

**SF-83 SUPPORTING STATEMENT: Part A**  
**U.S. ENVIRONMENTAL PROTECTION AGENCY**

**1. IDENTIFICATION OF THE INFORMATION COLLECTION**

(a) TITLE: *SOURCE COMPLIANCE AND STATE ACTION REPORTING*

(b) ABSTRACT:

Source Compliance and State Action Reporting is an activity whereby State, District, Local, and Commonwealth governments (hereafter referred to as "states/locals" or "state and local agencies") make air compliance information available to the U.S. Environmental Protection Agency (EPA or the Agency) on a cyclic basis via input to the Air Facility System (AFS). The information provided to EPA includes compliance activities and determinations, and enforcement activities. EPA uses this information to assess progress toward meeting emission requirements developed under the authority of the Clean Air Act (CAA or the Act) to protect and maintain the atmospheric environment and the public health. The EPA and many of the state and local agencies access the data in AFS to assist them in the management of their air pollution control programs. This renewal information collection request (ICR) affects oversight of approximately 41,500 stationary sources by 93 state and local agencies and the Federal EPA, and is expected to require 144,089 labor hours per year and cost approximately \$5.5 million annually. State and local agency burdens and costs are estimated as 110,809 hours and approximately \$3.7 million annually. On average, this burden amounts to approximately one-third of a full-time equivalent employee for each small state and local agency, three-fourths of a full-time equivalent employee for each medium sized State and Local Agency and one and one-third of a full-time equivalent employee for each large sized State and Local Agency for national reporting of compliance- and enforcement-related data under all of the applicable Clean Air Act programs. In order to lessen the burden, the new data requirements will not be effective until October 1, 2005.

**2. NEED FOR AND USE OF THE COLLECTION**

(a) NEED/AUTHORITY FOR THE COLLECTION

*(i) Authority*

Unlike other EPA legacy data systems (the Permit Compliance System (PCS) for the water programs and the National Emission Inventory (NEI) for air emission inventories), there is no single statutory requirement for data entry into the Air Facility System (AFS). Much of this collection activity is referred to in the following subsections of regulations implementing the Clean Air Act under 'Subpart Q - Reports' in 40 CFR 51: Sections 51.323(c)(1), 51.323(c)(2), 51.324 (a) and (b), and 51.327. Activity also is authorized by 40 CFR 70.4(j)(1), which addresses submission of information to EPA by state and local permit authorities, and 40 CFR 70.10(c)(1)(iii), which addresses EPA oversight of state and local agency compliance and enforcement efforts for major sources under Title V operating permit programs. Much of the information also is necessary for EPA to provide adequate oversight for other Federal programs

implemented by states, such as the New Source Performance Standards (NSPS) in 40 CFR Part 60, National Emission Standards for Hazardous Air Pollutants (NESHAP) in 40 CFR Part 61 and Part 63, and New Source Review (NSR) permitting regulations in 40 CFR Part 51 and Part 52. Additionally, all of the data is necessary for the implementation of the program at either the Federal or state and local agency level. Finally, the information is necessary for EPA to fulfill its oversight responsibilities to ensure that State Implementation Plans (SIPs) fulfill the testing, inspection and enforcement requirements of 40 CFR 51.212 on an ongoing basis. Much of the need for this collection is outlined in several EPA guidance documents: the Clean Air Act Stationary Source Compliance Monitoring Strategy (CMS) of April 2001, The Timely and Appropriate (T&A) Enforcement Response to High Priority Violations (HPVs) guidance of December 1998, and the Clean Air Act National Stack Testing Guidance of February 2004.

*(ii) General Need for the Data*

The stationary source compliance and enforcement air program promotes effective, cooperative, and coordinated efforts among EPA and the state and local agencies. The program recognizes the primary role of the state and local agencies in the prevention and control of air pollution. However, under the Clean Air Act, EPA has the ultimate responsibility to ensure the protection of the health and welfare of the American public. To meet these responsibilities, EPA provides guidance and oversight to the state and local agencies in two major areas: compliance surveillance and status activities, and enforcement activities. The cyclic reporting of surveillance information and compliance status is the subject of this renewal ICR, and are identified as a series of minimum data requirements (MDRs) that are listed in Table 1 in Section 4(b). The MDRs represent the minimum amount of data EPA believes is necessary to manage the national air stationary source compliance monitoring and enforcement program. These data elements are critical in prioritizing programs and conducting national evaluations. In addition, the information provided by these data elements enables the Agency to respond in a timely manner to requests for information with accurate, nationally defined and reported data. The CMS places an emphasis on the oversight of Title V major sources and a limited subset of synthetic minor sources while providing state/local agencies with the flexibility to address local air pollution and compliance concerns. CMS established a framework of minimal data requirements for reporting to AFS. This information collection is an important component for complete implementation of the CMS.

The Clean Air Act National Stack Testing Guidance is designed to improve uniformity on conducting stack tests and coordination among EPA and state/local agencies. AFS is one of the Agency's vehicles for tracking and evaluating stack test data.

The HPV Policy is designed to help Federal, state and local agencies prioritize enforcement efforts with respect to sources of air pollution in their jurisdictions. The Policy directs scrutiny on those violations that are most important. The Policy provides definitions for specific types of violations and identifies the procedures to be used in violation identification. AFS is used for reporting HPV activity in its entirety: discovery, addressing and resolution.

Finally, data from AFS is provided to the public via the Enforcement and Compliance History Online (ECHO), a Web tool developed and maintained by the Office of Enforcement and Compliance Assurance (OECA). The ECHO Web site ([www.epa.gov/echo](http://www.epa.gov/echo)) provides compliance and enforcement information for approximately 800,000 regulated facilities nationwide. Data is extracted from AFS on a monthly basis and provided to ECHO. The data is presented as part of performance measures satisfying the Government Performance Results Act (GPRA) requirements for public outreach and availability of data.

*(iii) Reasons for Need for New Data as Part of this Renewal ICR*

The MDRs in this renewal ICR represent a change from the 2001 ICR for this collection activity. Also new in this information collection is the introduction of a new category of data reporting--“Optional Reporting”. Although many agencies have provided more data than the required Minimum Data Requirements (MDRs), the additional data has provided valuable information pertaining to compliance activities and enforcement cases. The creation of this discretionary category outlines for state and local agencies the types of data that the EPA would like to use for analysis, and provides a standardized way for data to be reported. The changes are necessary to enable the Agency to fulfill its responsibility to protect the health and welfare of the American public by improving its compliance oversight and enforcement targeting capabilities as well as more fully implementing the CMS, HPV, and Stack Testing Policies. The new data provides EPA with the ability to completely define regulated universes. The following subsections discuss the uses of data, the nature of these policies, and why the Agency needs to modify the information collection data elements.

- CMS Policy and Data

A review by the EPA Office of the Inspector General, Report No. E1G-AE7-03-0045-8100244 dated September 25, 1998, *Consolidated Report on OECA’s Oversight of Regional and State Air Enforcement Programs* identified the lack of oversight as a fundamental problem that adversely affected the effectiveness of the air compliance and enforcement program. In response to the Office of Inspector General report, OECA released the April 2001 Compliance Monitoring Strategy (CMS). To implement the guidance, necessary changes in AFS reporting capabilities were implemented concurrently with the 2001 ICR renewal. Specifically, changes were made to AFS to enable revised approaches associated with: identifying facilities to incorporate compliance evaluations frequencies; conducting compliance evaluations through the creation of Full and Partial Compliance Evaluations; tracking in-depth investigations of industries; inputting information on Title V compliance certifications; and expanded definitions and requirements for reporting stack tests.

These changes added data elements not included in the 2001 ICR: Identification of the pollutant tested during a stack test and the reporting of Partial Compliance Evaluations. The 2001 ICR did not include these two data elements due to concerns expressed by several state and local agencies that the mandatory reporting of this information possibly could lead to a significant increase in burden. However, EPA continues to believe that obtaining information on stack

testing at the pollutant level and PCEs is important to effectively manage a national air program, and for EPA, as well as the public, to be cognizant of the range of activities that is undertaken by the states and local agencies at significant sources. Since the implementation of the CMS policy, more than half of reporting agencies have included these data elements in their reporting stream. This ICR renewal includes the reporting of on-site PCEs and pollutants on a stack test action as new requirements.

- HPV Policy and Data

The HPV Policy of December 1998 provides a method of prioritizing violations for enforcement purposes. It provides guidance on the identification of violations in order to direct scrutiny to those of most importance. Also included in the Policy is information on the timeliness and appropriateness of enforcement, penalties, and the reporting and tracking of HPVs through AFS. The Policy provides clear guidance and criteria to state and local agency enforcement staff and managers and AFS users for defining the type of violation that triggers applicability of the policy. Although AFS does contain fields for the reporting of the pollutant in violation and code values for violation definition, these values were not included in the 2001 request for data but were provided for data input. The type of violation and its discovery activity have been topics of discussion in regularly held meetings and conference calls between EPA regional and state/local agency staff. However, oversight and analysis of data are difficult and resource intensive without the reason for violation and identification of the violating pollutant reported in AFS. Therefore, incomplete reporting of such data is hindering the Agency's ability to carry out its responsibilities effectively. Identification of the violation type and pollutant will provide information concerning violation environmental impact. Also requested is the identification of the activity that discovered the violation (i.e., receipt of information documenting the violation, such as source records, date of inspection, stack test report, or continuous emission monitoring system report). The date of this activity is used in the calculation of the "Day Zero", which is defined by policy to be established 30-90 days from the date of discovery and provides information concerning violation duration and timeliness of resolution of the violation. The 2001 ICR did not require the establishment of this activity in the HPV data pathway. The current MDRs do not allow EPA to determine by which criteria a violation has triggered a High Priority Violator status. The data will be used to ensure that the policy is being implemented as intended.

(b) USE/USERS OF THE DATA

There are many ways in which EPA, state and local agencies, and the public can use the AFS compliance and enforcement data. The Minimum Data Requirements (MDRs) represent the minimum amount of data EPA believes is necessary to manage the national air stationary source compliance monitoring and enforcement program. Some of the key uses of the data are to:

- Provide an accurate and accessible inventory of significant sources that are subject to federally enforceable emission regulations;

- Assess the compliance status of sources with respect to these regulations (compliance status changes are reported quarterly to ensure progress for sources that are out of compliance and to continue surveillance for those which remain in compliance);
- Develop compliance and enforcement strategies;
- Target compliance activities and track enforcement actions;
- Develop new measures of regulatory program success;
- Prepare various EPA reports on a national, regional, sector, or other level;
- Standardize state and local reporting to EPA;
- Conduct regulatory analyses;
- Support multimedia initiatives which integrate quarterly reports of air, water, and land disposal compliance data;
- Provide timely and accurate response for information requests made by the public, pollution control vendors, Congress and other information requesters; and
- Provide a forum and model of successful state and local compliance programs (that include Federal data reporting) which can be used by other agencies in the development or expansion of their existing programs.

(c) ABOUT AFS

AFS is a management information system designed to track compliance and enforcement information. It is a fully-automated system which provides ready access to historical and current records for EPA, and state and local agency staff involved in compliance and enforcement activities. AFS resides on EPA's Enterprise Server (IBM S/390 G6 9672X37 computer) at the National Computer Center (NCC) in North Carolina and is accessible to all state and Local Agency users via a Host on Demand session via the Internet or through DynaComm communications software available to Federal users.

AFS is considered to be an antiquated system. Comments concerning this collection have indicated that the difficulties in using AFS should negate addition of any new data until modernization of AFS. Modernization of the system is underway, but final conversion to a state-of-the-art system will not be completed until FY2008 or later due to resource limitations. Oversight of the program must continue throughout the modernization effort, and valuable data necessary for oversight can be conveyed via AFS. In light of comments received concerning the

antiquity of the system, several concessions have been made in the consideration and selection of any additional data elements to the collection, such as selection of mandatory fields already considered reportable by many agencies, using existing fields to negate reprogramming of existing conversion programs, generation of system utilities to assist with reporting and placing more burden on tools of analysis used by EPA instead of changing data entry requirements.

#### (d) PROGRAM CHANGES

The following data elements comprise the additions and changes to this data collection request:

##### *(i) Addition of the Subpart Identifier in the Air Program Record*

Specifically, the subpart identifier is maintained in the Air Program record of AFS for the Maximum Achievable Control Technology (MACT), New Source Performance Standards (NSPS) and the National Emission Standards for Hazardous Air Pollutants (NESHAP) air programs.

Approximately 90 MACT standards have been promulgated since 1990 (40 CFR Part 63). Compliance dates are in place for approximately 43 MACT Standards. Fifty-five additional area source standards are to be promulgated (112K-Urban Air Toxics Strategy) between 2005 and 2010. This significant increase of Clean Air Act regulations has underscored the need for better targeting of affected facilities within the Air Compliance/Enforcement Program. Knowing the specific subpart to which a facility is subject will significantly enhance the Agency's ability to target limited resources on the most environmentally significant sources. Subpart identification will also help EPA and state/local agencies to establish compliance rates. Subpart identification will provide a clear definition of all applicable regulations at a source and will assist the Agency with performance measurement.

Many state and Local Agencies are already voluntarily reporting Subpart applicability within Air Programs in AFS, with 24,890 subparts reported on the NSPS, MACT and NESHAP air programs nationwide. In order to reduce immediate reporting burden for agencies not previously reporting this data, EPA recommends that applicable air program subpart data be updated when a Full Compliance Evaluation is completed. The CMS Policy requires that all major sources be evaluated every two years, and a subset of synthetic minor sources evaluated every five years, or as negotiated between an EPA Regional Office and delegated Agency. A review of applicable air programs and subparts must be completed as part of the evaluation and subpart applicability can be updated in AFS at that time. Subpart identification would be required at the air program level only (AFS acronym SPT1) and not required at each air program pollutant, nor at the action level of AFS.

##### *(ii) Addition of the Pollutant Code to Stack Test Actions*

The CMS Policy of April 2001 introduced reporting requirements of “Pass” or “Fail” for stack tests. Adding the pollutant to the stack test action record provides valuable information on which specific pollutants failed and may be in violation. Otherwise, “Fail” without this information could inaccurately suggest failure for all pollutants. This does require a separate entry for each pollutant tested in a particular stack test. Reporting the stack test pollutant is consistent with the requirements contained in the HPV Policy (a violation of an allowable pollutant emission limit detected during a reference method stack test) and also the National Stack Testing Guidance of February 2, 2004 (pass/fail of prescribed emission limits of a pollutant). Reporting the results of a stack test at the pollutant level addresses a programmatic deficiency (identified by the EPA Inspector General’s “Report of EPA’s Oversight of State Stack Testing Program (Report number 2000-P-00019) dated September 11, 2000) by removing the inconsistent reporting of stack tests. Without the pollutant information, the data is of limited utility in evaluating the level of activity and tracking compliance status for specific pollutants that could identify a High Priority Violation or contribute to non-attainment designation.

Regarding the proposed addition of the pollutant code to stack test actions, many states and local agencies commented on the inability of AFS to maintain more than 998 actions. With the requirement of multiple actions for stack test pollutant reporting, many agencies were concerned that the number of actions reported to AFS would rapidly approach the limit. To address this issue, AFS now provides a utility for compressing, renumbering, and archiving actions to prevent the situation of “action overload”.

*(iii) Addition of the High Priority Violator (HPV) “Violation Discovered” activity and date*

The HPV Policy sets a 30-90 day window for HPV determinations from date of discovery. However, there is not an existing dataflow which documents the “Violation Determined” or “first occurrence” date that initiates the HPV time line process and allows EPA to measure compliance with the Policy. Incorporating this milestone action is responsive to data requests regarding the need to better explain the results of evaluations. Though violations meeting the HPV requirements can be determined by methods other than evaluation, the link between compliance activities and HPV is critical. Discovery can be made through a variety of ways including an on-site evaluation (regularly scheduled oversight by the delegated agency); a self-disclosure (Title V Annual Compliance Certification); a report showing failure of a stack test; review of documentation (e.g., self-monitoring reports, fuel use records, production records) or other compliance monitoring activities. These action types are not new to AFS and will pose no new burden to the majority of users who are already reporting such data in their HPV pathways. In fact, the action types are already included in the AFS Minimum Data Requirements (MDRs) with the exception of on-site PCEs. These existing action types will be coded with a unique indicator in the AFS Action Tables. The user will have to link the “Violation Discovered” action type in the violation pathway. Burden for reporting this activity is minimal, as in many cases the only requirement is action linkage. Other software used by EPA will be able to discern and analyze this data. The types of actions that can be used to report the HPV

Discovery Date are:

- A Full Compliance Evaluation;
- A Partial Compliance Evaluation (On- or Off-Site Evaluations);
- A Title V Annual Compliance Certification;
- Stack Tests;
- Investigations

*(iv) Addition of the High Priority Violator (HPV) Violation Type Code and Violating Pollutants (AFS element VTP1: General, Matrix and Discretionary Criteria) and AFS element VPL1: Violating Pollutants)*

As stated in the OIG Report No. E1GAE7-03-0045-8100244, *Consolidated Report on OECA's Oversight of Regional and State Air Enforcement Programs (9/25/98)*, and the Government Performance and Results Act (GPRA) requirements (GPRA Goal 5-Compliance and Environmental Stewardship; Object 1: Improve Compliance), the Agency must evaluate and measure priority enforcement in terms of 'environmental harm'. In addition, the public, regulated facilities, and environmental advocates have formally requested this type of information. Both the Clean Water Act (CWA) and Resource Conservation and Recovery Act (RCRA) programs and their databases (Permit Compliance System (PCS) and RCRAInfo) have sophisticated reporting and tracking of either pollutants violated or violating types/definitions or both. Clean Air Act HPV tracking has only two methods of tracking this information and neither HPV violation type codes or violation pollutants were required to be reported as MDRs. These data elements not only provide insight to potential environmental harm, but they can provide details about the extent of the violations (e.g., percentage of excess emissions above legal limits). The data elements also can provide a clear connection to the HPV Policy and, therefore, make it easier to evaluate implementation. Both of these data elements are entered on the AFS "Day Zero" record/menu screen and would be entered at the same time as the HPV Day Zero; thereby minimizing burden and not requiring a new update session in AFS. To phase in the implementation of this requirement and reduce reporting burden, these new codes would be required of new HPVs reported beginning in FY06. Definitions of these codes can be found in the HPV Policy and are also listed in Table 1 of Section 4 of this document.

*(v) Revised reporting frequency for state/local agencies from quarterly to 60 days, with a new definition of timeliness.*

This change in time standard requires that all activity be reported to AFS within 60 days of the date the activity occurred. This change in frequency would not increase the amount of data reported to AFS, but could increase burden based on the number of submissions to AFS in a given year. This timeliness standard is considered normal business practice and is in line with the reporting requirements of other EPA systems. The resulting consistency among the data systems will remove any potential confusion among the users of the various data. With the public release of AFS data in ECHO, more timely reporting requirements placed upon EPA



through GPRA, and an increasing use of data for EPA decision-making, real time data is essential. Moving from a quarterly upload strategy to a 60-day maximum reporting frequency is an attempt to move toward maintaining real time data in AFS and meeting public demand. A quarterly data lag negatively impacts the ability to conduct on-going and year-end analyses. In the event a quarterly update was not completed, data would not be received until six months later. This lag in data reporting is misleading because inaccurate (or at least old, out of date) information ends up appearing on public web sites such as ECHO or ENVIROFACTS and there is also the unacceptable delay in error correction. As a result, inaccurate conclusions can be made regarding state and local compliance monitoring and enforcement program performance. This new standard will improve oversight and management capabilities by providing data for analytical purposes on a consistent and reliable basis. Of the twelve agencies who were individually consulted with regard to this information collection renewal, eleven expressed no concerns with reporting on a 60-day basis.

This new time standard will require more frequent submissions of information from states submitting batch files (a minimum of 6 submissions versus previous 4 submissions annually). Many direct users of AFS (those entering data directly on line without batch file submission) usually update the system on a monthly basis and have not reported any additional burden with this new time standard.

*(vi) Reporting of On-Site Partial Compliance Evaluations (PCEs)*

Due to the concerns expressed by state and local agencies regarding the additional reporting burden during the 2001 ICR renewal, the reporting of PCEs was optional when the revised CMS Policy was initially implemented in 2001. Since that time, thirty-nine agencies have reported both on-and off-site PCEs during FY03, for a total of 15,459 PCE actions, of which 53% were reported as on-site activities. The Agency continues to believe that the reporting of PCEs is essential to effectively manage a national program and adequately portray the range of compliance monitoring activities being conducted.

The majority of comments received from state and local agencies indicated that the reporting of all PCEs would be an onerous task that many agencies are unwilling to complete. Additionally, comments indicated that the generic reporting of PCEs would not lend any value to the data contained in AFS, nor would the public benefit from the generic listings of a partial compliance activity that is undefined. However, several agencies indicated a willingness to report on-site activities that were defined, providing EPA and the general public with a better picture of oversight activity at any given source. In order for the Agency to carry out its oversight responsibilities while taking into account the state and local agency reporting burden, only on-site PCEs will be required as minimum reporting, with reporting of off-site PCEs listed as a highly recommended optional (discretionary) activity.

Four new national action types will be created for reporting on-site PCEs:

- Complaint Evaluation: Used for reporting the investigation of a complaint resulting in the on-site visit of a stationary source.
- Permit Evaluation: Used for reporting pre-and post-permit issuance activities, where an on-site visit is necessary to review individual processes or installation of equipment.
- Compliance Evaluation: Used for reporting the review of one or more plant processes for compliance purposes. For example, Maximum Achievable Control Technology (MACT) notifications and resulting compliance determinations.
- On-Site Observation: Used for reporting any on-site review of source to include visible emissions or other observed activity.

The generic action types for reporting both On- and Off-site PCEs will continue to be acceptable for reporting. Reporting of all PCEs (on- and off-site) completed by a Federal Regional Office will be required.

*(vii) Optional Reporting of Permit Program Data Elements (PPDEs): Permit Number, Permit Category, Date Final Permit Issued/Renewal (Event Types IF/IR and Date Achieved)*

The Office of Air Quality Planning and Standards (OAQPS) established the PPDEs in 1994 with the advent of the new Title V program. Permit issuance data greatly assists in the management and implementation of the Title V program. Knowing when a facility has been issued a Title V permit is essential for determining the universe of facilities subject to Title V requirements. The majority of reporting agencies are already reporting Title V issuance to AFS, with 13,507 issued permits reported from 43 states. However, there is no requirement or standard for this data by the Office of Enforcement and Compliance Assurance. Currently AFS depends on the reporting of the Title V air program and classification code for attempting to establish the universe of facilities subject to Title V requirements. Yet, the air program code is not sufficient because it does not provide any information on the actual issuance of the permit, the date of permit issuance or category.

While many state and local agencies submitted comments supportive of this data, others expressed opposition because of the high start-up costs to include programming to an AFS data stream different from regular compliance/enforcement activity reporting. Therefore, in order to reduce overall burden, this data stream will be considered optional or discretionary reporting in deference to the guidance established by OAQPS. Other PPDEs (other Permit Events such as Draft Permit Issued, Draft Permit Received by EPA, etc.) will also be considered as optional data reporting. Optional AFS data elements recommended by this request will be: Permit Number (ASPN), Permit Category (PMTTC), Date Final Permit Issued/Reissued (Event Type (PATY) of IF or IR, and Date Achieved (PDEA)).

### **3. NON-DUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA**

#### (a) NON-DUPLICATION

The MDR data elements outlined in Table 1 of Section 4(b) represent minimum data requirements for effective implementation and management of a compliance and enforcement program. For EPA and the public, the AFS data are the only source of national information on compliance and enforcement activities. State and local agency respondents generally collect the information as part of their customary business practice to manage their compliance and enforcement programs, and thus there is no duplication in terms of collection. AFS has been designed to reflect the summary of core program data. State and local agencies can use AFS as their own data system for managing the data elements, but the majority of agencies have created or are creating their own integrated data management system for a complete environmental record of a source's activity. EPA has also developed a Universal Interface (UI) software tool to improve the process for batch uploads of information from state/local systems to AFS. The UI provides a conversion program from state/local systems to AFS, negating the need for the expense of programmers or additional resources for transferring data. The Office of Enforcement and Compliance Assurance (OECA) has provided \$1,714,500 in competitive grant dollars from 1999 through 2004 to facilitate the use of the system and streamline the reporting process to AFS using the UI. Fourteen (14) agencies are currently using the Universal Interface, with some users indicating a reduction of reporting burden of 30% over previous reporting efforts. Additionally, the UI will be able to convert and report records for all MDRs, as well as the optional Permit Program Data Elements. Thus we can conclude that a significant percentage of the increased burden resulting from this renewal will be offset by future reductions in burden as a result of additional UI users.

In some cases, state or local agencies in the process of creating a state system may manually enter data into their system and AFS, but these states are working toward an automation of the batch upload process. EPA encourages these states to review the UI and its capabilities. Additionally, as AFS continues its modernization efforts, the creation of streamlined reporting will be a certainty with the introduction of an XML schema for AFS reporting.

#### (b) PUBLIC NOTICE REQUIRED PRIOR TO SUBMISSION TO OMB

The first Federal Register notice on this ICR was published on June 1, 2004 (ICR No. 0107.08, OMB Control Number 2060-0096, OECA-2004-0024). EPA also accepted comments through September 2004.

#### (c) CONSULTATIONS

EPA provided information to the states/locals on potential changes to AFS reporting as part of its overall oversight responsibilities. The Agency encouraged comments and feedback from state and local agencies about these proposed changes and received thirty (30) comments from twenty-eight (28) agencies (outlined in Appendix 1, Commentaries).

In June 2004, EPA discussed the ICR at a national meeting with the State and Territorial

Air Pollution Program Administrators/Association of Local Air Pollution Control Officials (STAPPA/ALAPCO), the associations representing state and local air pollution agencies. EPA also presented an overview of the ICR proposed requirements at the National AFS Workshop in July 2004. In addition, EPA followed up with several commenting agencies to clarify their comments and confirm estimates of burden. EPA also discussed this information request and collected total labor estimates for AFS reporting from a survey of additional states/locals, identified in Appendix 2, Agencies Directly Contacted for Burden Estimates. This information was used to develop the burden estimates discussed in Section 6 (i.e., current burden and the estimated burden that will result from this renewal ICR).

(i) *General Comments:*

- *AFS is an antiquated system and too burdensome for adding workload through new data requirements. Modernization of the system is required before requesting additional data.* EPA recognizes the age of the system (AFS was operational in 1990) and has begun a modernization effort. AFS is scheduled for inclusion into the Integrated Compliance Information System (ICIS). Several modernization activities have taken place. A Needs Analysis was completed in FY2002, with an initial comparison to ICIS completed during FY2003. EPA is now forming a modernization workgroup to continue work with structure and business rules. While modernization moves forward toward a target date of FY2008, the addition of essential information for the oversight and management of the air compliance/enforcement program cannot wait. The proposed elements will not require any structural changes to AFS and will utilize already existing fields. Additionally, EPA is willing to provide grant assistance for the facilitation of reporting new fields during FY2005 via the State/Tribal Assistance Grant (STAG) program sponsored by OECA. Grant solicitations were published December 16, 2004, and projects utilizing the Universal Interface (UI) software or other data system configurations to facilitate data migration will be considered. Agencies with difficulties reporting new elements are encouraged to respond to this solicitation.
- *Any new data requirements would require additional resources when many state/local budgets are frozen.* Most new elements are actually already being voluntarily reported by a majority of agencies, and all requested elements include data necessary for the oversight of the Clean Air Act. EPA is ready to assist state and local agencies who currently may have data residing in systems or files which are unable to upload to AFS. Agencies unable to provide the requested fields should request assistance from their EPA Regional Office.
- *EPA references of authority for AFS reporting are not adequate.* As mentioned in Section 2(a)(i), there is no one authority for AFS reporting, but multiple requirements for data. These authorities, combined with EPA guidance, are adequate for defining the information needed for management of the air program.

- *Wait to implement any changes until FY06 (October 1, 2005).* EPA agrees and will delay implementation of the new data elements in this collection request until that time.

*(ii) Specific Comments on Proposed Data Elements:*

- *Subpart Data: Search Time/Startup costs too onerous.* AFS currently houses some subpart data from every state. However, since this data is not an MDR, it cannot be verified to be complete. A few agencies provided comments of non-support for this field, citing the time needed by staff to review permit files for the information or to rework agency systems to house the data. To reduce this burden, EPA will introduce a phased approach for the implementation of this element using the scheduling of Full Compliance Evaluations. During each FCE, a complete review of all requirements is completed. During this time, subpart fields in AFS can be updated. As the evaluation frequencies for the sources included under the CMS Policy are either 2, 3, or 5 years, EPA expects that all subparts for this universe of sources will be updated over a 5 year period.
- *Partial Compliance Evaluations (PCEs): Wide opposition to blanket inclusion of all PCEs. The value of generic PCE actions are suspect. Advocate optional reporting.* Thirty-nine (39) states are already reporting both on- and off-site PCE activity to AFS. Half of the agencies directly consulted report PCEs in their current data reporting. However, many agencies who provided written comments following the publication of the first Federal Register notice indicated that reporting all PCEs would provide no value to the public or EPA without detailed definitions of actions and consistency of reporting among agencies. EPA has addressed the agencies' concerns by reducing the burden and requiring only on-site PCEs, estimated to be approximately one-fourth of the burden of reporting all PCEs. Additionally, EPA will establish four new specific PCE action types for on-site reporting: Compliance Evaluations, Permit Evaluations, Compliance Evaluations, and On-site Observations. These newly defined action types will provide both the public and EPA with a definition of significant on-site activity. Agencies can continue to report generic PCE action types, if desired. EPA will work with state and local agencies to further define action types as requested.
- *Stack Test Pollutants: Heavy startup costs will hamper implementation. The limited number of actions that AFS can handle will also pose a problem, with multiple actions for each pollutant tested.* AFS can maintain 998 actions at each source. As the system has been functioning for so many years, many sources are rapidly approaching the 998 action threshold. EPA has designed and implemented a utility to compress, renumber, and archive actions as designated by the owning agency. This utility will ensure that the 998 action threshold does not prevent action reporting. EPA acknowledges that use of this activity requires additional time from the user, and is willing to provide step-by-step assistance with each use of the utility. Users may indicate the source identification and the features requested (compress, renumber, archive) and the utility will be run for them. Again, many agencies are already reporting stack test pollutants. Additionally, the UI is

currently being enhanced to streamline the reporting of these pollutants and is expected to be available for use before the end of FY2005.

- *Permit Program Data Elements (PPDEs): High startup costs for agencies not already reporting. The current configuration for reporting Title V PPDEs is awkward and should be modernized.* Many comments supported the addition of this data, and 43 states are currently reporting some PPDE activity to AFS. This collection request would require the permit identification and issuance information only, but those agencies not already reporting the data indicated that startup would be time-intensive. To reduce overall burden resulting from this ICR renewal, and as many of the states are already reporting this data to Regional Offices, it will continue to be excluded from the MDRs but remain as optional reporting.
- *HPV Discovery Date: Extrapolate this data from the reported Day Zero. This information could compromise an enforcement action.* The HPV Discovery Date provides EPA with the information required to ascertain timely and appropriate assignment of the Day Zero for each violation. This information cannot be extrapolated from the Day Zero, as there is no definition of what activity triggered the analysis of violation. Many agencies who commented did not express support for the addition of this element, and one agency directly consulted stated its intent not to report this information even if required. EPA believes this information is necessary to determine the Day Zero, and data in existing HPV pathways indicates that these types of actions are already being reported in a limited fashion. Additionally, all an agency need do is to link the appropriate action in the HPV pathway, where table-driven values will identify the action as an HPV Discovery Date.

Analysis of the Discovery Date will be completed outside of the AFS in the Online Targeting and Information System (OTIS) which is not available to the general public. To reduce reporting burden, EPA will institute a phased in approach, where HPV Discovery Date is not required for new HPV pathways until FY2006. The existing action types for Discovery Date include: FCEs, PCEs, Title V Annual Compliance Certifications and Stack Tests. EPA does not believe that the Discovery Date would compromise an enforcement action.

- *HPV Violating Type Code and Pollutants: Data entry is onerous and can compromise enforcement cases.* Most consulted agencies provided estimated burden for these elements, but many comments did not support reporting this data. EPA cannot adequately analyze the HPV pathways without knowing what type of violation has occurred. This information provides information for the magnitude and duration of the violation, and is not considered to be an element that can compromise an enforcement case. To reduce reporting burden, EPA will institute a phased in approach, where HPV Violation Type Codes and pollutants are required entry for new HPV pathways starting in FY2006. Agencies can negotiate with their respective Regional Offices on data entry.

- *Time Standard of 30 Days: Not feasible as most data are not provided within agency systems within 30 Days. Not opposed to a 45- or 60-day standard.* Many agencies indicated the inability to meet a 30-day reporting schedule. Ten of twelve consulted agencies indicated that a 60-day timeliness standard was acceptable, as they were already reporting on a monthly schedule or better. One consulted agency indicated that they could not meet a 60-day standard. Some agencies indicated that there would be instances where some actions would not be reported within 60 days. EPA is willing to accept data at the minimum of every 60 days, with the plan that end-of-year reports can be extracted 60 days after the end of the Federal fiscal year.

#### (d) GENERAL GUIDELINES

This information collection contains no special circumstances that would conflict with the general guidelines in 5 CFR 1320.5.

#### (e) CONFIDENTIALITY AND SENSITIVE QUESTIONS

##### *(i) Confidentiality*

Any information submitted to the Agency for which a claim of confidentiality is made will be safeguarded according to Agency policies set forth in Title 40, Chapter 1, Part 2, Subpart B - Confidentiality of Business Information (see also 40 CFR 2; 41 FR 36902, September 1, 1976; amended by 43 FR 42251, September 20, 1978; and 44 FR 17674, March 23, 1979).

##### *(ii) Sensitive Questions*

This section is not applicable.

## **4. THE RESPONDENTS AND THE INFORMATION COLLECTED**

#### (a) RESPONDENTS/SIC CODES

The respondents for the information collection activity are state and local environmental agencies. These environmental agencies are classified in SIC 9511/NAICS 924110. Source compliance data assembled by the state and local agencies covers numerous SIC categories. The state and local agencies that report to AFS are defined as delegated grantees of the Clean Air Act. Most contacts are identified on EPA's Web site (see Contacts List at [http://www.epa.gov/Compliance/contact/planning\\_afscontacts.html](http://www.epa.gov/Compliance/contact/planning_afscontacts.html)). The total number of respondents is 93 (50 states, the District of Columbia, Puerto Rico, the Virgin Islands and 40 delegated local agencies). This is a change from the 2001 ICR which identified 89 respondents. (Appendix 3 identifies the list of respondents reporting to AFS.)

## (b) INFORMATION REQUESTED

### *(i) Specific Data Reporting and Record keeping Items*

Reporting: To manage the national air stationary source compliance monitoring and enforcement programs, EPA provides a set of minimum data requirements (MDRs) that identify the specific data elements to be reported and tracked in AFS for state and local agency compliance and enforcement activities. Table 1 provides a list of the revised MDRs, and indicates which MDRs were part of the 2001 ICR for AFS reporting and which data elements are new. The stationary sources covered by the MDRs include major sources, synthetic minors, operating Part 61 NESHAP sources, any source with a violation meeting the criterion for high priority violators and sources receiving Administrative Orders or Civil Referrals.

Record keeping: Data submitted to EPA by respondents are maintained by EPA in AFS. Respondents are delegated with the implementation and management of the Clean Air Act and many of the data elements are maintained for the oversight of their program in their own data systems. The data is extracted and forwarded to EPA. Respondents are not required to report these data elsewhere.

### *(ii) Respondent Activities*

The respondent activities associated with reporting of compliance and enforcement actions are detailed in Worksheet 1 in Section 6(a), below. These activities include:

- Process, compile, and review information for accuracy and appropriateness; and
- Transmit information in written or electronic format for entry into AFS, including any necessary changes to state and local data systems to facilitate the transfer of the AFS MDRs.

These tasks generally are to be performed on a 60-day basis. Section 6 of this Support Statement describes the cost and burden of these respondent activities. Most of the burdens under Activity 1 are designated as Customary Business Practice (CBP) because the state and local agencies must collect the information required by EPA for their own program management. For MDRs that were included in the 2001 ICR as well as this renewal ICR, states/locals generally agreed with the CBP designation. For some of the new data elements, not all agencies necessarily believe each element is an element that they would voluntarily collect and review for accuracy in a manner to allow reporting to the AFS database. Because the states/locals could not easily segregate these activities, Worksheet 1 addresses these estimated burdens as part of the “transmit information” activity.



**TABLE 1**  
**SUMMARY OF NATIONAL MINIMUM DATA REQUIREMENTS (MDRs)**  
**FOR CLEAN AIR ACT STATIONARY SOURCE COMPLIANCE**

Note: Unless otherwise noted, both Regions and states/locals report their data. The reportable universe of facilities for AFS includes: Major Title V, Synthetic Minor and NESHAP Minor facilities, other facilities identified within the CMS Evaluation Plan, any facility with an enforcement action, any facility with an active HPV. Individual regional/state agreements are not superseded by this listing.

<b><u>Identification</u></b>	<b><u>Covered by the Current 2001 ICR</u></b>	<b><u>AFS Acronym</u></b>
1. Facility Name	Yes	PNME
2. State	Yes	STAB/STTE
3. County	Yes	CNTY
4. Facility Number	Yes	PCDS
5. Street	Yes	STRS
6. City	Yes	CYNM
7. Zip Code	Yes	ZIPC
8. SIC or NAICS Code	Yes-SIC	SIC1/NIC1
9. Government Ownership	Yes	GOVT
10. HPV Linkage and Key Action (Day Zero)	Yes	Linked from Action Data
<b><u>Compliance Monitoring Strategy (CMS)</u></b>		
11. CMS Source Category <sup>1</sup>	Yes	CMSC
12. CMS Minimum Frequency Indicator <sup>1</sup>	Yes	CMSI
<b><u>All Regulated Air Program(s)<sup>2</sup></u></b>		
13. Air Program	Yes	APC1
14. Operating Status	Yes	AST1
15. Subparts for NSPS, NESHAP and MACT <sup>3</sup>	No	SPT1
<b><u>Regulated Pollutant(s) within Air Program(s)</u></b>		
16. Pollutant(s)	Yes	PLAP/CAPP
17. Classification(s)	Yes	ECLP/SCLP
18. Attainment Status	Yes	EATN/SATN
19. Compliance Status	Yes	ECAP/SCAP
<b><u>Actions Within Air Programs<sup>4</sup></u></b>		
20. Minimum Reportable Actions:		
Notice of Violation(s)	Yes	
Administrative Order(s) and Assessed Penalties	Yes	
(Includes Enforcement Orders, Consent Decrees and Consent Agreements)		

Civil Referrals	Yes
HPV Violation Discovered <sup>5</sup>	No
Examples: FCEs, On-or Off-Site PCEs, Stack Tests, Title V Annual Compliance Certifications	
HPV Addressing Actions <sup>6</sup>	Yes
HPV Resolving Actions <sup>7</sup>	Yes
Full Compliance Evaluations	Yes
On-Site Partial Compliance Evaluations (PCEs)	
Defined as: Complaint Evaluation, Permit Evaluation, Compliance Evaluation, On-Site Observation, Generic On-Site PCE	
Stack Tests <sup>8</sup>	No
Title V Annual Compliance Certification Received <sup>9 11</sup>	Yes
Title V Annual Compliance Certification Reviewed <sup>10 12</sup>	Yes
Investigations <sup>13</sup>	Yes

**Additional Action Information:**

21. Results Code <sup>8 10</sup>	Yes	RSC1
22. RD08 (Certification Deviations) <sup>9 10</sup>	Yes	RD81
23. Date Scheduled <sup>11</sup>	Yes	DTS1
24. Stack Test Pollutant <sup>8</sup>	No	PLC1
25. HPV Violation Type Code <sup>14</sup>	No	VTP1
26. HPV Violating Pollutant(s) <sup>14</sup>	No	VPL1

**Timeliness Standard<sup>15</sup>**

27. Action Reported within 60 Days of Event; with minimum of 6 uploads to AFS per year.	No
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**OPTIONAL/DISCRETIONARY DATA REPORTING TO AFS–NON-MDR DATA**

The following items cover data that is not considered an MDR, but will be useful and helpful for program implementation, evaluation and oversight. State and local agencies are encouraged to report the following items whenever practicable.

- Minor Facility information: For minor sources that are not MDR (MDR for minor facilities is defined as: Minor NESHAP, a minor facility identified within the CMS plan for evaluation, minor facilities with an enforcement action or any HPV case regardless of class) reporting is optional but encouraged. Minor source information would include NSPS and MACT subpart applicability.
- All Air Program Reporting at the Action Level of AFS: All applicable air programs at the source must be reported at the Plant Level of AFS, while reporting is optional for all applicable air programs at the Action Level of AFS. It is acceptable to report the Title V air program (V) only on FCEs, PCEs, and activities applicable to Title V. All applicable

Air Program Codes on HPV Day Zero and enforcement actions are required.

- Reporting more frequently than every 60 days.
- State Investigations initiated.
- Title V Permit Program Data Elements (PPDEs): Required for reporting to AFS by the Office of Air Quality Planning and Standards (OAQPS), used by the Office of Enforcement and Compliance Assurance (OECA) for major source universe population. To be established when the Title V permit is issued. AFS will require the establishment of an AFS ID, the individual permit number, category, and event type for permit issued plus the date achieved. Permit Program Data Elements (PPDEs) include the Permit Number (ASPN), Permit Category (PMTTC), and Permit Issuance Event Types (IF-Permit Issued and IR-Permit Renewal) and the date (PATY/PDEA).
- State Off-Site Partial Compliance Evaluations (PCE): Any off-site review of reports and reviews qualifies as an off-site PCE.

**Notes for Table 1:**

1. Generally EPA enters this information into AFS; states/locals provide this information per agreement with the EPA Region. An EPA Region may delegate data entry rights to a state/local agency.
2. All applicable air programs should be reflected at the plant level of AFS.
3. Any applicable subpart for the NSPS, NESHAP or MACT air program at major and synthetic minor sources, minor source NESHAP and all other facilities reported as MDR. Phase-In approach of data entry limits data input to applicable subparts at sources receiving FCEs starting in FY06. Reporting of minor source NSPS and MACT subparts are optional but recommended (unless the minor source is included in the CMS universe, has a current enforcement action of <3 years old and is listed as a discretionary HPV).
4. Includes action number, action type, and date achieved. Penalty amount is also included where appropriate and should reflect assessed penalty (penalty assessed via a formal enforcement action).
5. Actions for Discovery Date are defined as: FCEs, PCEs, Title V Annual Compliance Certifications and Stack Tests. These action types should be linked into the HPV pathway. Phased-In approach for data entry requires HPV Violation Discovered Date to be reported on new HPV cases starting in FY06.
6. Examples of addressing actions include, but are not limited to: State/EPA Civil Action; State/EPA Administrative Order; State/EPA Consent Decree; Source returned to compliance by State/EPA with no further action required. HPV Lead Agency responsible for data entry of actions into AFS, or as negotiated.
7. Examples of resolving actions include: Violation Resolved by State/EPA, State/EPA Closeout Memo Issued, Source returned to compliance by State/EPA with no further action required. HPV

Lead agency responsible for data entry of actions into AFS, or as negotiated.

8. Each pollutant tested during a stack/performance test should be reported via a separate action. The pollutant code is reported in field PLC1. Pass/Fail codes (PP/FF) are reported in the results code field.

9. EPA reports and enters into AFS unless otherwise negotiated.

10. Results codes for Annual Compliance Certification reviews are: in compliance (MC), in violation (MV) and unknown (MU).

11. The Due Date of a Title V Annual Compliance Certification will be reported as a date scheduled on the "Title V Annual Compliance Certification Due/Received by EPA" action, and is not enforcement sensitive.

12. Annual Compliance Certification deviations(s) will be indicated in RD08 for EPA reviews (and state reviews as negotiated).

13. EPA Investigation Initiated (started) and State/EPA Investigation Conducted (finished). State Investigation Initiated is added for optional use. EPA and State Investigation Initiated (started) action types are enforcement sensitive.

14. HPV Violation Type Code is to be identified when the Day Zero is established, values are listed at <http://www.epa.gov/compliance/planning/data/air/afsmanuals.html>. HPV Pollutants are to be entered with the Day Zero action type. Phased-In approach for data entry requires HPV Violation Type Code and Violating Pollutants to be reported on new HPV cases starting in FY06.

15. Data is to be reported to AFS within 60 days of the event reported in the Date Achieved (DTA1) field of the action record. Monthly updating is encouraged.

## **5. AGENCY ACTIVITIES, COLLECTION METHODOLOGY, AND INFORMATION MANAGEMENT**

### **(a) AGENCY ACTIVITIES**

Activities performed by EPA personnel involve both EPA Regional and Headquarters staff. The Regional Offices generally serve as the primary liaison with respondents (and, if applicable, assume the primary role of any EPA reporting of data to AFS), while Headquarters staff focus on data system issues, data management practices, and other national program management activities. The EPA activities include (for purposes of estimating burdens, the first four items are considered the primary Regional Office activities and the last three items are considered the primary Headquarters activities):

- Interaction (e.g., answer respondent questions, including liaison with state and local agencies, participate in National AFS data management discussions, etc.)
- Audit and review of data submissions
- Data entry and verification
- Report preparation
- Program review (including review of AFS user needs and suggestions of software revisions, or identification for state and local agencies of best/efficient data management and quality assurance practices)
- Data interpretation and analysis (including targeting activities)
- Quality assurance guidance

### **(b) COLLECTION METHODOLOGY AND MANAGEMENT**

#### *(i) Overview*

The compliance and enforcement information collected from state and local respondents for entry into AFS is a well established process. Compliance and compliance action reporting to AFS and its predecessor, the Compliance Data System (CDS), has existed for the past 24 years. The MDRs have been developed as essential components of a compliance tracking program and have been adopted into state and local systems. Many states automatically update AFS from a local database, while some enter data into AFS directly. In some instances, EPA Regional Offices enter state and local agency compliance and enforcement data into AFS. Several EPA regional offices enter HPV data for state/local agency staff, whereas most regions have delegated data entry responsibility.

EPA data collection guidance and technical support to the respondent reporting community during the past 24 years has focused on supporting these agencies in their collection methodology in order to minimize the total burden associated with meeting their reporting requirements, and the Agency will continue to focus on these efforts. The continued development of the Universal Interface (UI) to allow for batch upload of data from a variety of

state and local agency data systems to AFS is a central component of the ongoing EPA effort to ease the burdens on agencies to report data to AFS. In addition, consultations with respondents confirms for EPA that AFS is perceived as an old system in which it is difficult to report, quality assure, and extract data. EPA has begun modernization efforts, with the completion of a Needs Analysis in 2003; an initial Closeness of Fit Analysis to OECA's Integrated Compliance Information System in 2004; and a Modernization Workgroup to take additional steps toward a modernized AFS. EPA will work with respondents to ensure all reporting issues are dealt with in a modernized AFS.

EPA also has developed documents and memoranda to explain the collection and reporting of MDRs for AFS, such as user manuals. In addition to these documents, EPA provides the additional services in support of optimizing the collection and reporting of AFS MDRs including the following:

- An AFS telephone help line providing users with data collection transmittal and quality assurance, supplemented by Contractual, Regional and Headquarters staff.
- User training provided as requested and as funds allow.
- EPA has provided a universal conversion program (Universal Interface) to facilitate reporting by state/local agencies to the AFS. This program negates the need for costly support of a native conversion program. Over the last five years, EPA has provided over \$1.7 million in grant dollars to help state and local agencies apply and use the Universal Interface for reporting to AFS. There are currently 13 users of the product, with 6 agencies currently working on the process of implementation. Users of the product indicate varying levels of resource savings, with an average of 30% of time saved in routine submissions to AFS.
- A national AFS user workshop designed to provide as much training as possible, as well as provide up-to-date information regarding data reporting and quality assurance.
- A national AFS Compliance Workshop where input is solicited from Regional representatives to improve data collection and reporting. Attendees are provided with reports regarding the EPA data analysis relative to program progress. The output of these meetings include memoranda or best practices documents that are promulgated to state data collection and reporting respondents.
- A publically-available EPA AFS Web site provides all users as well as the general public with information on documents, manuals, training information, updates, etc. (<http://www.epa.gov/Compliance/planning/data/air/afssystem.html>). Additionally, a User-Only website is available with specific programmatic

information (such as teleconference minutes, planning activities) designed to keep AFS users informed of any and all system updates. The website does not provide access to AFS.

- A new AFS utility designed to archive historic actions, compress and renumber. As AFS has a limit of 998 compliance/enforcement actions and has information dating back to the 1970s, an archiving of old activity was necessary to make way for new actions and reporting.
- During FY2003, respondents collaborated on the compilation of the AFS Business Rules, providing a comprehensive compendium of air compliance/enforcement rules concerning data entry. This document, used in tandem with system documentation, provides the user with a complete system and programmatic guide for using AFS.

EPA presents these tools in plain English to provide novice and experienced personnel with suggestions as to how their reporting burden can be minimized. More specific guidance is provided as each EPA Regional Office enters into specific agreements with state and local agencies on AFS reporting.

#### *(ii) Data Quality Checking Procedures*

AFS data are edit validated by the system for range, context, and appropriate database record identification and cross referencing upon submission to AFS. On a monthly basis, EPA downloads data from AFS and loads it into multiple applications providing data to the public: the Online Tracking and Information System (OTIS) which provides powerful analysis capabilities to EPA and state and local agencies, the ECHO system and ENVIROFACTS. These systems maintain procedures for error resolution and correction, thereby improving the quality of data in AFS.

Many state and local agencies have written Standard Operating Procedures or have expanded Quality Assurance Project Plans that define their reporting process. These procedures contain a data correction mechanism, define data ownership, and outline each step taken to report timely, accurate, and useable data to AFS. Additionally, OECA's Office of Compliance has a Quality Management Plan requiring that data quality requirements are built into each legacy application and required of each respondent.

#### *(iii) Machine and Processing Technology*

AFS resides on EPA's Enterprise Server (IBM S/390 G6 9672X37 computer) at the National Computer Center (NCC) in North Carolina and is accessible to all state and local agency users via a Host on Demand session via the Internet or through DynaComm communications software available to Federal users.

*(iv) Data Entry and Storage*

Once compliance data are submitted to EPA either directly online or via a batch update, the data are managed and maintained by EPA. EPA policy specifies the security and retention requirements for its databases, in addition to the specific program requirements and archiving protocols associated with each compliance data collection program. Additionally, the AFS Business Rules provide guidance for the archiving and deletion of old data.

*(v) Public Access*

The public may access AFS through:

- Freedom of Information Act requests made to EPA;
- “Browse” (read) only access to AFS non-confidential data. This requires an NCC user account and AFS non-confidential data access security clearance; and
- Review of AFS data available through EPA-supported Web sites such as ECHO (<http://www.epa.gov/echo/index.html> ) and ENVIROFACTS (<http://www.epa.gov/enviro/>).

**(c) SMALL ENTITY FLEXIBILITY**

The respondents for this information collection activity are state, local, district, and Commonwealth environmental agencies. The Regulatory Flexibility Act (RFA), incorporated in the 1995 Paperwork Reduction Act, defines a “small governmental jurisdiction as governments of cities, counties, towns, townships, villages, school districts, or special districts with a population of less than 50,000.” The state and local agencies covered by this renewal ICR are above that threshold, and therefore no small entities will be affected by this information collection. Most respondents defined as local agencies are recipients of the Clean Air Act Section 105 grants, or have assumed reporting responsibility from their respective state agency.

**(d) COLLECTION SCHEDULE**

With the approval of this ICR, AFS data from state and local Agencies are to be collected on a 60-day schedule, associated with the Federal fiscal calendar. Regional and Federal data is to be reported to AFS on a monthly basis. Each month data is extracted and provided to EPA systems for use in analysis and to provide data to the public. On a routine basis Regional and HQ EPA program staff develop trend and status reports utilizing AFS data and assess the completeness of the data submitted.

A normal data submission to AFS is composed primarily of action items (reference Table 1 of Section 4, Summary of National Minimum Data Requirements (MDRs). State and local agencies would be including new sources, changes in classification or compliance status to



existing sources and any other changes to the basic identification of the reportable universe. The inventory of sources may change (for example, many sources change processes and thus lower their emission levels resulting in a classification change from major to synthetic minor (or even minor) periodically, but is usually not a significant increase to data uploads.