subsequently, processed by the Region and Headquarters as quickly as possible. OMS is also working with Regions 1, 5 and 6 on state RVP programs for several other states.

Inspection/Maintenance (I/M) and Antitampering Programs (ATP) - Five states (Pennsylvania, Maryland, Delaware, Virginia, and the District of Columbia) have I/M and/or ATP programs, all of which have been in operation since the early 1980s. Region 3 staff continue to be very cooperative with OMS in working with their states to correct problems related to these programs. One notable area of progress has been the improvements implemented in the Virginia I/M program in the last two years. Virginia has approximately doubled the number of vehicles inspected, as well as converting to computerized emission analyzers and making significant improvements in its administrative oversight program.

Meeting Notes

Meeting Notes

BRIEFING

EDWIN B. ERICKSON
REGIONAL ADMINISTRATOR

WEST VIRGINIA SIP CALL

DECEMBER 29, 1989

WEST VIRGINIA
PROGRAM SHORTFALLS

ACTIVITY	FY 86	FY 87	FY 88	FY 89
PM10	Failed to submit SIP development plan	(\$10K for SIP development) Failed to submit SIP for Group I areas	Failed to submit action plan for all areas	(\$15K for SIP development) Work plan for Weirton area was delayed
	Failed to submit committal SIP for Group II areas	Failed to submit SIP action plan for Group II areas		Behind on activities for Group I areas
SO ₂		Failed to submit non-regulatory GEP reviews for SO ₂ SIP	Failed to submit negative declaration for GEP plants	
	Lack demonstration for attainment of secondary NAAQS for SIP for Harrison Co. (continuing to present)			Failed to submit Draft GEP REGS
O ₃				Lack inventory but have scope of work for contractor in FY'90 (\$40K)

WEST VIRGINIA SIP CALL
CHRONOLOGY OF KEY EVENTS

HANCOCK COUNTY

1981	Modeling study by H. E. Cramer predicts violations of NAAQS in Pennsylvania caused by Ohio and West Virginia sources.
1981	Pennsylvania files § 126 petition for interstate pollution abatement.
12/10/84	EPA publishes denial of petition but acknowledges need for further study.
10/10/85	Formation of Pennsylvania, West Virginia, Ohio (PAWVOH) study.
5/28/86	Technical meeting to establish PAWVOH goals and schedule.
1986	Monitored violation of SO ₂ 24-hour NAAQS in Weirton.
1987	Monitored violation of SO ₂ 24-hour NAAQS in Weirton.
7/31/88	Meeting of PAWVOH Technical Workgroup.
12/14/88	Completion of preliminary modeling. Weirton Steel found to be only major source of significant nonattainment.
9/14/89	Meeting with Director, WVAPCC presenting EPA's intention to "disinvest" PAWVOH in favor of refocusing effort on Weirton Steel.

MARSHALL COUNTY

11/22/76	Replacement of Kammer stacks with single, 900-foot stack.
8/07/77	Section 123 (GEP) provision of Clean Air Act.
9/30/79	Ohio Power completes fluid modeling to justify tall stack according to proposed GEP regulation.
10/11/83	GEP regulations remanded to EPA as result of Sierra Club appeal.
6/27/85	Promulgation of final stack height rules, Kammer fluid modeling demonstration invalidated.

Fall 1985	AEP files petition for reconsideration.
4/21/86	Denial of petition for reconsideration.
4/28/86	Meeting of all parties.
5/09/86	Meeting with WV and AEP to discuss GEP implementation.
5/22/86	Meeting to discuss technical issues.
9/04/86	EPA letter to WVAPCC, citing outstanding issues, including presence of low-level sources of concern.
1/11/88	Letter to WVAPCC citing WV deficiencies.
3/11/88	Meeting with WVAPCC to discuss GEP shortfalls.
3/18/88	Request for action plan from WVAPCC.
6/14/88	Meeting with AEP presenting overview of problems.
7/07/88	AEP requests approval of emissions balancing proposal.
8/26/88	Letter stating deficiencies in proposal.
11/04/88	Letter to WVAPCC stating urgent need for action.
Nov. 1988	WVAPCC meets with AEP, BP Oil, and Columbian Chemical, tells them cooperative action unnecessary.
3/31/89	AEP sends compliance demonstration to EPA.
4/21/89	Letter to WVAPCC specifying requirements of full attainment demonstration.
6/27/89	WVAPCC submits summary of modeling done by BP Oil and Columbian Chemical.
9/14/89	Meeting with Director, WVAPCC presenting EPA's concern with unresolved issues.

WEST VIRGINIA PROGRAM SHORTFALLS
-Region III Activity-

The West Virginia Air Pollution Control Commission (WVAPCC) is currently operating with 42 employees, 19 employees below the funded personnel compliment of 61 employees. Of these 16 vacancies, 8 are engineering positions. The reason for this high vacancy rate is due, in part, to the lower, less competitive salaries offered by the WVAPCC. Also, a State-wide hiring freeze has recently been reinstated by the Governor in response to a \$40 million budgetary shortfall in the State. This staffing situation may be further affected by a proposal to incorporate the APCC with the Department of Natural Resources (DNR).

EPA Region III's Regional Administrator Erickson has met with the Governor of West Virginia recently to discuss the problems the State is facing with its environmental programs. RA Erickson stressed to the Governor the need for the salaries of the State environmental agencies' personnel, including WVAPCC, to be competitive with industry salary levels. EPA has suggested to WVAPCC, specifically, the use of AARP/SEEPs to supplement their existing staff while trying to hire permanent full-time employees. Another way EPA has aided WVAPCC is by training their current personnel at the Region III office, using actual workload for training purposes.

This type of training has already been used for the WVAPCC's modeling personnel. One individual from West Virginia spent two weeks with the modeling staff in Region III learning modeling techniques while completing actual work for WVAPCC. The Region III modeling staff has also provided valuable technical advice to the WVAPCC modeler(s) via tele-conferencing.

West Virginia Air Pollution Control Commission Staff

Administration

D. Farley, Director
L. Kopelman, Attorney (P/T)
T. Mowrer, Secretary II
S. Moore, Secretary I
N. Sitton, Bookkeeper
L. Casto, Receptionist
VACANCY, File Clerk
J. Chandler, Librarian
J. Hedgecock, Photographer
F. Baker, Messenger
E. Toler, Custodian

Engineering Division

VACANCY, Chief
VACANCY, Engineer II
VACANCY, Engineer II
VACANCY, Engineer I
VACANCY, Engineer I
J. Adkins, Engineer I
A. Azevedo, Engineer I
M. Fleming, Engineer I
D. Porter, Engineer I
A. McCutcheon, Secretary I

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J. Parkulo, Engineer II
VACANCY, Engineer I
VACANCY, Engineer I
R. Hill, Engineer I
P. Rader, Engineer I
T. Adkins, Secretary I

Planning Division

J. Benedict, Chief

Toxicology Division

VACANCY, Toxicologist

Laboratory & Air Monitoring Div.

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A. Smith, Chemist III
J. McCoy, Chemist II
V. Flesher, Chemist II
VACANCY, Chemist I
R. Bradley, Chemist I
R. Porter, Chemist I
VACANCY, Chemist I
C. Spann, Engineer II
B. Samms, Technician II
E. Price, Secretary I

Data Processing Division

VACANCY, Chief
J. Nessif, Supervisor
VACANCY, Data Entry Clerk
J. Richards, Secretary I

Hazardous Waste Division

VACANCY, Chief
VACANCY, Engineer I
VACANCY, Engineer I

Northern Panhandle Regional Office

J. Tredway, Chief
T. Carroll, Air Poll. Spec.
VACANCY, Chemist I
D. DeWitt, Chemist I
L. English, Chemist I
VACANCY, Chemist I
VACANCY, Technician I
R. Plecha, Technician I
G. Gardner, Secretary I

North Central Regional Office

W. Taylor, Chief
D. Chadwell, Technician I
J. Ebert, Technician I
V. Duckworth, Secretary I

**APCC PERSONNEL SALARIES COMPARED
TO CLOSEST CIVIL SERVICE CLASSIFICATION**

<u>CIVIL SERVICE CLASS</u>	<u>SALARY RANGE</u>	<u>AVG. APCC</u>
Chemist I - III	\$15,072 - \$32,000	\$24,400
Division Chief	\$20,400 - \$58,150	\$34,450
Clerk I	\$ 8,900 - \$14,900	\$11,230
Computer Operation Supv.	\$18,756 - \$33,180	} \$32,300
Data Process Manager I - II	\$22,440 - \$48,140	
Data Process Supv.	\$18,760 - \$33,180	
Various Technician Types	\$13,370 - \$25,200	\$12,658
Technicians-in-Training	\$11,340 - \$19,270	
Custodian	\$ 8,900 - \$14,900	\$10,090
*Engineer I	\$23,470 - \$41,840	\$22,950
*Engineer II	\$24,552 - \$43,848	
Engineer-in-Training I	\$18,760 - \$33,180	} \$28,290
Engineer-in-Training II	\$20,520 - \$36,400	
Librarian I - III	\$15,070 - \$31,690	\$19,760
Secretary I	\$10,870 - \$18,440	\$12,515
Secretary II	\$11,340 - \$19,260	\$16,070
Photographer I	\$10,872 - \$18,440	\$15,570

* Note: **Engineering Staff Positions
Available at Current Full**

Funding:	Engineer I:	16**
	Engineer II:	7
	Total:	<u>23</u>

Projected Engineering Staff

Needed: At Least 23

Current Engineering Staff

Level:

Engineer I:	<u>10</u>
Engineer II (including Division Chief):	<u>3</u>

** Counting one (1) Air Pollution Specialist and the Planning Division Chief

West Virginia Air Pollution Control Commission

<u>Position Classification</u>	<u># Positions</u>	<u># Vacancies</u>	<u>% Vac.</u>
Director	1	0	0
Division Chief (includes 2 Regional Directors)	9	4	44
Supervisor	1	0	0
Engineers I & II	16	8	50
Chemist I, II & III	11	4	36
Technician I & II	5	1	20
Air Pollution Control Spec.	1	0	0
Attorney (Part-time)	1	0	0
Book Keeper	1	0	0
Data Entry Clerk	1	1	100
Secretary I & II	8	0	0
File Clerk	1	1	100
Librarian	1	0	0
Photographer	1	0	0
Receptionist	1	0	0
Messenger	1	0	0
Custodian	1	0	0
Total	61	19	31

REGIONAL SALARIES PER POSITION (1989)

	ALL CO	DE	D.C.	MD	PA	PHILA CO	VA	WV	AVERAGE AVERAGE SANS WV	
ENGINEER I	\$17,940	\$24,278			\$22,080	\$26,190	\$27,260	\$22,950	\$23,450	\$23,550
ENGINEER II	\$27,108	\$29,702	\$32,090	\$30,122	\$25,839	\$34,440	\$30,996	\$25,150	\$29,431	30,042
ENGINEER III	29,919	32,498	33,836	36,775	32,368		33,108	28,290	32,399	33,084
ENGINEER IV		34,230			38,308	42,648	34,345		37,383	37,383
ENG./MANAGER I	35,952		37,256		41,593	41,443	39,533	32,500	38,046	39,155
ENG./MANAGER II		47,902	47,054	47,449	47,724	44,207	39,745	35,488	44,224	45,680
ENV. SPECIAL. I	25,470	22,517	20,608	20,707	23,208	25,196	23,364	22,144	22,902	23,010
ENV. SPECIAL. II	27,355	30,515	28,984	28,718	31,622		27,185		29,063	29,063
CHEMIST I	17,940			21,637		27,833	26,445	20,988	22,969	23,464
CHEMIST II	19,272			24,593	33,903	33,603	30,010	26,366	27,958	28,276
METEOROLOGIST					26,394	38,929	29,595		31,639	31,639



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION III

841 Chestnut Building
Philadelphia, Pennsylvania 19107

Honorable W. Gaston Caperton III
Governor of West Virginia
Charleston, West Virginia 23511

DRAFT FINAL
FOR
REGIONAL ADMINISTRATOR'S
SIGNATURE

Dear Governor Caperton:

Section 110 of the Clean Air Act (the Act) requires each State to adopt plans which provide for the implementation, maintenance and enforcement of the national ambient air quality standards (NAAQS). West Virginia submitted an initial State Implementation Plan (SIP) in response to these requirements which was approved by the Environmental Protection Agency (EPA) on May 31, 1972. However, Section 110 also requires that the State revise that plan under certain conditions. A key feature of Section 110 of the Act requires the State to revise the plan whenever the plan is "substantially inadequate" to achieve the basic purposes of the Act.

In determining whether the plan is sufficient to achieve the NAAQS, EPA must consider whether the State has provided the "necessary assurances that the State will have adequate personnel, funding, and authority to carry out such implementation plan" [Section 110(a)(2)(F)(i)]. This Section requires the State to commit and maintain adequate resources in the air quality management program to implement and enforce the SIP as well as carry out the essential planning activities which are important to a viable program.

It has become increasingly apparent that West Virginia has not maintained a sufficient resource commitment to the air quality management program. The lack of an appropriate resource commitment has manifested itself in several ways. Among these are failure to submit a plan for attainment and maintenance of the new particulate matter (PM10) NAAQS, failure to respond to a May 26, 1988 SIP call for ozone and carbon monoxide, and continuing violations of the NAAQS for sulfur dioxide. West Virginia's failure to provide adequate resources has resulted in continued violations of the NAAQS which not only endanger the public, but, under federal permitting requirements, may be preventing the construction of major new sources or modification of existing sources of sulfur dioxide. Further details on all of these situations are discussed in the enclosure to this letter.

This letter takes two actions. First, I am notifying you that EPA finds the West Virginia SIP substantially inadequate to attain and maintain the ambient air quality standards due to inadequate resources. EPA makes this finding pursuant to Section 110(a)(2)(H)(ii), based on the State's failure to comply with the requirements of Section 110(a)(2)(F)(i) of the Act. We are requesting that within 60 days you respond to our concerns and provide an action plan to: (1) examine the resource needs of the air quality management program; and (2) prepare a plan for allocating resources to this program to resolve all the identified program deficiencies.

Second, please also be advised that EPA finds the West Virginia SIP substantially inadequate to attain and maintain the NAAQS for sulfur dioxide in Hancock County. EPA makes this finding pursuant to Section 110(a)(2)(H)(ii) of the Act, based on the State's failure to correct violations of the NAAQS, and in so doing calls for a revision to the West Virginia SIP to attain and maintain the NAAQS for sulfur dioxide in Hancock County. We are requesting that within 60 days you submit an action plan to EPA with a schedule for identifying and adopting control strategies to enforceably reduce sulfur dioxide emissions in Hancock County sufficient to attain and maintain the NAAQS.

Mr. Thomas J. Maslany, Director, Air, Toxics and Radiation Management Division, is sending a more detailed letter to Mr. G. Dale Farley, Director, West Virginia Air Pollution Control Commission, identifying what should be included in the action plan for addressing the resource deficiencies as well as in the action plan to respond to the call for a plan to achieve the NAAQS for sulfur dioxide in Hancock County. The staff of the Air, Toxics and Radiation Management Division is prepared to work with the State of West Virginia in developing these plans and in identifying the resource needs.

It is important to note that, should West Virginia fail to respond to these findings that the SIP is substantially inadequate, EPA may be required to impose certain sanctions under the Act. Among these sanctions is a moratorium on source permitting for major new sources and existing sources seeking expansion. As the finding of inadequacy due to inadequate resources applies to implementation of the entire SIP and not to a specific pollutant or geographic area, this sanction could become effective State-wide. Any EPA action that would result from an inadequate response to this letter, however, will be effective only after notice-and-comment rulemaking.

The EPA is committed to providing the necessary technical and administrative assistance to define the scope and timing of actions which must be taken by the State to resolve the identified SIP inadequacies. I trust that EPA and the State will work closely together in the coming months so that together we can protect the citizens of West Virginia while fostering economic development at the same time. I look forward to this cooperative undertaking.

Sincerely,

Edwin B. Erickson
Regional Administrator

Enclosure

cc: Leonard Harvey, Secretary
Commerce, Labor & Environmental Resources
L. Newton Thomas, Chairman
WVAPCC
G. Dale Farley, Director
WVAPCC

Attachment

The Environmental Protection Agency (EPA) has previously identified to West Virginia a number of air quality problems which must be addressed. The first step in addressing these problems is the commitment of sufficient resources to effectively design air quality management programs. Failure to initiate or complete planning in the following areas endangers the health of the public and may prevent the construction of new major stationary sources or expansion of existing sources.

PM10

On July 1, 1987, EPA promulgated a new ambient air quality standard for particulate matter. The former Governor of West Virginia was notified that a plan to attain and maintain the new NAAQS for the Follansbee area of Brook County was to be submitted to EPA for approval by April 30, 1988. While West Virginia has undertaken certain activities related to the development of a plan, the final plan is seriously overdue. This is of particular concern since EPA has recently received notice of a potential lawsuit to promulgate Federal plans in those areas where States have failed to fulfill the requirements as they relate to PM10. In addition to the Follansbee area, West Virginia must evaluate the adequacy of the current State regulations for the control of PM10 in the remainder of Brook County and Hancock County. This assessment and revisions to the SIP, as appropriate, must be submitted to EPA by August 31, 1990.

Ozone/CO

On May 26, 1988, EPA notified former Governor Arch A. Moore that the Huntington and Parkersburg areas had failed to attain and maintain the ozone NAAQS and that Weirton had failed to attain the NAAQS for carbon monoxide. On November 8, 1989, you were notified that the Charleston area and Greenbrier County are considered nonattainment with respect to the ozone NAAQS. Both these "SIP calls" require the State to undertake the planning process for development of new attainment plans. While the one-year schedule for the 1989 SIP call is just beginning, I am concerned that West Virginia has been unable to meet the SIP development schedule in the 1988 SIP call.

Sulfur Dioxide

By this letter, EPA has notified Governor W. Gaston Caperton III that the West Virginia SIP is substantially inadequate to attain and maintain the NAAQS for sulfur dioxide in Hancock County. This finding, made pursuant to Section 110 (a)(2)(H)(ii) of the Act, calls for a revision to the West Virginia SIP. Within 60 days, West Virginia is to respond to this SIP call by submitting an action plan with a schedule for identifying and adopting control strategies to reduce sulfur dioxide emissions in Hancock County sufficient to attain and maintain the NAAQS. EPA is currently assisting West Virginia with the review of permit applications for the construction of new source and the expansion of existing sources of sulfur dioxide. Air quality analyses performed in conjunction with these applications have identified additional areas that may not be attaining the NAAQS for sulfur dioxide. It appears that the NAAQS are not being attained in Marshall and Monongalia counties. In addition, EPA has concerns with the West Virginia SIP as it applies to sulfur dioxide ambient levels in Grant and Harrison Counties.

REGION III ACTIVITIES IN PM-10 IMPLEMENTATION

Areas With Violations

The only Group I area in Region III is the Follansbee, West Virginia - Mingo Junction, Ohio, interstate area. Progress with SIP development is being aided by monthly teleconferences with the Regional Offices, States, and the Sulfur Dioxide/Particulate Matter Programs Branch. Collection of on-site meteorological data was initiated last spring (April 1989) when a met tower was erected for the PAWVOH study. A monitoring network to collect samples for receptor modeling is currently being established. Emissions data has just been obtained for sources at Wierton Steel that may impact the study area.

The State of Ohio is carrying out most of the SIP development activities because of West Virginia's funding and staffing difficulties. Since basic field data are still being collected for this area, the SIP is about 9 months behind schedule. Therefore, the proposed SIP may not be ready for public hearing until the end of 1991.

Violations have also been measured in Wierton, West Virginia, (a Group II area) and in Clairton, Pennsylvania (a Group III area). West Virginia does not have the staff to prepare a SIP for Wierton, but we have requested a SIP development plan. The Regional Office is collecting emission inventory data for Wierton by means of a section 114 letter.

PM-10 violations are being measured at a school (Libertyboro) near the USX coke batteries in Clairton. The Allegheny County agency submitted a SIP development plan. The emission inventory and modeling protocol are currently being prepared. The SIP is scheduled to be completed by the end of 1990.

Group II and III Area SIP's

The Region has not published notices of approval although most of the States have submitted their Group II and III SIP's. The Air Programs Branch reported that two notices have been submitted to the Regional Counsel for concurrence.

USX Bubble

The Region is adequately responding to an application for a PM-10 bubble at USX Fairless Works. For your information, USX has attempted to apply pressure to have a bubble approved by June 1990 to avoid penalties for noncompliance. They have been told that a full demonstration that the PM-10 NAAQS can be maintained is required and that this cannot be completed by USX and reviewed by the Region by June.

Region III

PAWVOH

The PAWVOH study was conceived to design an area-wide model for sulfur dioxide sources. The study is not finished, the States having only completed data collection. From the information gathered thus far the problem appears to be mainly due to low level sources. The region is considering redirecting the study to deal only with those low level sources. The region is also discussing SIP calls with us based on the four low level sources that were identified in the study.

West Virginia Potential SIP Call Areas

The Region is in the process of issuing a generic SIP call which addresses, among other problems, SO₂ deficiencies in three counties in West Virginia (Hancock, Marshall, and Monongalia). The basis for the SIP call is the lack of the State's commitment of resources in the West Virginia Air Pollution Control Commission to provide for adequate enforcement of the SIP and for remedying deficiencies. This SIP call affects not only SO₂, but PM-10 and O₃ as well.

Meeting Notes

Meeting Notes

PSD/NSR PROGRAM
Michael Shapiro Visit
January 1990

FY 1989 ACTIVITIES

- * SEE ATTACHED CHART FOR STATE STATISTICS
- * A total of 36 reviews/determinations were done by Region III in FY 1989
- * STATE STRONG POINTS
 - PA - Modeling
 - DE - Cooperation
- * STATE WEAK POINTS
 - VA - Modeling, BACT
 - WV - Modeling

FY 1990 ACTIVITIES

- * SEE ATTACHED CHART FOR STATE STATISTICS
- * Based on conversations with State permitting staffs, we expect between 35 to 45 PSD permits next year. This figure does not include the 20 to 30 applicability decisions requested of us each year.
- * Training for all state/local agencies is mandatory for FY 1990. Every state/local agency in our Region has requested assistance/training and we have committed to do as much as possible this year. We urgently need the PSD/NSR Training Manual now under development by RTP so that we can meet our commitments.
- * SIGNIFICANT PROJECTS/ENFORCEMENT CASES
 - SOLAR TURBINES - ISSUE PAPER ATTACHED
 - Although the District Court recently granted Solar's request for Summary Judgement, at the company's request, we are continuing negotiations to develop a Consent Order or Agreement to resolve this litigation. The CO will call for a final NOx emission limit of 25 ppp and may include the payment of substantial penalties as well as for stipulated penalties should any element of the CO not be satisfied. At the same time, EPA is requesting the Dept. of Justice appeal the District Court decision.

MONTGOMERY COUNTY RESOURCE RECOVERY FACILITY - Municipal waste incinerator in Montgomery County, Maryland. Substantial citizen opposition. EPA's review of the BACT analysis raised several issues and we are discussing resolution of our concerns with Maryland.

ULTRASYSTEMS, HADSON POWER, VIRGINIA - ISSUE PAPER ATTACHED - there are four cogeneration plants being proposed by this corporation. We have reviewed the first two projects and found major deficiencies in both the modeling and BACT analyses. The State has issued the first permit (November 22, 1989) without resolving the modeling (use of actual emissions for the NAAQS analysis) issues and without adequately documenting the BACT determination. The permit was appealed by Region III to the Administrator (40 CFR §124.19) on December 26, 1989.

ORD LETTER TO VIRGINIA - COPY ATTACHED - apparently a representative of the Virginia Dept. of Air Pollution Control (VDAPC) contacted the Control Technology Center with a query regarding SO₂ controls. The question was referred to the Gas Cleaning Technology Branch in ETP and a letter was sent to VDAPC that, based on information from a 1979 study, magnesium oxide scrubbers may not be reliable and are too expensive for small (30 - 60 MW) plants. The letter clearly points out the need for EPA staff to be sensitive to not only the questions being asked but to our responses.

REGIONAL OPINIONS ON OVERVIEW

- * Under the current differential oversight protocol, EPA will never be out of the "overview" business. This was not the intent of the Potter memorandum.
- * At least one other Region is considering implementing a different phase-down approach than that currently being studied by the three pilot regions.
- * Differential oversight protocol must be streamlined and implemented consistently across the country.

TABLE I**LEVELING****10/16/89**

Module	State A			State B			State C			State D			State E		
	6/1	:10/5	:PN	6/1	:10/5	:PN	6/1	:10/5	:PN	6/1	:10/5	:PN	6/1	:10/5	:PN
	*	**	***												
I. Applicability	1	1	2	1	1	3	1	1	1	1	-	-	1	1	1
II. BACT/LAER	1	1	2	1	1	2	1	1	1	1	-	-	1	1	1
III. Air Quality Impact	1	1	2	1	1	2	1	1	1	1	-	-	1	1	2
IV. Modeling	1	1	2	1	2	3	1	1	1	1	-	-	1	1	2
V. Enforceability	1	2	3	1	1	2	1	1	1	2	-	-	1	2	3
VI. Public Notice	2	2	3	1	2	2	1	1	2	2	-	-	2	2	2

* - Initial Permit Reviewer Consensus June 1, 1989

** - Reflects the current levels as reflected since June 1, 1989

*** - Leveling reflected at public notice where initial EPA letter issued
and used by state as basis for applicant revisions.

	<u>SO₂</u> (1) (2) (3) ACTUAL EMISSIONS		SO ₂ MAXIMUM (4) ALLOWABLE EMISSIONS		NO _x ACTUAL EMISSIONS		NO _x MAXIMUM ALLOWABLE EMISSIONS	
	LBS/HR	TONS/YR	LBS/HR	TONS/YR	LBS/HR	TONS/YR	LBS/HR	TNS/YR
Lane Co. (1)	33.9	112	480.	2,103	19.7	65	96.1	421
BGF (2)	6.2	22	100.2	439	2.0	7	13.7	60
Ross Labs (3)	40.2	169	299.5	1,312	9.3	39	58.4	256
Burlington (1	123.3	407	924.	4,047	58.2	192	194.1	850

(1) 24 hrs/day, 5 1/2 days/ week, 50 weeks/yr

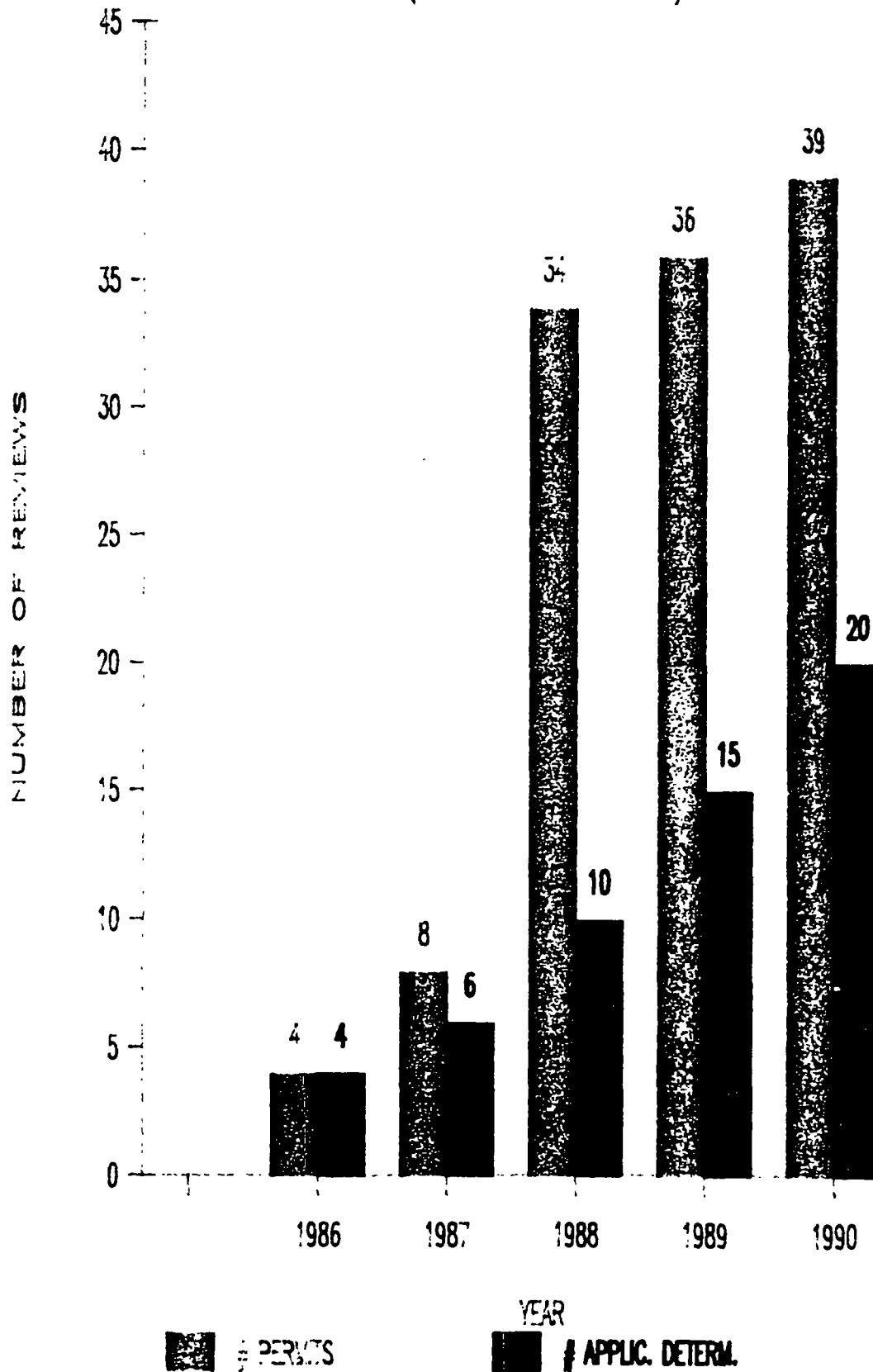
(2) 24 hrs/day, 6 days/week, 49 weeks/yr

(3) 24 hrs/day, 7 days/week, 50 weeks/yr

(4) 24 hrs/day, 365 days per year

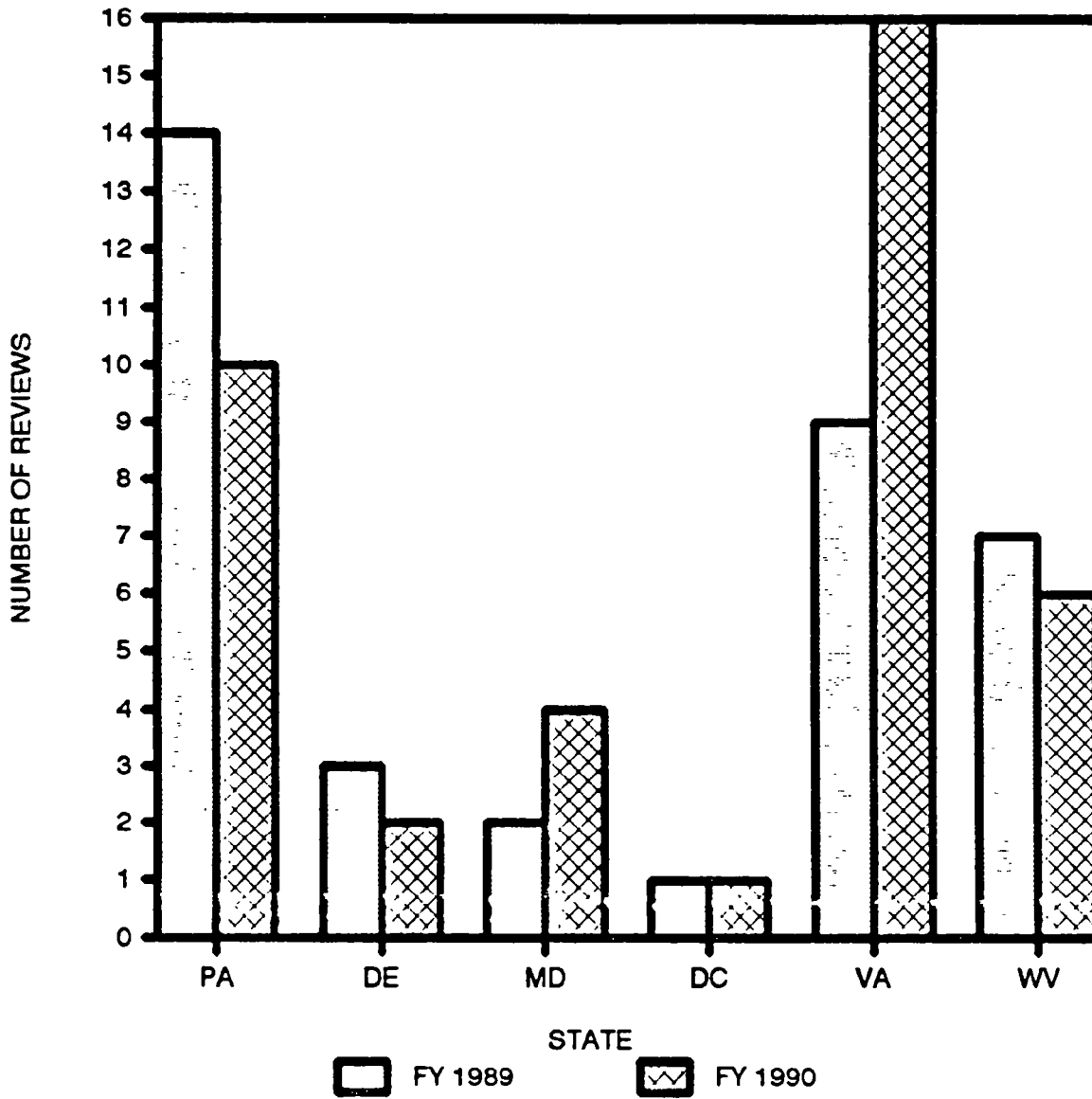
PSD REVIEWS

(ACTUAL + PROJECTED 1990)



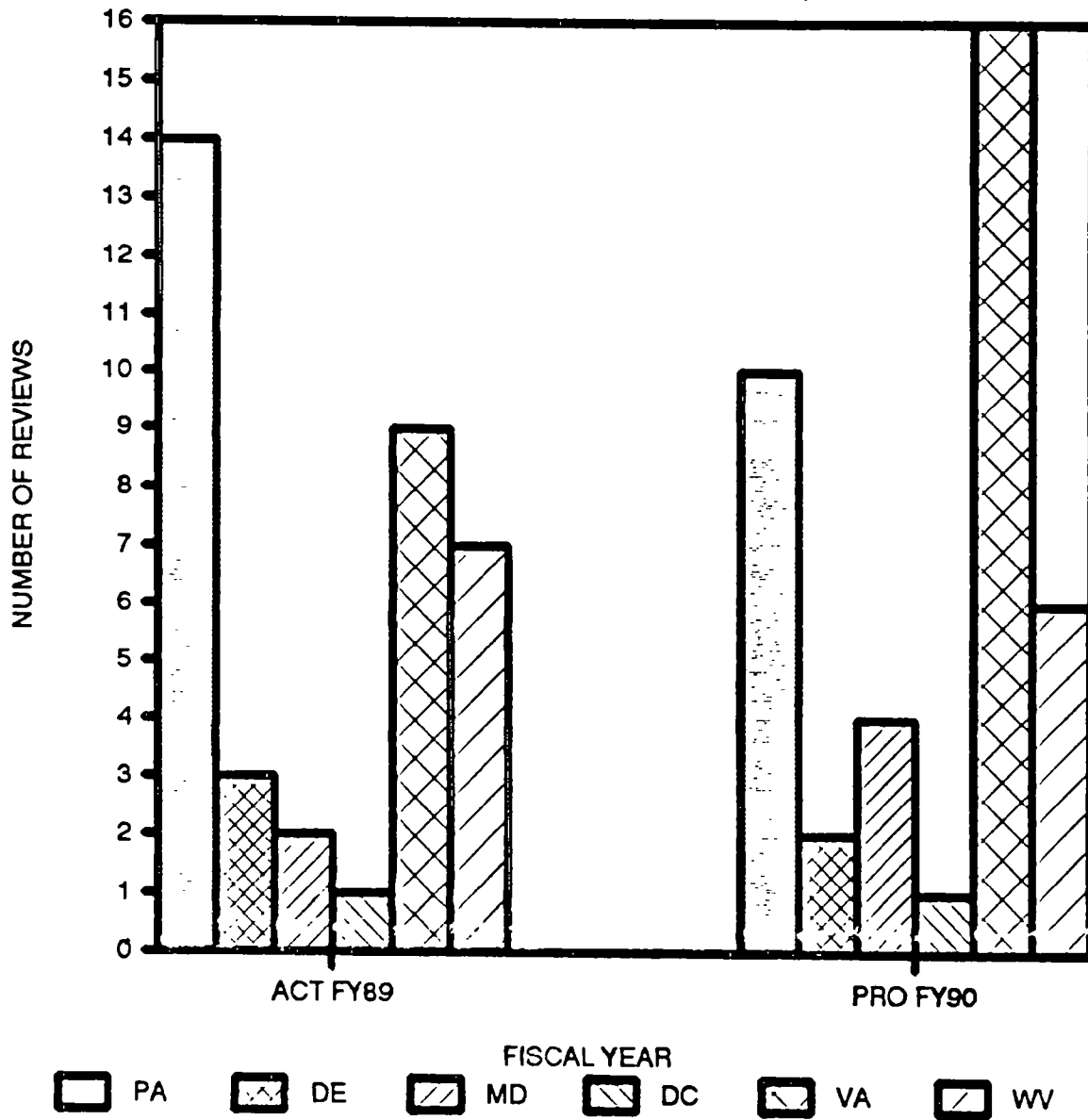
PSD REVIEWS

(ACTUAL 1989 & PROJECTED 1990)



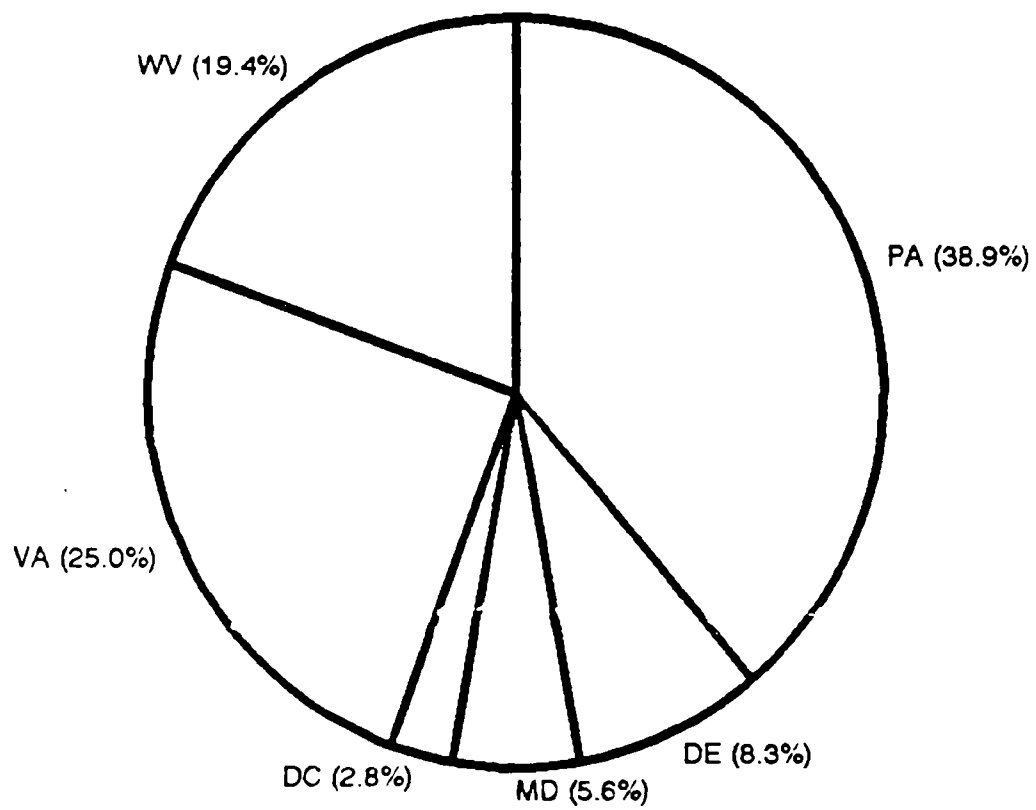
PSD REVIEWS

(ACTUAL 1989 & PROJECTED 1990)

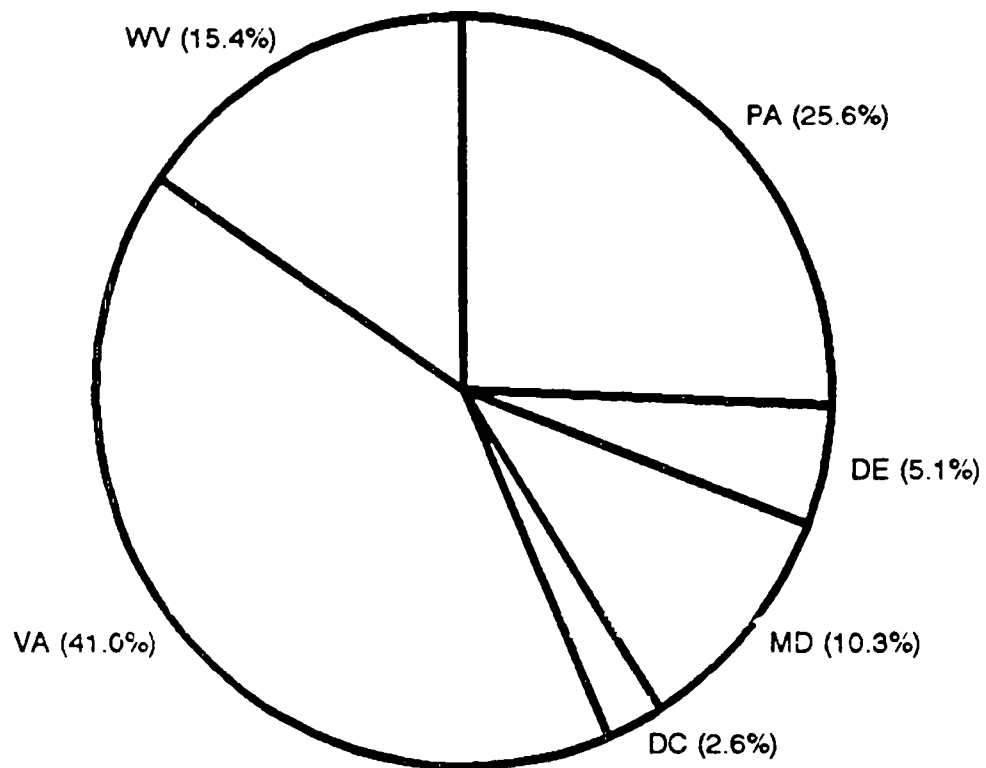


PSD REVIEWS

(ACTUAL FY 1989) TOTAL = 36



PSD REVIEWS
(PROJECTED FY 1990) TOTAL = 39



NSR PROGRAM ISSUES

- . SIP nonattainment regulations need corrections and updating to reflect new strategy/demonstration development efforts and timeframes.
- . Modeling guidance and policies need to be communicated to industry/consultants in a more active manner.
- . PSD SIPs and delegation agreements must be amended to include the NO_x increments which are effective in November 1990.
- . Currently the Region is locked into the 30-day public comment period for review of permits. Many times this is the first time the Region is aware of a facility's application.
- . No new resources have been added to this program for the past few years despite continued program growth.
- . Potential permittees and states are confused over EPA's Ambient Air Quality Modeling Guidance. A recent case has focused particular attention on "Impacts from Existing Sources" (see attached letter from Commonwealth of Virginia to John Calcagni).
- . Lack of consistency in overall permit review, especially in Best Available Control Technology (BACT), exists between the Regions. This is also a problem within Regions due to lack of sufficient resources compiled with insufficient review time resulting sometimes in incomplete permit reviews or no permit review at all.
- . NSR Workshop has been postponed until long-awaited guidance promised at last year's workshop is finalized.
- . Several National Policy/Guidance documents are long overdue. Among these are:
 - Post 1987 NSR Policy
 - Top-Down BACT Guidance
 - Fuel Conversion/Capable of Accommodating
- . Training is badly needed for not only Regional personnel but also state personnel. The intent of the PSD/NSR program is to provide the states training to help them operate effective PSD/NSR programs with EPA providing oversight and assistance functions.
- . NSR is an important, critical program in regard to controlling Global Warming since the rise of the earth's temperature is attributable in part to CO₂ emissions released from fossil-fuel burning sources.

WALLACE E. REED, CHAIRMAN
CHARLOTTESVILLE

ELIZABETH H. HASKELL, VICE CHAIRMAN
MARTINSVILLE

JOE E. BARROW
VIRGINIA BEACH

SAM C. BROWN, JR.
RICHMOND

MANUEL DEESE
RICHMOND



JAN 9

COMMONWEALTH of VIRGINIA

WALLACE N. DAVIS
EXECUTIVE DIRECTOR

Department of Air Pollution Control

ROOM 801, NINTH STREET OFFICE BUILDING

POST OFFICE BOX 10089

RICHMOND, VIRGINIA 23240

(804) 788-2378

FAX # (804) 225-3833

TDD # (804) 371-8471

December 29, 1989

RECEIVED

JAN 11 1990

ENFORCEMENT CASE -
ACTIVITIES SECTION

REC'D

JAN 10 1990

Mr. John Calcagni
Director, Air Quality Management Division
Mail Drop 15
U. S. EPA
Research Triangle Park, NC 27711

Dear John:

As we discussed on the phone, we are still trying to find a solution acceptable to EPA on the question of maximum allowable emissions. In the absence of an operating permit system, the regional office is telling us that we must assume that a source operates 8,760 hours per year with the most polluting fuel our existing source regulations would allow. This creates a problem as the attached table demonstrates.

Last fall, we started the administrative process for developing an operating permit system for existing sources and we anticipate having a draft regulation ready for our Board review by April of 1990, at the earliest, with final adoption in October 1990. The Virginia Administrative Process Act requires about a year to get a regulation in place. We need your help in the interim until this regulation is in place.

The attached table lists actual emissions for four existing sources in lbs. per hour and tons per year based on an existing operating schedule and also the maximum allowable emissions in lbs per hour and tons per year, assuming that the source would operate with the dirtiest fuel that our regulations would allow. This, in effect, means that a source who, historically, has used No. 2 oil with a sulfur content of .5 percent or natural gas will shift to a different oil with a sulfur content of 2.3 to 2.5 percent. While it is theoretically possible for the sources in question to do this, it won't happen in the real world.

When we model the proposed new source at its maximum emission rate, the new source would be insignificant if we used actual emissions for existing sources. However, the same modeling

exercise using the maximum allowable emissions for existing sources causes the new source to be significant at the points of maximum impact.

The PSD permitting program in Virginia may come to a screeching halt if we cannot find a workable solution to the maximum allowable emissions question. Existing sources are reluctant to enter into a consent agreement that states that they won't do something that they don't have any intention of doing anyhow because the consent agreement implies they are in violation of something, which they aren't. Even if a source was willing to sign a consent agreement, it is very time-consuming of scarce resources. Additionally, we understand that the consent agreement (CA) must have a public hearing preceeded by a 30-day comment period before it is signed. After the CA is signed, it must be submitted to EPA as a source specific SIP revision.

Unless something unforeseen happens, we will have an operating permit in place prior to the time that any proposed new sources could be built and put in operation, so what we need with your help, is a workable solution in this interim period. The difference in the hourly rate of emissions for SO₂ between actual and maximum allowable ranges from 7.4 to 16 times what is happening in the real world.

On Page 3 of your March 16, 1988 letter to Region III, you state "If a violation of any NAAQS is revealed by this type of analysis, then the adjustments described above may be made in cases where it can be shown to the satisfaction of the permit granting agency that historical operating levels and/or operating factors will be representative of future conditions." Certainly, we expect historical operating levels to continue since people are not going to look for a dirtier fuel and its increased maintenance problems. Some clarification of what EPA meant by this statement would be useful.

There are several possible options for existing sources without permits, some of which are listed below:


1. Assume all sources operate 8,760 hours per year with the most polluting fuel the regulations allow. In the real world, this is unrealistic and will create unreasonable delays in the PSD permitting program.
2. Use historical actual emissions until we have our operating permit system in place. This is the easiest solution, but is not very conservative.
3. Use historical actual emissions and inflate them by some percentage to make it conservative. We suggested this to Region III last August, but received no official response until EPA commented on the Altavista public hearing at the end of November, rejecting the proposal.

4. Use historical actual emissions, but assume the source operates 8,760 hours per year rather than 5 days/week, 50 weeks per year or whatever. This might be the most realistic approach because sources might increase shifts or hours, but would not change fuels except in an emergency.
5. Try to calculate a source's maximum hourly and annual emission rate that would not cause an exceedance of an ambient standard. This would be time-consuming and expensive, but it would provide a maximum "legal" emission limit.

John, my preference in the interim period would be to use options 3 or 4, but we want to satisfy EPA's national policy and would welcome your thoughts and suggestions. We are prepared to meet with you and Region III anytime and at any place. With some 15 to 20 PSD projects in the works, we do need clear guidance from EPA on how to do the modeling. Without it, we will experience unreasonable delays in the PSD program.

Any suggestions you have on how to deal with this will be greatly appreciated.

Sincerely


John M. Daniel, Jr., P. E.
Assistant Executive Director

cc: ✓ Tom Maslany, Director, Air, Toxics & Radiation Management
Division, EPA
Al Cimorelli, Meteorologist, Air Analysis & Energy Section,
EPA
Wallace N. Davis, Executive Director, DAPC
Pam Faggert, Director, Div. of Technical Evaluation, DAPC
Kirit Chaudhari, Director, Div. of Computer Services, DAPC

jd-jc

NEW SOURCE REVIEW

DIFFERENTIAL REVIEW

Permit Oversight Initiative

OVERVIEW

- . An approach for reducing Regional review as state/local agencies demonstrate the ability to assure and issue quality permits under federally approve programs.
- . Directed at major new sources and modifications, and minor sources on a Pilot Region call.
- . EPA's expectations of quality are embodied in Part 51, 52, the 1980 Workshop Manual, Guidelines on Air Quality Modeling, Policy and Guidance as reflected in the National NSR Checklist.
- . Internal Agency consistency is required through the use of the NSR checklist, both as the review guide and summary of individual permit analyses.
- . Levels of quality from 1 to 3 reflect increasing delivered permit quality and indicate allowable reductions in EPA involvement.
- . Because distinct areas of the permit process exist; leveling is separated to 6 areas, or modules.
 - .. It should be noted that the actual review and development of a permit to construct is not separated, eg. one permit engineer may be required to assess all aspects. Divisions of responsibility such as modeling may be administratively and physically separated from the permitting organization.
- . A Level, and movement among the levels, is reflective of the consistency of quality. One deficiency in five modules reviewed allows a higher (Level 2) quality to be recognized. Zero deficiencies in 3 consecutive reviews of a module results in yet the higher level (Level 3) rating.
- . Commensurate with the actualization of higher quality, EPAs involvement in every permit is reduced to arbitrary real time review of certain permits. Supplemental program audits on an annual frequency to verify the higher level status should continue as a quality assurance option of EPA.

- . The plan recognizes that the quality of permits and documentation begins with the applicant as influenced by the proficiency of the issuing authority. One enabling aspect has been the incorporation, through the issuing agency, of an abbreviated applicant data checklist. The objective is to foster permit quality at the start.

ACTIVITY

- . The Differential Review plan has been piloted since June 1, 1989, by Regions 3, 5 , and 6.
- . To date 8 States and 9 local agencies are actively involved in the pilot program. In addition, first line EPA staff through the Director of OAQPS have been apprised of what the plan is about.
- . Plan activity has been discussed and parts have been modified with the participating agencies, both at the working level and management. These include basic data handling, reviews of permitting processes, and the applicants checklist.
- . The participating agencies in Region 6 have provided self-audits of their programs and have voluntarily revised activities in light of the NSR checklist comparison.
- . Region 3 states have indicated that some will require the 35 page NSR checklist of applicants.
- . The abbreviated checklist has been provided to over 300 prospective applicants and consultants, and importantly these checklists are being submitted with the applications.
- . Initial leveling was conducted in accordance with the deficiency matrix of the plan. Because the consistent use of the NSR checklist had not yet been put into place, prior comment letters and EPA reviewer interviews were used for this effort.
- . Subsequent review of 11 permits in Region 6 has resulted in recognizing a higher quality level for enforceability and public notice modules for some agencies, and reinforcing initial leveling conducted without checklist use.

PERSPECTIVE

- . Without a doubt, "gut" feelings that problems of applicability, BACT, and modeling have been verified in Differential Review. These modules are at level 1 and will probably remain at level 1. These are also associated with the highest level of effort in permit review.
- . The in-house requirement to use the NSR checklist and abbreviated checklist standardizes our permit expectations and initially answers our state's and applicant's concerns, expressed prior to the pilot, on inconsistency of our reviews.
- . From a management decision stand point, the timing of when leveling is conducted significantly influences the perception of quality. A "real time" review has been to get EPA involvement in the permitting process as soon as possible. In Region 6, this has been at the time of permit application. For Region 3 and 5 this is at the time of public notice. The Potter memo of 1987 supports and encourages the former, however leveling the quality of permits at such an early date only judges the applicant and ignores subsequent state efforts.
- . The Differential Program also provides a pitfall. The plan, which envisions early review, is to identify the initial deficiencies, with a reassessment of the deficiencies based on the state's findings, presumably at the public notice milestone. There is no protection from the use by the state of our findings as their own, resulting in a false impression of the state's ability to assure quality permits.
- . Because the public notice milestone reflects the states apparent satisfaction, leveling should be done at this point. This does not mean that EPA should be precluded from early assessment. The impact of this early assessment on levels can be seen in Table I for five state programs.
- . Because higher levels of quality are limited to a few modules, the screening process has not been tested. A draft protocol is available, and continues to be analyzed.
- . Participating states in Regions 3 and 6 have not identified significant costs associated with their pilot program participation. They have found it as a good forum in which their requests for assistance, ie. training, can not be ignored by the agency. The costs in time have been identified as those associated with the use of the NSR checklist (if a state process), explanation of the abbreviated checklist, and review of the latter checklist. Because no significant activity has occurred in these areas, significance has not been measured.

- . Regional costs have been reported and are associated with use of the two checklists. Region 3 has been completing the abbreviated checklist as they review their permits, where as Region 6 has been completing the NSR checklist as a summarization of their review. Region 3 reports 2 to 3 hours to complete and Region 6 runs 4 to 5 hours. As familiarity and reviewer consistency is established, Region 6 anticipates that the time spent will be reduced. Beyond this point all data is reduced and manipulated by our automated leveling program. The reviewer is only responsible for the checklist.

RECOMMENDATIONS

- . Include an initial self-audit in the Differential Review Plan using the NSR checklist. This allows the state to appraise its own procedures in light of EPA's expectations in producing a quality permit.
- . The leveling pit-falls should be recognized, specifically when that milestone occurs.
- . Program management should maintain the initial and public notice Leveling Milestones because they can serve to identify resources expended to achieve higher quality levels.
- . Begin the regional functions defined in Differential Review nationally.
- . Review Level criteria in 6 months for necessary adjustment.
- . Continue to pilot the screening and abbreviated checklist. No judgement can be made on these aspects due to the limited amount of activity.
- . Review and update the NSR checklist. Some duplication exists.
- . Differential Review should be simply a part of a regional permit review and quality assurance plan. As such, it must be implemented consistently with very limited regional flexibility so that the agency can focus on inhibiting factors to permit quality.

E N F O R C E M E N T C O N F I D E N T I A L

SOLAR TURBINES INC.
CATERPILLAR TRACTOR CORP.
YORK, PENNSYLVANIA

ISSUE: EPA has determined that Solar Turbines does not have a valid PSD permit and has issued an NOV and filed a complaint in the District Court.

BACKGROUND: DER issued a PSD permit for the construction of six gas turbines (Solar "Mars" turbines) at the Caterpillar plant in York, PA despite EPA's comments that BACT had not been properly applied to the proposed facility. There were no NOx controls.

The source will be located in an attainment area for all pollutants except Ozone. NOx is a major component in the formation of ozone and the agency policy is to consider, more carefully, NOx controls in ozone nonattainment areas. NOx emissions are also a major contributor to Acid Rain. The proposed permit called for a NOx limit of approximately 150 ppbv while permits issued in Regions VI, VIII, IX, and II over the past year for similar or larger turbines consistently call for water/steam injection as controls and a NOx limit no greater than 75 ppbv. Application of appropriate control technology to this source would result in a reduction of approximately 900 TPY of NOx.

On January 25, 1988, a S167 Order was issued to Solar ordering the cessation of construction and/or operation of the turbines. Solar obtained a TRO from the District Court in February 1988.

On May 26, 1988, the District Court granted our Motion to Dismiss and vacated its Temporary Restraining Order. Solar then notified DoJ of its intent to appeal the S167 Order to the 3rd Circuit if we intended to enforce it.

On June 3, 1988, an EPA inspector visited the proposed facility and found that construction was proceeding.

In response to Solar's notice and query, on June 17, 1988, DoJ filed a civil complaint against Solar for constructing without a valid permit and EPA issued an MCV for the same violation. At that time, we also issued a Notice of Withdrawal of the §167 Order so that we would be arguing the violation rather than any "legal" issues relative to the Order.

On July 26, 1988, an inspector from ESD attempted to gain entrance to the plant to conduct an inspection. Entrance was denied, he took pictures from across the road that showed construction was continuing. Later, an attorney for Solar contacted Regional Counsel and confirmed that construction was indeed continuing.

We have met with the company and its representatives in August, September and November in an attempt to reach agreement on the installation of controls. Solar does not appear willing to agree to enforceable dates or conditions.

In a separate, but related issue, on November 10, 1988, the Administrator remanded the permit for the Pennsauken Resource Recovery Facility in New Jersey because of an inadequate EACT analysis. The Remand Order reinforces the requirement for a "top-down" EACT analysis and supports our case in that it requires that the EACT analysis be re-done to include more complete information regarding various NOx controls, including thermal de-NOx.

On December 6, 1988, oral arguments were presented before the Third Circuit regarding the appeals filed by Solar and EPA from Judge Rambo's May Order. The Judges appeared, based on the questions raised by them, to believe that the matter was not "ripe", that the Section 167 Order was not a final Agency action, and did not belong in their Court. The authority question was not discussed in any detail although the briefs filed by both parties did address this question. It will be several months before a decision is issued by the Third Circuit.

On December 13, 1988, Judge Rambo issued an Order granting EPA's motion to amend its complaint to include penalties and postponed any decision on the summary judgement motions until after the Third Circuit issues its decision.

In August 1989, Solar submitted a response to our November 1988 draft Consent Agreement. Although their alternative was not acceptable, we met with the Company and their attorneys in October 1989 to attempt to negotiate an acceptable agreement. The CO would require substantial penalties as well as stipulated penalties for failure to satisfy each element of the CO. The CO also would also require a final NOx emission limitation of 25 ppm.

On November 28, 1989, Judge Rambo issued the final District Court decision on this case. She granted Solar's Motion for Summary Judgement and held that EPA cannot pursue enforcement action against the owner/operator of a source that has obtained a permit but rather must pursue action against the State agency if we believe the permit to be invalid.

EPA is expected to request the DoJ to appeal this decision by January 31, 1990.

CURRENT
ACTIVITY:

Solar has requested a settlement conference. This meeting will be held on January 17, 1990 to continue our discussions regarding the Consent Order/Settlement Agreement.

Prepared by: Eileen M. Glen
January 10, 1990

ULTRASYSTEMS DEVELOPMENT COMPANY
SOUTHAMPTON PLANT
SOUTHAMPTON, VIRGINIA

ISSUE: EPA has determined that the PSD permit issued by the Virginia Department of Air Pollution Control (VDAPC) is based on a record that does not support the BACT determination reached by the applicant and the VDAPC.

BACKGROUND: The VDAPC forwarded a permit review package to this office requesting review and comments on the BACT and modeling analyses during the 30-day public comment period. Comments were submitted by EPA on November 3, 1989 (within the required 30 days). We received one telephone inquiry from a VDAPC staff person regarding one of the BACT issues. On November 22, 1989, the VDAPC issued the final PSD permit and response to EPA's comments simultaneously. A copy of this package was hand-delivered to the Regional Office on November 28, 1989.

Because both the VDAPC and Ultrasystems were well aware of the possibility of a permit appeal pursuant to 40 C.F.R. §124.19, we then had several conference calls and meetings in which both parties attempted to supplement the record. Despite these meetings, the Regional Office believed that an adequate argument and record had not been developed and filed an appeal to the Administrator on December 26, 1989.

This is one of approximately 20 cogeneration plants contemplated in the Commonwealth of Virginia over the next several years. It is one of four to be built by this applicant. The plant will consist of two 30 MW coal/oil/tall oil fired spreader stoker boilers, an auxiliary boiler, and ash, coal and limestone handling systems. The proposed controls consist of dry scrubbers for 90% SO₂ removal and good combustion practices for NO_x controls. The Regional Office recommended wet scrubbers for 95% or greater SO₂ removal and add-on NO_x controls for 50% NO_x removal. The applicant is arguing that such controls are economically or technologically infeasible. We also appealed the modeling record in that major omissions were found and a full analysis might result in a different permitting decision.

All parties met on January 2, 1990, to discuss the record and the applicant did agree to submit additional modeling data and economic data.

CURRENT

ACTIVITY:

We are continuing to review material as it is submitted and to work with the VDAPC on the development of an adequate EACT determination. The VDAPC has informed the Regional Office that they do agree with the need for add-on NOx controls.

The Chief Judicial Officer has requested that the VDAPC file a response to our appeal by February 12, 1990.

Prepared by: Eileen M. Glen
January 10, 1990

REGION III VISIT

NEW SOURCE REVIEW

Permit Review Workload

The Region will compare the number of permits issued during FY'89 and the number in the "pipeline" in FY'90 to demonstrate the increasing permit review workload.

Differential Oversight

The Region wants to preserve national consistency in implementing Differential Oversight and wants to speed up the process of "backing off" of permit review for individual agencies.

The Region believes that the current protocol in the pilot effort does not promote a reduced level of review quickly enough. The protocol essentially requires that five consecutive permits be error-free before a State moves to a level requiring less EPA review.

Also, the Region is concerned that national consistency is important and that at least one Region (Reg. IV) may be moving ahead with their own approach.

OAQPS Position:

- We strongly agree that national consistency is essential in the manner in which we reduce permit oversight .

Questions for the Region:

- o What changes would you suggest in the current pilot to speed up disinvestment in permit oversight?
- o Have you discussed this with Region VI (lead Region for this initiative) to include an option in the pilot that would more quickly move an agency to a less intensive level of review?

Meeting Notes

Meeting Notes

Meeting Notes

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