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# Status of Clean Air Act State Implementation Plan Submittals/Approvals: U.S. Environmental Protection Agency Office of Inspector General Notification of Evaluation

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The U.S. Environmental Protection Agency ("EPA") Office of Inspector General ("OIG") issued a March 25th Notification of Evaluation titled:

*Status of Clean Air Act State Implementation Plan Submittals and Approvals ("Evaluation")*

See Project No. OA&E-FY20-0125.

The *Evaluation* is transmitted from James Hatfield, Director – Air Directorate, Office of Audit and Evaluation of OIG to Anne Idsal, Principal Deputy Assistant Administrator, Office of Air and Radiation, EPA.

OIG states that the *Evaluation* is a "discretionary, self-initiated assignment." However, it is further noted that the Inspector General has received requests related to the topic from members of Congress.

OIG's objectives are stated to determine the:

1. Number of Clean Air Act State Implementation Plans awaiting EPA approval.
2. Factors causing delays in SIP approvals.
3. Extent to which states have not submitted the required SIPs to the EPA.
4. Potential impact of delays in SIP processing on achieving the EPA's National Ambient Air Quality Standards.
5. Steps the EPA is taking to address delays in SIP processing.

The states are primarily responsible for ensuring attainment and maintenance of the Clean Air Act National Ambient Air Quality Standards ("NAAQS") once they have been established by EPA. Each state is therefore required to formulate, subject to EPA approval, an implementation plan ("SIP") designed to achieve each NAAQS.

The SIPs will contain the measures and actions the state proposes to undertake to attain each NAAQS. These measures or actions must be enforceable through state regulations and typically include emission

limits applicable to certain types of stationary sources. The states are generally free to make their own choices of how they will attain the NAAQS through the SIP. Further, the SIPs are in theory dynamic documents which the state can choose to change as it continues to determine the appropriate means of attaining or maintaining the various NAAQS. However, the SIP and subject revisions must be reviewed and approved by EPA to determine if the criteria set forth in Section 110 are met. The SIPs and/or revisions must be adopted pursuant to public notice and hearing and include various substantive requirements.

OIG states that it plans to conduct work at the EPA Office of Air and Radiation in Research Triangle Park and at:

- EPA headquarters
- EPA regions
- Select state and local agencies

OIG states that it plans to obtain information on all SIPs awaiting approval to address the answer to Objective 1. Of particular focus will be those that the agency has not processed timely and those that a state has not submitted or corrected timely. As to Objective 3, OIG indicates that when states have not submitted SIPs or that EPA has disapproved them, it plans to determine whether the federal agency has prepared a Federal Implementation Plan. It plans to determine an approach for answering Objective 4 after starting work and obtaining additional information regarding Objectives 1-3.

A copy of the *Evaluation* can be downloaded [here](#).