

US EPA ARCHIVE DOCUMENT

**Promoting Environmental Excellence through Environmental Leadership and Voluntary
Performance Improvements**

Assistance Agreement No. EI-96489208-0

Quarterly Report

April 1, 2009-June 30, 2009

Project Synopsis

During this reporting period, the Division of Compliance Assistance (DCA) developed its strategy for delivering the compliance assistance tools it is preparing for the gasoline distribution sector. DCA also continued to solicit comments on the compliance assistance resources being developed by the program. Through this process, DCA learned of a compliance calendar similar to one being developed by DCA that was created by the Wisconsin Small Business Environmental Assistance Program. DCA obtained a copy of this document and is integrating features of this resource into the calendar being developed by DCA.

In the next quarter, DCA plans to finalize its compliance assistance resources and validate them with the input of internal and external stakeholders so they are ready for delivery to the target audience during the fourth quarter of 2009.

Narrative Discussion

The compliance assistance delivery strategy drafted by the division this quarter will determine the outreach strategy that produces the greatest improvement in compliance as well as participation in voluntary leadership activities. This strategy includes two regional offices, with one county in each region being a test county and one county in each region serving as a control county. Counties selected as test and control counties will be under the review of the same inspector for compliance purposes to minimize variability in inspector discretion during compliance determinations. Within each test county, 50% of the target population will receive compliance assistance materials by mail and the other 50% will receive the materials via hand delivery. Half of the individuals that receive the materials by hand and half of the individuals that receive the materials by mail, will then receive follow-up from the agency on a periodic basis. This “reminder” will help the agency gauge the degree of follow-up needed to solicit a desired response in performance improvement. Then, as specified in the workplan, all participants will be polled at the end of the year to determine changes in behaviors in addition to the assessment the Division will make in compliance rate changes and leadership activities.

DCA has identified two obstacles that may complicate completion of the assistance materials in the timeline previously outlined. First, EPA has a [proposed settlement agreement](#) for the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities and Gasoline

Dispensing Facilities. Until this settlement is final, it will be difficult to give the gasoline distribution sector accurate compliance information on air related matters. Second, DCA is taking care that this project does not overlap new materials being developed by the Kentucky UST Program. Coordinating these efforts is essential to maintaining the ability of the project to measure compliance improvements resulting from this project. The Kentucky UST program still anticipates that its new compliance assistance materials will be launched by the end of 2009. They also plan on proposing new regulations at the same time. These regulations revisions may impact the content of the compliance materials being developed for this project and, as a result, may impact the launch date and outreach date to impacted sources. The new regulations would not be effective until early 2010. The UST program changes and the proposed settlement agreement for the NESHAP will likely require that DCA request an extension to the schedule contained in its grant workplan.

Project Tasks and Milestones

(Reflecting Accomplishments for this quarter and projection of activities for next quarter)

| <i>Implementation Activities</i> | <i>Start Date</i> | <i>Target Completion</i> | <i>Status/Notes</i> |
|---|-------------------|--------------------------|--|
| Identify sector for TAP | 10/07 | 12/07 | Completed Retail gasoline stations were selected. An emphasis will be placed on operational requirements for USTs. |
| Determine compliance baseline for identified sector | 01/08 | 02/08 | Completed |
| Collaborate and solicit input from stakeholders | 08/08 | 6/09 | Ongoing Informal stakeholder discussions have occurred and formal discussions will take place in the next quarter. |
| Develop TAP materials | 05/08 | 8/09 | In progress Draft Multimedia Environmental Compliance Checklist has been completed. Over the next quarter, DCA will complete the Calendar and training agenda and monitor changes in federal NESHAP rules |

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|-------------------------------|-------|-------|------------------------------|
| | | | for impacts on the calendar. |
| Stakeholder Review | 06/09 | 09/09 | Pending |
| Distribution of TAP materials | 10/09 | 12/09 | Pending |
| Training | 01/10 | 01/10 | Pending |

Financial Report

| Budget Category | Approved Budget | Spent this Quarter | Cumulative to date |
|------------------------|------------------------|---------------------------|---------------------------|
| Personnel | \$144,000 | \$13,026.46 | \$86,704.29 |
| Supplies | \$3,000 | \$0 | \$0 |
| Travel & Training | \$8,000 | \$248.26 | \$3,741.07 |
| Contractual | \$2,000 | \$0 | \$0 |
| Total Direct Costs | \$157,000 | \$13,274.72 | \$90,445.36 |
| Total Indirect | \$32,000 | \$4,136.69 | \$23,556.09 |
| TOTALS | \$189,000 | \$17,411.41 | \$114,001.45 |