



**Region 4 - Air Planning Agreement  
For Fiscal Year 2021  
\*\* Final \*\*  
Negotiation Phase**

**Agency: Georgia Department of Natural Resources  
View Portions of the Workplan**

## Improving Air Quality

**Goal: Goal 1: Deliver a cleaner, safer, and healthier environment for all Americans and future generations by carrying out the Agency's core mission.**

**Objective: Improve Air Quality: Work with states and tribes to accurately measure air quality and ensure that more Americans are living and working in areas that meet high air quality standards.**

**Sub-Objective: By September 30, 2022, reduce the number of nonattainment areas to 101.**

**Strategic Targets:** • TBD

### FY 2021 105 Grant Commitments:

#### Implement the PM<sub>2.5</sub> NAAQS

1. As appropriate, address any area violating the PM<sub>2.5</sub> NAAQS that is not designated nonattainment and provide quarterly reports or updates on activities and accomplishments to the Regional Office. Reports could be provided more frequently if desired and necessary.

Response: Agree on addressing any area violating the NAAQS that is not designated nonattainment and providing reports or updates to EPA upon request.

Last EPA Reviewer: pwilliam - 14:49:25 on 09/01/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:

Current Status:

Regional Staff Response:

#### Implement the 2015 8-hour Ozone NAAQS

2. As appropriate, address any area violating the ozone NAAQS that is not designated nonattainment and provide quarterly reports or updates on activities and accomplishments to the Regional Office. Reports could be provided more frequently if desired and necessary.

Response: Agree on addressing any area violating the NAAQS that is not designated nonattainment and providing reports or updates to EPA upon request.

Last EPA Reviewer: pwilliam - 13:13:46 on 09/10/20 - pwilliam -

Negotiation Status: Status\_OK

Negotiation Comments:

Current Status:

Regional Staff Response:

3. If not provided by August 3, 2020, please provide SIP revisions to address emissions statement and emissions inventory nonattainment requirements and, by August 3, 2021, SIP revisions to address nonattainment new source review for the 2015 Ozone NAAQS for areas designated nonattainment on April 30, 2018, effective August 3, 2018.

Response: Agree

Last EPA Reviewer: pwilliam - 14:49:52 on 09/01/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:

Current Status:

Regional Staff Response:

### **Implement the Lead NAAQS**

4. As appropriate, address any area violating the 2008 Lead NAAQS that is not designated nonattainment and provide quarterly reports or updates on activities and accomplishments to the Regional Office. Reports could be provided more frequently if desired and necessary.

Response: Agree on addressing any area violating the NAAQS that is not designated nonattainment and providing reports or updates to EPA upon request.

Last EPA Reviewer: pwilliam - 14:53:02 on 09/01/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:

Current Status:

Regional Staff Response:

### **Implement the Regional Haze Program**

5. Submit a SIP revision to address planning requirements for the second implementation period for regional haze by July 31, 2021.

Response: Agree

Last EPA Reviewer: mnotarianni - 12:11:39 on 08/25/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:

Current Status:

Regional Staff Response:

### **Attain and Maintain the Other NAAQS**

6. As appropriate, address any area violating the other NAAQS that is not designated nonattainment and provide quarterly reports or updates on activities and accomplishments to the Regional Office. Reports could be provided more frequently if desired and necessary.

Response: Agree on addressing any area violating the NAAQS that is not designated nonattainment and providing reports or updates to EPA upon request.

Last EPA Reviewer: pwilliam - 14:53:29 on 09/01/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:

Current Status:

Regional Staff Response:

7. In accordance with an SO<sub>2</sub> consent decree, EPA completed the second round of SO<sub>2</sub> designations prior to July 2, 2015, and the third round of designations prior to December 31, 2017. There is one remaining round of SO<sub>2</sub> designations (i.e., by 2020 for the round based on monitoring). States are invited to submit additional recommendations and technical support to help inform these designations.

Response: Agree

Last EPA Reviewer: pwilliam - 13:14:03 on 09/10/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:

Current Status:

Regional Staff Response:

8. For any area where modeling of actual SO<sub>2</sub> emissions serve as the basis for designating such area as attainment for the 2010 SO<sub>2</sub> NAAQS, the air agency shall submit an annual report to the EPA Regional Administrator by July 1 of each year, either as a stand-alone document made available for public

inspection, or as an appendix to its Annual Monitoring Network Plan (also due on July 1 each year under 40 CFR 58.10), that documents the annual SO<sub>2</sub> emissions of each applicable source in each such area and provides an assessment of the cause of any emissions increase from the previous year.

Response: Agree. However, the SO<sub>2</sub> DRR allows the EPA Regional Administrator to remove the annual reporting requirement if air quality modeling shows that “air quality values at all receptors in the analysis are no greater than 50 percent of the 1-hour SO<sub>2</sub> NAAQS”. The EPA Regional Administrator has granted Georgia EPD’s request to remove annual reporting requirements for Georgia Power-Plant Scherer and Georgia Power-Plant Wansley.

Last EPA Reviewer: pwilliam - 13:38:37 on 09/10/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:

Current Status:

Regional Staff Response:

### **NAAQS Cross Cutting**

9. Continue to develop and implement standards, plans, strategies, and actions to preserve air quality in attainment areas and prevent further degradation in areas with the potential to be designated nonattainment in the future. Continue screening of monitoring data for early indication of nonattainment. For areas that violate after the designation, work with Region 4 to develop a plan to expeditiously bring each area back into attainment.

Response: Agree

Last EPA Reviewer: pwilliam - 14:54:48 on 09/01/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:

Current Status:

Regional Staff Response:

10. Consistent with the national allocation of section 105 grant resources and the states’ and locals’ voluntary withholding of 105 grant resources for special projects, continue developing regional planning capabilities for National Ambient Air Quality Standards (NAAQS) and regional haze, including emission inventory development, building air quality modeling capacity, other technical analyses and collaboration with other agencies. The state and local contact or section chief in the Air Regulatory Management Section should be notified, at the mid-year point and a month prior to the end of the grant period, via e-mail of how the state or local agency is meeting this grant condition, specifying applicable specific grants or programs.

Response: Agree. EPA holds back a portion of Georgia EPD’s 105 allocation for direct award to SESARM and AAPCA, which provides technical project support, and operations and meeting support for state air agencies at the regional and national levels.

Last EPA Reviewer: pwilliam - 14:13:25 on 09/15/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:

Current Status:

Regional Staff Response:

### **Implement Mobile Source Programs**

11. Actively participate in the transportation conformity process, which includes the following activities: consult with appropriate transportation and air quality partners on development of motor vehicle emissions budgets; participate in the interagency consultation process; and develop relationships with transportation partners.

Response: Agree

Last EPA Reviewer: dmyers01 - 12:19:13 on 09/03/20 - ksheck02 -

Negotiation Status: Status\_OK

Negotiation Comments:

Current Status:

Regional Staff Response:

### **Implement NSR Programs**

12. Issue major NSR/Prevention of Significant Deterioration (PSD) permits and minor source permits that comply with CAA requirements and enter Best Available Control Technology (BACT)/Lowest Achievable Emissions Rate (LAER) determinations for major sources in the Reasonably Available Control Technology (RACT)/BACT/LAER Clearinghouse (RBLC).

Response: Agree

Last EPA Reviewer: lshepa03 - 15:27:44 on 09/01/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:

Current Status:

Regional Staff Response:

13. Upon receipt of an NSR/PSD permit application for a major source, submit a copy to EPA. If your agency has a completeness determination process, notify EPA when each NSR/PSD permit application is deemed complete. Upon public notice of a draft NSR/PSD permit for a major new source of modification, submit a copy to EPA of any documents relevant to the preliminary determination and draft NSR/PSD permit. Upon issuance of a final major source permit, submit a copy to EPA of any documents relevant to the final determination and final permit.

Response: Agree

Last EPA Reviewer: lshepa03 - 15:35:10 on 09/01/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:

Current Status:

Regional Staff Response:

### **Ambient Air Monitoring**

14. Operate all criteria pollutant monitors and perform requisite data review and quality assurance/quality control elements in compliance with the requirements of the CFR and other applicable federal policy and guidance. This commitment includes all reporting and data certification requirements (e.g., annual State and Local Air Monitoring Station (SLAMS) reports and data certifications due by May 1 each year).

Response: Agree

Last EPA Reviewer: cwang01 - 10:25:51 on 09/02/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:

Current Status:

Regional Staff Response:

15. The agency will collect strip chart data or its electronic equivalent for quality assurance purposes. Electronic strip chart data must be collected on a 1-minute timeframe or less. This data must be retained for a minimum of three (3) complete monitoring years.

Response: Agree

Last EPA Reviewer: rguillot - 15:54:19 on 08/28/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:

Current Status:

Regional Staff Response:

16. The State will develop and submit for approval a statewide ambient monitoring network plan. The network plan should be consistent with requirements outlined in 40 CFR Parts 50, 53, and 58. State agencies, as applicable, will coordinate with their Local agencies in the development of this plan. The network plan is to be submitted on or before July 1 of each year incorporating any changes, real or proposed. Include in the network plan a certified evaluation of the agency's ambient monitors and auxiliary support equipment and categorize the condition of the equipment as "Good," "Fair," or "Poor." Please indicate which equipment pieces are not in everyday use (e.g., spare/back-up equipment stored in a lab or warehouse). Auxiliary equipment includes items such as calibrators, data loggers, meteorological equipment, modems, etc. The agency is requested to replace equipment categorized as "Poor."

Response: Response: Agree, with two exceptions: (1) Georgia has no local agencies that conduct ambient monitoring as a part of the statewide ambient monitoring network; and (2) Georgia will include in the network plan an evaluation (not necessarily certified) of the agency's ambient monitors and auxiliary support equipment and categorize the conditions of the equipment as "Good," "Fair," or "Poor."

Last EPA Reviewer: cwang01 - 10:29:58 on 09/02/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:

Current Status:

Regional Staff Response:

17. Maintain an approved quality management plan (QMP) for the criteria pollutant network. QMPs expire every five (5) years. The QMP will be submitted at least 180 days prior to the expiration of the current QMP electronically to [R4QMP@epa.gov](mailto:R4QMP@epa.gov) or in hard copy to: EPA Region 4, Laboratory Services and Applied Science Division, 980 College Station Road, Athens, GA 30605, Attn: Regional Quality Assurance Manager. QMPs must address EPA Requirements for Quality Management Plans (EPA QA/R-2, <http://www.epa.gov/quality/qs-docs/r2-final.pdf>). For additional information and guidance see <http://www.epa.gov/quality/qmps.html>.

Response: Agree. Georgia EPD will make every effort to submit the Georgia EPD QMP to EPA R4 by the requested deadline (180 days prior to expiration).

Last EPA Reviewer: rguillot - 17:19:38 on 08/28/20 - rguillot -

Negotiation Status: Status\_OK

Negotiation Comments: Approval Date: 04/13/2016 \*\* EXPIRATION DATE: 04/12/2021 \*\* \*\* DUE 180 Days Prior to Exp Date: 10/14/2020 \*\*

Current Status:

Regional Staff Response:



18. For all new pollutants to be monitored and methods to be used, a quality assurance project plan (QAPP) must be submitted for approval 180 days prior to collection of environmental data. Electronic copies may be submitted to [R4airqa@epa.gov](mailto:R4airqa@epa.gov) and hard copies to: EPA Region 4, Laboratory Services and Applied Science Division, 980 College Station Road, Athens, GA 30605, Attn: Quality Assurance Section Chief. QAPPs must address EPA Requirements for Quality Assurance Project Plans (EPA QA/R5, [https://www.epa.gov/sites/production/files/2016-06/documents/r5-final\\_0.pdf](https://www.epa.gov/sites/production/files/2016-06/documents/r5-final_0.pdf)).

Response: Agree, to the extent practicable, given EPA's current expectations with regard to level of detail in QAPPs. Some details of monitoring for a new pollutant are not fully worked through 180 days prior to commencing collection of data.

Last EPA Reviewer: rguillot - 22:54:01 on 08/28/20 - -

Negotiation Status: Status\_OK

Negotiation Comments: PAMS Agency

Current Status:

Regional Staff Response:

19. Maintain an approved quality assurance project plan (QAPP) for the criteria pollutant network. EPA will review the QAPPs submitted by the State and/or local agencies for approval in accordance with the following:
1. The State and/or local agencies will review their QAPPs annually. The review will be documented in an email to [R4airqa@epa.gov](mailto:R4airqa@epa.gov). The email should state the date of the review and whether the QAPP is adequate as written or requires changes. If revised, the QAPP will be submitted to EPA for approval within 180 days following the date of the email.
  2. The State and/or local agency QAPPs expire every five (5) years and thus will be reviewed, revised and submitted to EPA for approval 180 days prior to expiration of the current QAPP.
  3. The State and/or local agency will submit standard operating procedures (SOPs) associated with the QAPPs. SOPs will be submitted with revised QAPPs and are referenced during the QAPP review; however, SOPs will not be reviewed or approved.

Electronic copies may be submitted to [R4airqa@epa.gov](mailto:R4airqa@epa.gov) and hard copies to: EPA Region 4, Laboratory Services and Applied Science Division, 980 College Station Road, Athens, GA 30605, Attn: Quality Assurance Section Chief. QAPPs must address EPA Requirements for Quality Assurance Project Plans (EPA QA/R5, [https://www.epa.gov/sites/production/files/2016-06/documents/r5-final\\_0.pdf](https://www.epa.gov/sites/production/files/2016-06/documents/r5-final_0.pdf)).

Response: Submitting all associated SOPs with each QAPP is redundant and burdensome and many networks rely on overlapping SOPs. The SOPs in their entirety are too large to send via email and too costly to mail hard copy. Georgia EPD will upload SOPs to a virtual drop box or drive so that EPA's Laboratory Services and Applied Science Division (LSASD) can access the files electronically. Georgia EPD will make every effort to submit approvable QAPPs to LSASD 180 days prior to expiration of the current, approved, QAPP. However, the review and approval of QAPPs is performed by LSASD and not within Georgia EPD's control. Georgia EPD will continue to update and maintain its QAPPs whether approved, conditionally approved, or yet to be approved by LSASD and work with LSASD if there are any questions.

Last EPA Reviewer: rguillot - 23:13:42 on 08/28/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:Current Status:Regional Staff Response:

20. Maintain up-to-date standard operating procedures (SOPs) for instrumentation and quality system processes (e.g., data handling and validation, document control, etc.) in support of criteria pollutant monitoring activities, and as appropriate, any air toxics monitoring activities conducted by your agency. SOPs for newly acquired instrumentation should be developed within 180 days from the start-up of the equipment. Please submit courtesy copies of all SOPs either electronically at [R4airqa@epa.gov](mailto:R4airqa@epa.gov) or by mail to EPA Region 4, Laboratory Services and Applied Science Division, 980 College Station Road, Athens, GA 30605, Attn: Quality Assurance Section Chief.

Response: Agree

Last EPA Reviewer: rguillot - 09:56:57 on 08/31/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:Current Status:Regional Staff Response:

21. For all SLAMS and special purpose monitors (SPMs) meeting the requirements of 40 CFR 58, notify EPA as soon as possible, but no later than 30 days, after the determination of exceedances/violations of the NAAQS for all criteria pollutants, including PM<sub>2.5</sub>. For the 8 hour ozone NAAQS, report all 4th maximum concentrations that are at or above the level of the standard (agencies meet this commitment for monitors that have data reported to AirNow).

Response: Agree

Last EPA Reviewer: cwang01 - 10:32:19 on 09/02/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:Current Status:Regional Staff Response:

22. Comply with the requirements in 40 CFR § 50.14 regarding treatment of data influenced by exceptional events. (Note: EPA Region 4 will neither review nor concur on either state or local requests to exclude data unless the state is in compliance with the appropriate requirements.)

Response: Agree

Last EPA Reviewer: cwang01 - 10:35:23 on 09/02/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:Current Status:Regional Staff Response:

23. In conjunction with the AQI, agencies are encouraged to submit an air quality forecast for MSA's greater than 350,000 people to the EPA AirNow Web site. The air quality forecast should be submitted daily to the AirNow web site before 3:55 p.m. EDT. The air quality forecast, like the AQI, will be based on the primary criteria pollutant. Unlike the AQI, an index value is not required to be reported as a forecast; instead of the index value, the AQI descriptor value of Good, Moderate, Unhealthy for Sensitive Groups, Unhealthy, or Very Unhealthy should be used.

Response: Disagree with this as a commitment. 40 CFR 58 App. G, Section 11 clearly states that forecasting AQI is not required. Georgia EPD has committed through the SIP process to forecast Atlanta ozone from March 1 – October 31. We voluntarily forecast for ozone in Macon from March 1 – October 31, and PM2.5 in Columbus and Atlanta year-round.

Last EPA Reviewer: cwang01 - 10:50:51 on 09/02/20 - -

Negotiation Status: Status\_OK

Negotiation Comments: EPA appreciates the continued effort in submitting real time data to AirNow and forecasting AQI for some areas.

Current Status:Regional Staff Response:

24. Support staff participation at the following meetings:  
 A. The annual Region 4 Ambient Air Monitoring WorkShop; and  
 B. The National Ambient Air Monitoring Conference.

Response: Agree, to the extent that state budget and travel policies allow.

Last EPA Reviewer: cwang01 - 10:57:45 on 09/02/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:Current Status:Regional Staff Response:

25. FRM/FEM data for each criteria pollutant monitor must be at a minimum 75% complete on a quarterly and annual basis. Additionally, ozone data must be 90% or more complete on a three-year average basis. Notify EPA immediately if a problem arises that will prevent the agency from meeting a data completeness requirement for any pollutant. Provide reasons why the data completeness requirement will not be met, a schedule for correcting the problem, and corrective actions that will be taken to avert the problem from recurring. Notify your EPA monitoring contact by email no more than 90 days after the end

of the quarter of any monitor not meeting the 75% data recovery requirement. Data recovery may become part of a regional/national statistical report published by EPA.

Response: Generally agree but this requirement uses the terms data completeness and data recovery interchangeably and they mean different things. Georgia EPD will notify the EPA monitoring contact of any monitor not meeting the 75% minimum data completeness requirement.

Last EPA Reviewer: cwang01 - 11:07:14 on 09/02/20 - -

Negotiation Status: OK

Negotiation Comments: Please email the monitoring state contact of completeness issues along with any corrective actions. The EPA considers data completeness and data recovery the same thing. We will consider revising this language in the future.

Current Status:

Regional Staff Response:

26. As part of the QA competency demonstration submittal (Reporting Requirement 21-14) that your agency submits to EPA with its annual grant application package, provide a listing of all QA documents (QMPs, QAPPs, and SOPs) for the criteria pollutants network maintained by your agency, and the date that each document was most recently revised and approved (EPA approval only required for QMPs and QAPPs).

Response: Section Georgia EPD's Section 105 funding is included as part of a PPG, and Georgia EPD submits a QA Competency on behalf of the agency. Georgia EPD will make every effort to submit the Georgia EPD QA Competency to EPA R4 by the requested deadline.

Last EPA Reviewer: cwang01 - 11:09:05 on 09/02/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:

Current Status:

Regional Staff Response:

27. Collect ambient air quality data for toxics from monitoring sites as appropriate for special studies funded under this agreement. Include any planned air toxics monitoring in the ambient monitoring network design plan that is submitted to EPA in July annually. If no monitoring is planned, respond to this commitment by stating, "No air toxics monitoring will be performed."

Response: Agree. Georgia EPD participates in the National Air Toxics Trends Stations (NATTS) Network as well as currently undergoing an ethylene oxide data study. Any ongoing toxics monitoring funded by the 105 will included in the Annual Network Plan submitted by July 1.

Last EPA Reviewer: swaterso - 14:35:04 on 08/31/20 - swaterso -

Negotiation Status: Status\_OK

Negotiation Comments: Please include the Community Scale Air Toxics grant once it is awarded.

Current Status:

Regional Staff Response:

28. Maintain an approved quality assurance project plan (QAPP) for the air toxics network. EPA will review the QAPPs submitted by the State and/or local agencies for approval in accordance with the following:
1. 1. The State and/or local agencies should review their QAPPs annually. The review will be documented in an email to [R4airqa@epa.gov](mailto:R4airqa@epa.gov). The email should state the date of the review and whether the QAPP is adequate as written or requires changes. If revised, the QAPP will be submitted to EPA for approval within 180 days following the date of the email.
  2. The State and/or local agencies QAPPs expire every five (5) years and thus will be reviewed, revised and submitted to EPA for approval 180 days prior to expiration of the current QAPP.
  3. The State and/or local agencies will submit standard operating procedures (SOPs) associated with the QAPPs. SOPs will be submitted with revised QAPPs and are referenced during the QAPP review; however, SOPs will not be reviewed or approved.
  4. If no monitoring is planned, respond to this commitment by stating, "No air toxics monitoring will be performed."

Electronic copies may be submitted to [R4airqa@epa.gov](mailto:R4airqa@epa.gov) and hard copies to: EPA Region 4, Laboratory Services and Applied Science Division, 980 College Station Road, Athens, GA 30605, Attn: Quality Assurance Section Chief. QAPPs must address EPA Requirements for Quality Assurance Project Plans (EPA QA/R5, [https://www.epa.gov/sites/production/files/2016-06/documents/r5-final\\_0.pdf](https://www.epa.gov/sites/production/files/2016-06/documents/r5-final_0.pdf)).

Response: Submitting all associated SOPs with each QAPP is redundant and burdensome and many networks rely on overlapping SOPs. The SOPs in their entirety are too large to send via email and too costly to mail hard copy. Georgia EPD will upload SOPs to a virtual drop box or drive so that EPA's Laboratory Services and Applied Science Division (LSASD) can access the files electronically. Georgia EPD will make every effort to submit approvable QAPPs to LSASD 180 days prior to expiration of the current, approved, QAPP. However, the review and approval of QAPPs is performed by LSASD and not within Georgia EPD's control. Georgia EPD will continue to update and maintain its QAPPs whether approved, conditionally approved, or yet to be approved by LSASD and work with LSASD if there are any questions.

Last EPA Reviewer: rguillot - 12:23:44 on 08/31/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:

Current Status:

Regional Staff Response:

29. If applicable, encourage laboratories conducting analyses for air toxics to participate in any available national or regional inter-laboratory proficiency testing programs and audits and conduct applicable corrective actions to enhance data quality.

Response: Agree. Georgia EPD participates in the NATTS PT Program.

Last EPA Reviewer: swaterso - 14:59:48 on 08/28/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:

Current Status:

Regional Staff Response:

30. If applicable, enter quality assured and associated QA/QC data into the AQS database system no later than 180 days from the end of the quarter for all ambient air toxics monitoring data collected.

Response: Agree. Georgia EPD will comply with commitment if resources allow.

Last EPA Reviewer: swaterso - 12:09:39 on 08/31/20 - swaterso -

Negotiation Status: Status\_OK

Negotiation Comments: Please upload data from the upcoming Community Scale Air Toxics grant to AQS

Current Status:

Regional Staff

Response:

31. As part of the QA competency demonstration submittal (Reporting Requirement 21-14) that your agency submits to EPA with its annual grant application package, provide a listing of all QA documents (QMPs, QAPPs, and SOPs) for the air toxics pollutants network maintained by your agency, and the date that each document was most recently revised and approved (EPA approval only required for QMPs and QAPPs).

Response: Agree. Georgia EPD will make every effort to submit the QA Competency to EPA Region 4 by the requested deadline.

Last EPA Reviewer: swaterso - 12:25:42 on 08/31/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:

Current Status:

Regional Staff Response:

32. Assume delegation and implementation of all promulgated Clean Air Act Section 112, 111, and 129 rules and standards [National Emission Standard for Hazardous Air Pollutant (NESHAP), and New Source Performance Standards (NSPS)] within 9 to 12 months of EPA's promulgation, as appropriate, if a rulemaking is required to take delegation via the Agency's CAA Title V approval process. Notify Region 4 by submitting rule adoption documentation within 60 days of adoption.

Response: Agree, but Georgia EPD will adopt promulgated Clean Air Act Section 112, 111, and 129 rules and notify Region 4 within a reasonable time frame.

Last EPA Reviewer: kforney - 15:02:50 on 09/09/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:

Current Status:

Regional Staff Response:

33. Work towards establishing the programmatic expertise to address the risk-based components of Clean Air Act sections 112, 111, and 129, by pursuing risk training when appropriate.

Response: Agree. Georgia EPD has developed the Guidelines for Ambient Impact Assessment of Toxics Air Pollutant Emissions as part of our permitting processes. The guidelines are used in the review of air quality permit applications. Permit engineers are trained on the use of the guidelines.

Last EPA Reviewer: kforney - 16:17:36 on 09/10/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:

Current Status:

Regional Staff Response:

34. Maintain a record of all approved alternatives to monitoring, testing, recordkeeping, and reporting requirements made for sources subject to MACT standards and provide copies of approvals to the Region upon issuance (see 40 CFR Part 63.91(g)(1)(ii)).

Response: Agree

Last EPA Reviewer: kforney - 16:21:58 on 09/10/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:

Current Status:

Regional Staff Response:

35. Prepare and submit CAA sections 111(d) and 129 state plans and letters of certification in accordance with regulatory timeframes. In addition, collect and submit reports on progress of sections 111(d) and 129 plans annually, pursuant to 40 CFR 60.25(e) and (f).

Response: Agree but the annual progress report will be included directly in the APA Summary Report due December 31st.

Last EPA Reviewer: kforney - 16:27:13 on 09/10/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:

Current Status:

Regional Staff Response:



## Monitoring and Enforcement

**Goal: Goal 2 – More Effective Partnerships: Provide certainty to states, localities, tribal nations, and the regulated community in carrying out shared responsibilities and communicating to all Americans.**

**Goal 3 – Greater Certainty, Compliance, and Effectiveness: Increase certainty, compliance, and effectiveness by applying the rule of law to achieve more efficient agency operations, service delivery, and regulatory relief.**

**Objective: Objective 2.1 – Enhance Shared Accountability: Improve environmental protection through shared governance and enhanced collaboration with state, tribal, local, and federal partners using the full range of compliance assurance tools.**

**Objective 3.1 - Compliance with the Law: Timely enforce environmental laws to increase compliance rates and promote cleanup of contaminated sites through the use of all of EPA's compliance assurance tools, especially enforcement actions to address environmental violations.**

**Sub-Objective:**

- By September 30, 2022, increase the number of grant commitments achieved by states, tribes, and local communities.
- By September 30, 2022, increase the use of alternative shared governance approaches to address state, tribal, and local community reviews.
- By September 30, 2022, reduce the average time from violation identification to correction.
- By September 30, 2022, increase environmental law compliance rate.

**Strategic Targets:** • TBD

### FY 2021 105 Grant Commitments:

1. Ensure enforcement and compliance monitoring is consistent with the Compliance Monitoring Strategy Policy revised and reissued on July 14, 2014, The Timely and Appropriate Enforcement Response to High Priority Violations Policy revised and reissued on August 25, 2014. Ensure complete, accurate and timely data support of the Integrated Compliance Information System (ICIS-Air).

Response: Agree. The required minimum data requirements are batch-uploaded to ICIS-Air weekly. Georgia EPD interprets the recommended full compliance evaluation frequencies in the Compliance Monitoring Strategy(CMS) to apply to "O" operating sources only. Temporarily closed sources, sources under construction, planned sources, and permanently shut down sources are not considered part of Georgia's CMS universe. Please note that EPA's CMS Policy has since been revised on October 4, 2016.

Last EPA Reviewer: marias - 07:44:04 on 09/10/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:Current Status:Regional Staff Response:

2. Resolve violations of any rule for which EPA has delegated authority to the state or local agency. Federally Reportable Violations should be reported to ICIS-Air in accordance with the Guidance on Federally-Reportable Violations for Clean Air Act Stationary Sources revised and reissued on September 23, 2014.

Response: Agree

Last EPA Reviewer: marias - 07:44:10 on 09/10/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:Current Status:Regional Staff Response:

3. Inspect 25% of all NESHAP asbestos demolition/renovation projects. These projects should be selected so that all removal contractors are inspected at least once. Alternatively, lower inspection rates can be negotiated if an effective contractor certification program is in place. Lower inspection rates can also be negotiated if a non-notifier strategy is developed and implemented.

Response: Disagree. Georgia EPD returned Asbestos NESHAP inspection and enforcement responsibilities back to EPA in March 2009, with the exception of the requirements contained in Title V permits for municipal solid waste landfills subject to 40 CFR Part 61 Subpart M.

Last EPA Reviewer: pmcilvai - 08:55:15 on 08/26/20 - -

Negotiation Status: Status\_Not\_Acceptible

Negotiation Comments:Current Status:Regional Staff Response:

4. Observe asbestos work practices in progress whenever possible to assess compliance. Special priority will be given to entering a project of a contractor with a work practice violation within the previous 12-month period.

Response: Disagree. Georgia EPD returned Asbestos NESHAP inspection and enforcement responsibilities back to EPA in March 2009, with the exception of the requirements contained in Title V permits for municipal solid waste landfills subject to 40 CFR Part 61 Subpart M.

Last EPA Reviewer: pmcilvai - 08:55:34 on 08/26/20 - -

Negotiation Status: Status\_Not\_Acceptible

Negotiation Comments:

Current Status:

Regional Staff Response:

5. ACTS/NARS database is no longer available. Report the following asbestos NESHAP activities at least forty-five (45) days after each fiscal six-month period 1) number of notifications received; 2) number of inspections; 3) non-notifier activity if applicable; 4) number of non-penalty enforcement actions; 5) number of enforcement actions with an assessed penalty; and 6) total penalty assessment.

Response: Disagree. Georgia EPD returned Asbestos NESHAP inspection and enforcement responsibilities back to EPA in March 2009, with the exception of the requirements contained in Title V permits for municipal solid waste landfills subject to 40 CFR Part 61 Subpart M.

Last EPA Reviewer: pmcilvai - 08:55:47 on 08/26/20 - -

Negotiation Status: Status\_Not\_Acceptible

Negotiation Comments:

Current Status:

Regional Staff Response:

6. Maintain a State/Local health and safety plan for asbestos demolition/renovation inspectors. Plan to include medical monitoring, protective equipment, and training as minimum requirements. Alternatively, implement EPA's "Health and Safety Guidelines for EPA Asbestos Inspectors," dated March 1991. These documents will be reviewed by EPA during state program visits.

Response: Disagree. Georgia EPD returned Asbestos NESHAP inspection and enforcement responsibilities back to EPA in March 2009, with the exception of the requirements contained in Title V permits for municipal solid waste landfills subject to 40 CFR Part 61 Subpart M. Georgia EPD administers inspection activities as part of an AHERA grant funded by EPA. As part of the federal inspector credentialing process, Georgia EPD inspectors must maintain health and safety training, equipment and monitoring per EPA established guidelines. Documentation of these activities is provided as per AHERA grant commitments.

Last EPA Reviewer: pmcilvai - 08:56:18 on 08/26/20 - -

Negotiation Status: Status\_Not\_Acceptible

Negotiation Comments:

Current Status:

Regional Staff Response:

7. Recommend (where appropriate) cases and provide support to the EPA Criminal Enforcement Program.

Response: Agree

Last EPA Reviewer: marias - 07:44:26 on 09/10/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:

Current Status:

Regional Staff Response:

8. Implement the CAA section 112(r) program for affected sources. Develop a 112(r) work plan with projected priorities including risk management program audits and facility inspections. Compile end-of-year report of accomplishments.

Response: Agree

Last EPA Reviewer: jnoles - 10:24:30 on 08/31/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:

Current Status:

Regional Staff Response:

## Cross Cutting Issues

**Goal: Goals 1, 2 and 3: See all goals listed in this agreement.**

**Objective:** See all objectives listed in this agreement.

**Sub-Objective:** See all long-term performance goals listed in this agreement.

**Strategic Targets:** • See all strategic targets listed in this agreement.

### FY 2021 105 Grant Commitments:

#### **Emission Inventories - Hazardous Air Pollutants**

1. Review the National Air Toxic Assessment (NATA) results during the year the EPA Office of Air Quality Planning and Standards (OAQPS) requests it and make revisions to your agency's inventory. Report hazardous air pollutants to the National Emissions Inventory (NEI) through the Emission Inventory System (EIS) when criteria air pollutants are reported. The EPA requests that state, local, and tribal air agencies submit emissions information updates for major point sources to EIS database annually or as requested by OAQPS. Information on the EIS Gateway can be found at: <https://www.epa.gov/air-emissions-inventories>. The state and local NEI/NATA contact in the Air Data and Analysis Section should be notified via e-mail when a submittal is made to the EIS.

Response: Agree to review NATA results. Disagree with submitting hazardous air pollutants to the EIS/NEI because it is not required by any rule or regulation. Georgia will help EPA verify the accuracy of information on the NEI/EIS upon request.

Last EPA Reviewer:           rwong02 - 15:57:35 on 08/31/20 - -

Negotiation Status:           Status\_OK

Negotiation Comments:

Current Status:

Regional Staff Response:

#### **Emission Inventories - Criteria Air Pollutants**

2. Develop and submit to EPA, emissions inventory information for all applicable point sources, criteria air pollutants (CAP) and time frames consistent with the Air Emissions Reporting Requirements (AERR) Rule published in the December 17, 2008; 73 Federal Register 76539 and any clarifying or updated

policy. The CAPs point source emissions inventories should be submitted to EPA Headquarters through the Emissions Inventory System (EIS) Gateway. Early submittals are recommended. Information on the EIS Gateway can be found at: <https://www.epa.gov/air-emissions-inventories>. Notify the state and local NEI/NATA contact in the Air Data and Analysis Section via email when a submittal is made to the EIS.

Response: Agree

Last EPA Reviewer: rwong02 - 16:52:27 on 08/31/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:

Current Status:

Regional Staff Response:

## Planning

3. Submit a draft Air Planning Agreement for FY 2021 by August 14, 2020, respectively, by responding to the commitments on the internet-based draft workplan at <https://www3.epa.gov/cgi-bin/state.cgi>.

Response: Agree

Last EPA Reviewer: kjohns06 - 15:33:54 on 09/15/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:

Current Status:

Regional Staff Response:

4. Participate with EPA in an end of year evaluation of performance to be completed by January 31, 2022. This evaluation will be based on an annual summary report submitted by the agency by December 31, and on progress reports received throughout the year. In accordance with 40 CFR 35.115 and the EPA Policy on Managing Unliquidated Obligations and Ensuring Progress under EPA Assistance Agreements, the joint evaluation process will include:
  - A. discussions of accomplishments as measured against work plan commitments;
  - B. discussions of the cumulative effectiveness of the work performed under all work plan components;
  - C. discussions of existing and potential problem areas;
  - D. suggestions for improvement, including, where feasible, schedules for making improvements; and
  - E. discussions of how effectively grant funds were managed and utilized, taking into account any accumulation of unliquidated obligations.

Response: Agree

Last EPA Reviewer: kjohns06 - 15:34:06 on 09/15/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:

Current Status:

Regional Staff Response:

5. Enter Agency's expectations of EPA (i.e., assistance needed from EPA to meet the commitments under this Air Planning Agreement).

Response: Georgia EPD commitments contained in this Air Planning Agreement are contingent upon EPA delivering 105 Grant funds in a timely manner and at funding levels comparable to FY 2020 and FY 2019.

Last EPA Reviewer: kjohns06 - 15:33:59 on 09/15/20 - -

Negotiation Status: Status\_OK

Negotiation Comments:

Current Status:

Regional Staff Response: