State Implementation Plans 101

Vivian H. Aucoin
Environmental Scientist
Supervisor
Office of Environmental Services
Introduction

Defining the State Implementation Plan (SIP) process
What dictates this process?
What goes into a SIP?
Enforceable Measures
Voluntary Measures
Modeling
Projections
Air Quality Management Process

- Emissions
- Inventory
- Air Monitoring
- Industry
- Modeling
- Control Strategy
- Planning
- Rulemaking
- Permit
What is a State Implementation Plan (SIP)?

*It’s a plan for “clean air!”*

- Clean Air Act requires a general plan to achieve the NAAQS in all areas of the country and a specific plan for each nonattainment area.

- Each state is responsible for developing plans to demonstrate how standards will be achieved, maintained, and enforced.

- These SIPs are developed by States, and in some cases, by locals.
What is a SIP cont...

• SIPs and associated control measures are enforceable at both the state and national levels.

• Plans are the framework or the state’s recipe for success, to ensure that the air is clean and healthy for the citizens of the area.

• SIPs are living documents and must be updated, or revised, regularly to reflect changes in NAAQS or air quality monitoring data.
What are the Steps Followed to Prepare a SIP?

- Determine emissions
- Develop strategy
- Determine emission changes
- Model to determine air quality changes
- Compare to NAAQS
- Adjust strategy as necessary and reanalyze
- Draft rules to implement strategy
- Adopt rules using state process and minimum federal public participation requirements (40 CFR Part 51)
- Submit to EPA
- EPA rulemaking
What tools do we use?

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

- Although not required, SIP revisions usually go through an environmental board (designated by environmental secretary).
- 30-day Public Notice comment period.
- Public hearing.
- Response to comments.
- Legislative review (State requirement).
- Formal adoption.
- SIP submittal.
Typical SIP Process Flow

START
State responds to Fed reqt or state legislation with SIP revision or addition

State submits pre-hearing/draft submittal to appropriate EPA Regional Office

Regional Office (RO) Reviews Submittal

RO sends comments to State or participates in State's public hearing

State solicits public comments through public hearing

State addresses RO and public comments in Final Submittal sent to RO

END

Direct Final is Withdrawn

RO addresses public comments in Final Rule

RO reviews public comments on Proposed Rule

RO conducts Completeness Assessment of Final Submittal

RO sends Letter of Completeness to State and conducts approvability review

Submittal Complete?

Yes

Yes

No

No

Yes

Yes

No

No

State submits required info/docs?

State submits required info/docs?

Incompleteness Letter sent to State. No action taken on Submittal

Send letter to State indicating why Submittal is not approved and provide State with 3 Options (1. withdraw 2. make changes 3. Let EPA disapprove package)

RO contacts State for additional info/docs

RO contacts State for additional info/docs

RO sends Letter of Completeness to State and conducts approvability review

Adverse Comments Received?

Direct Final Rule in Federal Register

RO determines: Proposed or Direct Final Rule?

RO sends Letter of Completeness to State and conducts approvability review

Rule becomes effective after designated time period

No

RO publishes Final Rule in Federal Register

RO publishes Proposed Rule in Federal Register

RO publishes Direct Final Rule in Federal Register

Proposed

Direct Final

Incompleteness Letter sent to State. No action taken on Submittal

Send letter to State indicating why Submittal is not approved and provide State with 3 Options (1. withdraw 2. make changes 3. Let EPA disapprove package)
Stakeholders

- Federal State and Local Governments
- Regulated Community (Industry)
- Small Business Community
- Environmental groups
- Citizens of the State
The SIP, a Living Document

- Revised by State as necessary
- Addresses unique air pollution problems in State
- Keeping SIP updated is a continuous process
- Number of submittals vary
- The different terms of SIP
Components of a SIP

- Legal Authority
- Resources
- Source Surveillance
- Enforcement
- Permitting
- Emergency Episode
- Air Quality Monitoring
- Control Strategy Demonstration
- Emission Limiting Rules and Regs
- New Source Review
- Mobile Measures and Fuels
- Voluntary and Non-traditional Measures
- SIP
How Long Does A SIP Revision Typically Take?

- **State Evaluation**: 6 months to 1 year
- **State Rulemaking**: 6 months to 2 years
- **EPA Approval**: 6 months to 18 months
What Happens if a SIP Revision is Not Submitted/Disapproval?

- **New Source Review permitting sanctions:**
  - After 18 months sanctions clock
  - 2 to 1 offset

- **Highway funding sanctions:**
  - After 24 months sanctions clock

- **Federal Implementation Plan (FIP):**
  - Within 24 month sanction clock
  - Not permanent
Summary …How the SIP process works

- CAA or court case mandates plan submittal, or State/Local decides to revise its own SIP
  - State/Local prepares and adopts plan after public hearing
  - State submits SIP to EPA Regional office
    - EPA reviews SIP for completeness ... if complete ... propose in FR
    - EPA approves/disapproves plan after considering public comments
      - After SIP approval, the plan becomes Federally enforceable
        - If SIP Federally mandated and disapproved ... then FIP promulgated
Questions?

• Contact:
  – Vivian H. Aucoin, ESS, LDEQ
  Office of Environmental Services
    • vivian.aucoin@la.gov
    • 225-219-3419