



October 25, 2021

Mr. Marc Vincent  
Mr. Timothy Roberts  
U.S. Environmental Protection Agency  
Office of Program Management Operations  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

Dear Mr. Vincent and Mr. Roberts:

The Association of Air Pollution Control Agencies (AAPCA)<sup>1</sup> appreciates the U.S. Environmental Protection Agency's (EPA) early engagement period for the Office of Air and Radiation's (OAR) development of Fiscal Years (FY) 2023 – 2024 National Program Guidance (NPG). Incorporating early input from state and local air agencies, co-regulators responsible for implementing the Clean Air Act, provides U.S. EPA the opportunity to draft clear, responsive NPGs, which are designed to communicate key implementation expectations and measures to partners for meeting the Agency's strategic plan. U.S. EPA has indicated that final NPGs will be released in late-Spring 2022, following a public comment period scheduled to begin in February 2022.

In June 2021, U.S. EPA announced the Agency's determination to cancel the issuance of FY 2022 – 2023 NPGs after holding an early engagement period in Summer 2020.<sup>2</sup> AAPCA previously directed U.S. EPA OAR to the Association's May 2019 comments on the Draft FY 2020 – 2021 NPG for EPA OAR,<sup>3</sup> which indicated overarching support for emphases on training assistance and development,<sup>4</sup> technical support, reduction of the state implementation plan (SIP) backlog and the timely processing of SIPs, and early engagement and collaboration in planning and regulatory decisions. These areas remain a priority for state and local environmental agencies and should be central in the next EPA OAR NPG as the Agency looks to meet objectives set forth in the forthcoming *FY 2022 – 2026 EPA Strategic Plan*.<sup>5</sup>

AAPCA members additionally request that U.S. EPA OAR consider the following priorities when developing the FY 2023 – 2024 NPG for OAR:

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<sup>1</sup> AAPCA is a national, non-profit, consensus-driven organization focused on assisting state and local air quality agencies and personnel with implementation and technical issues associated with the federal Clean Air Act. Created in 2012, AAPCA represents 48 state and local air pollution control agencies, and senior officials from 22 state environmental agencies currently sit on the AAPCA Board of Directors. AAPCA is housed in Lexington, Kentucky as an affiliate of [The Council of State Governments](#). You can find more information about AAPCA at: [www.cleanairact.org](http://www.cleanairact.org).

<sup>2</sup> U.S. EPA, "[OCFO Technical Guidance: FY 2023-2024 National Program Guidance](#)," June 10, 2021.

<sup>3</sup> AAPCA's [comment letter](#) also addressed the Draft FY 2020 – 2021 NPG for U.S. EPA's Office of Enforcement and Compliance Assurance (OECA).

<sup>4</sup> See [AAPCA comments](#) on U.S. EPA's draft FY 2022 – 2024 content development plan for the National Air Quality Training Program.

<sup>5</sup> U.S. EPA's [draft FY 2022 – 2026 EPA Strategic Plan](#) is open for public comment until November 12, 2021. The final plan is expected to be released in February 2022.

- Working directly with state and local agencies to implement the Office of Air Quality Planning and Standards (OAQPS) Air Toxics Strategy, in particular when addressing monitoring issues, emerging compounds (such as PFAS<sup>6</sup>), and risk communication efforts
- Closely engaging state and local agencies in the development of emissions standards for heavy-duty vehicles, as well as efforts to reduce heavy and light-duty diesel vehicle emission control systems tampering<sup>7</sup>
- Flexibility in air quality planning processes, regulatory actions, and Agency guidance that allows for state and local agencies to accommodate social, geographic, and economic factors that may be jurisdictionally specific
- Coordinating with state and local air agencies to understand and address air quality issues associated with events, such as wildfires, that are outside of regulatory control, including enacting Clean Air Act exceptional events provisions when necessary
- Consideration of appropriate state and local agency funding that meets new and historical Clean Air Act requirements, and providing maximum flexibility to utilize federal grants to determine best use for addressing air pollution control needs

AAPCA also reaffirms the importance of maintaining the granting authority for fine particulate matter (PM<sub>2.5</sub>) monitoring under Section 103 of the Clean Air Act. Significantly, Section 103 does not require a funding match, allowing state and local agencies to best allocate resources for air quality planning and programs while continuing PM<sub>2.5</sub> monitoring efforts. Further, as indicated in a May 2021 letter from the Environmental Council of States (ECOS) that was co-signed by AAPCA, U.S. EPA OAR should further consider the use of Clean Air Act Section 103 for one-time funding opportunities, such as that provided by the American Rescue Plan Act's provisions for air quality monitoring.<sup>8</sup>

AAPCA members appreciate U.S. EPA's consideration of these early engagement period comments and efforts to address state and local air agency priorities. The Association and its membership will also review for input U.S. EPA's draft OAR FY 2023 – 2024 NPG during the public comment period in 2022. If you have any questions, please contact Mr. Jason Sloan, AAPCA's Executive Director, at [jsloan@csg.org](mailto:jsloan@csg.org) or (859) 244-8043.

Sincerely,



Bryce Bird  
Director, Division of Air Quality  
Utah Department of Environmental Quality  
2022 President, AAPCA

<sup>6</sup> AAPCA members look forward to engaging U.S. EPA on the [PFAS Strategic Roadmap](#), released October 18, 2021.

<sup>7</sup> See AAPCA [letter](#) on "EPA Tampering Policy and Heavy and Light-Duty Diesel Vehicle Emission Control Systems Tampering," sent to EPA OECA and EPA OAR, dated December 18, 2018.

<sup>8</sup> ECOS [letter](#) to U.S. EPA Administrator Michael Regan, dated May 12, 2021.