



**EPA Office of Compliance
Enforcement Targeting and Data Division**

AFS National Workshop

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AFS Modernization

AFS 2006 National Workshop, July 2006



The AFS Modernization Workgroup:

- **PROBLEM:**

- The modernization of AFS should correct long-standing issues with the system, both technological and programmatic.
- The 2002 Needs Analysis identified many items for improvement in the modernized system, but does not include specifics.

HOW WILL SPECIFIC DESIGN PROBLEMS BE SOLVED?



The AFS Modernization Workgroup:

- **SOLUTION: The AFS WORKGROUP!**
 - Design recommendations can be put together via a workgroup dedicated to making sure the modernization of AFS DOES correct long-standing issues with the system, both technological and programmatic.
 - AND
 - The workgroup can provide specific recommendations for improvement of needs identified in the 2002 Needs Analysis.



Workgroup Members



- 5 EPA Members
- 4 States
- 3 Local Agencies



Workgroup Members



- EPA Members
 - Rob Lischinsky, Compliance Program Contact, OC
 - Arnie Leriche, Information Management Contact, OC
 - Lisa Holscher, Region 5
 - Laurie Kral, Region 10
 - Betsy Metcalf, AFS Contact



Workgroup Members cont.



- State Members:
 - Pat Rayne, Idaho
 - Bob Waterfall, NY
 - Denise Prunier, NY
 - Bill Baumann, WI
 - Martha Makholm, WI
 - Stephen Ours, DE



Workgroup Members cont.

- Local Agency Members:
 - Chris Cote, Ventura County, CA
 - Deborah Parrish, Shelby Co (Memphis), TN
 - Ken Mangelsdorf, South Coast, CA
 - Rose Rau, South Coast, CA



Issues Addressed to Date:

- Disconnection of Air Program to Air Program Pollutant Records
- Automatic Compliance Status Generation from Actions
- Automation of Attainment Status
- Title V Reporting Recommendations



Disconnection of Air Program to Air Program Pollutant Records

- PROBLEM: Users indicate that the reporting of pollutants under each air program creates voluminous and duplicative records—too costly to maintain.



Disconnection of Air Program to Air Program Pollutant Records

- SOLUTION(S):
 - Recommend listing all applicable air programs with operating status—also include applicability start and end dates.
 - Recommend listing all applicable pollutants and their classification, separate from the air program records. Compliance status reporting would still require air program and pollutant in violation.



Disconnection of Air Program to Air Program Pollutant Records

- SOLUTION(S):
 - Establish Pollutant codes for each CASN.
 - Disconnect approved by the Air Enforcement Managers at their December 2005 workshop.



Disconnection of Air Program to Air Program Pollutant Records

- PROs for the Solution: Eliminates multiple reporting of pollutant records.
- CONs for the Solution: Will require pollutant reporting on any action involved in non-compliance generation.



Automatic Compliance Status Generation from Actions

- **PROBLEM**: Compliance Status data in AFS is not reliable, as the fields are not being consistently maintained.
 - Compliance Status reporting requires a separate transaction to indicate violation. The records (reported by pollutant) create a voluminous burden for agencies.
 - The records have no connection to any violation action, nor provide any information on the violation.
 - If a violation is discovered and corrected before the next reporting cycle, it is usually never reported at all.



Automatic Compliance Status Generation from Actions

- SOLUTIONS:
 - Automatic generation of Compliance Status from Actions
 - Non-Compliance status is generated from actions with a start date and pollutant
 - Compliance Status can include several inputs from different actions, resulting in “stacked” compliance status/determination.
 - Ability to track Physical Compliance as optional fields



Compliance Status cont

- Actions that generate noncompliance
 - HPV Day Zero
 - Non-HPV Day Zero
 - Stack Test Failure
 - TV Certification with Violation
 - HPV and Non-HPV Addressing Actions
- ➔ ● Others?



Compliance Status cont

- Non-Compliance is tracked in one screen: Cradle-to-Grave violation tracking generated by action reporting.
NO ADDITIONAL DATA ENTRY REQUIRED!



Compliance Status cont

- Physical Compliance vs Enforcement Tracking
 - Provide optional fields to track physical compliance in addition to our current compliance model.



Automatic Compliance Status Generation from Actions

- PROS to the Solutions: Significant decrease of reporting burden, as noncompliance will be generated from reportable (Minimum Data Requirements or MDRs) actions.
- CONs to the Solutions: Actions that generate non-compliance records will require a POLLUTANT. Violation end dates will also have to be reported.



Automation of Attainment Status

- PROBLEM: The nonattainment indicator in AFS for criteria pollutants is frequently incorrect and does not reflect the most recent ratings.
- SOLUTION: Remove update requirements of non-attainment indicator for certain pollutants by automatic update.
 - CHALLENGE: This will require a joint effort from the Office of Air Quality Planning and Standards (OAQPS) and the ENVIROFACTS application, and should be considered an ongoing project.



Automation of Attainment Status

- PROs for the Solution: Another burden reduction by removing maintenance responsibility from a state/local agency to EPA.
- CONs for the Solution: Some nonattainment areas are only a portion of a county or city, identification of the affected facilities needs to be arranged.



Title V Reporting Recommendations

- Problems:
 - Universe Identification: No permit base in AFS. What about non-major Title V sources?
 - Policy Issues: Compliance Status from annual reviews, Semi-Annual vs Annual Review action types, recommend Results Code expansions.
 - Data Reporting Issues: The permit number should be a part of the Annual Certification data. Track TV Annual Compliance Certifications in one screen: Due, Received, and Reviewed.



Title V Solutions-Universe

- Incorporate permit issuance records:
 - Optional fields
 - Permit ID, date issued, expiration date, date of major modifications, period of review



Title V Solutions-Universe

- PROs for the Solution:
 - Automatic generation of certain fields from permit info (due dates)
 - Improved data analysis capabilities
 - Establishes a record relationship
 - Allows accurate tracking for those facilities with multiple TV permits
- CONs for the solution:
 - New data requirement for some agencies not already reporting permit information.



Title V Solutions-Policy

- Compliance Status Issues: Recommend that only newly reported violations affect overall compliance status.
- Standardize reporting review of multiple TV permit certifications within a year by creating data entry guidance.
- Create guidance for tracking continuous and intermittent compliance within the deviation tracking field.
- Expand Results Codes to include valuable information about the review.



Title V Solutions-Policy

A Possible Expansion of Results Codes*

Current?	Code	Definition
Yes	MC	Cert Report Complete, compliant, no HPV
No	M1	Cert Report is Late/Incomplete, enforcement required, HPV
No	M2	Cert Report is Late/Incomplete, no enforcement required, not HPV
No	M3	Cert Review Complete, reported violation, enforcement already taken, no HPV
Yes-as MV	M4	Cert Review Complete, New Violation, enforcement required, HPV, violation has ceased
No	M5	Cert Review Complete, New Violation, enforcement required, HPV, violation on-going



Title V Solutions-Policy

- PROs for the Solution:
 - Clear guidance with definitions will ensure consistency in reporting across the nation
 - More accurate analyses will be possible
- CONs for the solution:
 - Will agencies use expanded Results Codes?
 - Can EPA develop guidance before design?



Title V Solutions-Data Reporting

- Permit Number & Year of Review provided in each cert review (optional data fields)
- All data for a permit certifications included on one screen
- EPA revisit methods for analyzing cert review process as sum of cert reviews completed in a given year is not a good indication of oversight.
- Expanded indicators for continuous or intermittent compliance status?
- Fields for the Permitting Authority's determination of compliance?



Title V Solutions-Data Reporting

- PROs for the Solution:
 - Clear guidance with definitions will ensure consistency in reporting across the nation
 - More accurate analyses will be possible
- CONs for the solution:
 - Can EPA develop guidance before design?



Issues still to be addressed.....

- Penalty Reporting
- Building Optional Data Fields
- Differences in Procedures
- Is the 2002 Needs Analysis Accurate?



Areas of Contention-Penalties:

- Problems:
 - The workgroup does not think that *assessed* cash penalties are the best representation of the outcome of an enforcement action, and we should have the ability to report other types of penalties.
 - How about penalties that cover multiple sources?
 - Should we capture other enforcement projects (BEP/SEP)?



Areas of Contention-Penalties:

- Possible Solutions:
 - Review ICIS fields to find out what penalty types are being used by EPA Federal cases and by the Water Program
 - Review existing guidance from the Water and Waste programs for documenting penalties that cover multiple sources
 - Outreach—Is the assessed cash penalty the best representation of the outcome of an enforcement action?
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Penalty Tracking in ICIS

- Penalties Fields Available:
 - Collection of a Pre-Existing Debt
 - Cost Recovery (Superfund & Waste Only)
 - Injunctive Relief
 - Direct Environmental Reduction
 - Preventative
 - Facility Management or Information Practice
 - Cash Penalty—Initial and Total Assessed (Final)
 - Federal and State/Local Total Assessed broken out
 - Notice Pleading (Initial Penalty seeking the maximum)



Areas of Contention-Building Optional Data Fields:

- Problem: Lack of organized structures for common air program activities.
 - Lack of organized structure for Continuous Emissions Monitoring (CEM) data
 - ...for Stack Test reporting
 - ...for Title V Operating Permit reporting
 - ...for adding Compliance Status values to capture physical compliance.



Areas of Contention-Building Optional Data Fields:

- Possible Solutions/Optional Data Fields:
 - CEM Data
 - Permit Data—considered valuable data!
 - Stack Test fields
 - Physical Compliance
 - Complete Penalty Fields as provided in ICIS
 - Other data?



Areas of Contention-Differences in Procedures across the Country

- Problems:
 - Enforcement Tracking Issues: Tracking violations from NOV through HPV, Mutually Exclusive actions, and HPV vs Non-HPV tracking
 - Identification and classification of Title V sources
 - Reporting Air Subparts—discerning Federal subparts from state/local regulations



Areas of Contention-Differences in Procedures across the Country

- Possible Solutions:
 - Will clarification guidance be enough to address these problems?
 - Suggest to include up-to-date enforcement action descriptions in the next ICR.



Building Optional Data Fields

- How much is too much?



2002 Needs Analysis

- **Validity**
- **Accuracy**
- **Additional Needs?**



EPA NEEDS YOU!



- To participate in a breakout session to discuss modernization for AFS
- To provide feedback on 3 different topics to ensure all efforts undertaken for modernization are focused on what the users want.



Breakout Session Outline:

- 3 Breakout Groups (Red, White, and Blue) to discuss:
 - Compliance Monitoring Needs
 - Enforcement Tracking
 - System Functionality



Breakout Session Outline:

- Groups will be facilitated by:
 - Mamie Miller, Branch Chief, Compliance Assessment and Media Programs Division (CAMPD)
 - Pam Mazakus, Branch Chief, Air Enforcement Division (AED)
 - David Meredith, Section Chief, Data Systems Information Management Branch (DSIMB)



Next Steps:

- After Lunch, we'll gather together for a joint summary:
 - Find a consensus
 - Use the information to plan 2007 activities for the AFS Modernization Design work, the Modernization Workgroup and beyond.



Breakout Rooms:

- RED-Arlington I
- BLUE-Arlington II
- WHITE-Alexandria II