

Exceptional Events Program Updates

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Topics for Discussion

- Overview of recently-submitted exceptional events demonstrations
- Outlook for anticipated demonstrations
- Mitigation planning update
- Planned fire-related resources
- Exceptional Events Submission and Tracking System update

Overview of Recently-Submitted Exceptional Events Demonstrations

- EPA has concurred on 110 demonstrations submitted by air agencies since EPA revised the Exceptional Events Rule in September 2016.
- An increasing number of demonstrations are for wildfire events. EPA received a record number of wildfire event initial notifications since January 1, 2021.

Outlook for Anticipated Demonstrations

- Recent actions constituting “Regulatory Significance”
 - Determinations of Attainment by the Attainment Date
 - Clean Data Determinations
 - Attainment Date Extensions
- Anticipated future actions constituting “Regulatory Demonstrations”
 - Initial Area Designations for (potential) new NAAQS
 - Clean Data Determinations

Mitigation Planning Update

- The mitigation plan component of the Exceptional Events Rule was developed with the goal of protecting public health in accordance with Clean Air Act (CAA) section 319(b)(3)(A)
- The 2016 Exceptional Events Rule specifies that mitigation plan requirements apply to events of the same type and pollutant that recur in a 3-year period and for which air agencies submitted an initial notification and/or an exceptional events demonstration in a 3-year period.
- EPA identified the initial areas subject to mitigation planning requirements in the 2016 Exceptional Events Rule using data from 2013 to 2015.

Mitigation Planning Update

- EPA will soon notify states of areas newly subject to mitigation planning requirements using rolling 3-year periods and data from 2016 to 2020.
- Air agencies must submit mitigation plans to EPA within 2 years of being notified they are subject to the mitigation plan provisions.
 - EPA will review the plans for completeness and confirmation that the air agency followed the public comment process.
 - EPA will not concur with demonstrations for events that are the focus of a mitigation plan unless the state has submitted a mitigation plan.
 - States can submit plans in advance of, or concurrent with, a related exceptional events demonstration.

Mitigation Planning Update

- At a minimum, each mitigation plan developed shall contain the following components:
 - Public notification and education programs
 - Steps to identify, study, and implement mitigating measures, including:
 - Provisions for periodic review and evaluation of the mitigation plan and its implementation and effectiveness by the State and all interested stakeholders
- The EPA encourages air agencies to leverage and incorporate by reference the applicable content of existing documents when developing mitigation plans for exceptional events.

Planned Fire-Related Resources

- Developing a wildfire resource area for the website which will include new analyses and a “clearinghouse” of wildfire-focused tools
- Evaluating new fire analytics to help air agencies determine the most appropriate analyses to support their demonstrations. We anticipate these analyses could be used to support demonstrations for both ozone and particulate matter exceedances for wildfire and certain prescribed fire events that meet the rule criteria.
- EPA is updating the website by adding new demonstrations focusing on wildfire.
- Developing an exceptional events e-learning course, which will be available through EPA’s Air Knowledge Learning Management System, to support air agencies in training staff on the exceptional events process including developing exceptional events demonstrations.

Exceptional Events Submission and Tracking System Update

- EPA launched the Exceptional Events Submission and Tracking System (EETS) in August 2020.
 - Since this time, EPA has received more than 60 submissions, 39 of these are final demonstrations.
 - More than 30 states and several local air agencies have registered to use the system.
 - We currently have 120 users registered for EETS, including state, local, EPA Regional, and federal contract personnel.
- Limited available resources prevent system enhancements



Questions