

US EPA ARCHIVE DOCUMENT

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Draft Plan for Citizen Involvement in the Title V Program

This letter responds to your June 24, 1999 letter to Chuck Knauss seeking input on the Draft Plan for Citizen Involvement in the Title V Program. The Alliance of Automobile Manufacturers (AAM) and the Association of International Automobile Manufacturers (AIAM) appreciate this opportunity to provide comments on the Draft Plan. The member companies of AAM and AIAM together produce 100% of the automobiles manufactured in the United States. They operate hundreds of facilities that require Title

— member companies support EPA's efforts to enhance meaningful public participation in the Title V permitting process. The AAM and AIAM members are concerned, however, that the Draft Plan places too much emphasis on the of public involvement rather than the of such involvement. Our comments on the Draft Plan are therefore intended to suggest ways in which the program can be tailored to encourage public participation. We also believe \$ ***The Plan should focus on local communities and on the permit at issue.***

Environmental permitting is a time consuming and resource intensive process for all involved parties. Project financing, production planning, and timely completion of facility improvements often depend on the ability to obtain or renew environmental permits. State environmental agencies struggle daily to strike a balance between community involvement in permitting activities and the need to issue permits on a timely basis. New and existing projects can affect jobs, lead to community revitalization, and improve the tax base. Accordingly, certainty in permitting has benefits for industrial sources, communities, and state agencies.

EPA should focus its outreach efforts on those who have a direct interest in the community. The impact of a new facility or plan modification is, after all, better understood by local residents than by national organizations that have little or no connection to the community. A small number of intensive training sessions held in major cities are unlikely to attract local civic leaders. A better approach may be to make materials available through local libraries or at other locations that

In educating the public on the Title V permitting process, it is important that EPA ask the participants to focus on the permit provisions properly under consideration. Public participation should not be viewed as a second bite at the apple; the issuance, renewal, or modification of a Title V permit should not be considered an opportunity to reopen unrelated permit provisions or reconsider other properly issued environmental permits.

\$ *The Plan should include more focus on the substance of the Title V*

Meaningful public participation requires an understanding of the underlying rules and substantive issues of the Title V permit program, not just the mechanics of the permit process. Any program to improve public participation should therefore include training on substantive issues

\$ *The Goals of the program should be revised.*

The primary goal of any program to promote meaningful public participation in a permit process must be the timely issuance of permits with proper terms and conditions. The Draft Plan should be revised to include this important goal.

\$ *The Plan should allow industry involvement in the development and*

To ensure that the public training process is not biased, the training team should include at least one representative from industry. Alternatively, we suggest that the training could be conducted by the Air & Waste Management Association (AWMA), with funding provided by the EPA. At a minimum, industry stakeholders should be able to review and comment on the revised public participation

§ ***The Plan=s measures of success should be changed.***

The measures of success listed in the Draft Plan again emphasize the public participation rather than the of such participation. For example, the number of comment letters received on draft permits, would not necessarily be related to the value of the public participation. For example, numerous members of the public could submit comments on a draft permit that reflect a misunderstanding of the substantive issues or that are irrelevant to the draft permit. Likewise, the fact that only a few comments are received on a draft permit could mean that it is a good permit, not that the public was inadequately informed as to the commenting process.

We suggest that the measures of the success of the program should be expanded

- ' the impact of public participation on the timeliness of permit issuance;
- ' assessment of whether increased public participation results in improved permit terms commensurate with any increased burden and delay for the permitting authorities and sources; and
- ' assessment of the impact of the plan on public attitudes towards the

§ ***The Plan should minimize the burdens of the program on the permitting***

State and local permitting authorities have limited resources which are, for the most part, strained to the limit under the burden of issuing Title V permits. For the public participation plan to work, it must limit the burdens of the program on the permitting authorities. For example, the program should be funded entirely by EPA. The states simply do not have the resources to devote to this effort. It may to provide the design of its public participation website to

interested states so that they could copy and adapt the website information at a

\$ *The Plan should focus on the Title V permit process, and not extend to larger issues of citizen participation.*

The Draft Plan suggests in several places that the scope of the Plan extends beyond the Title V permitting process. For example, one of the Goals of the Plan is to help citizens develop the capacity necessary to be stewards of their air. Likewise, the measures of success include the presence, size, and activity of formal citizen network. The AAM and AIAM members believe that the Plan should extend no farther than encouraging meaningful public participation in the Title V permit process. Broadening the scope of the Plan to larger issues of public participation will reduce the focus and effectiveness of the Plan.

As mentioned above, AAM and AIAM members support EPA's efforts to enhance meaningful participation in the Title V process. A successful public participation program depends, most of all, on underlying regulations that are simple, straightforward and readily understood by the general public. Our past experience working with EPA on similar public participation initiatives has shown that current regulatory air permit requirements are too complex for regulatory and industry professionals to fully understand, let alone the members of the general public. Simplification of the current regulatory reinvention and Title V reform initiatives should be EPA's first priority. Increasing the public's ability to understand the Title V requirements through streamlining and simplification will do more to promote meaningful public participation than training programs in a Title V program that is overly complex and virtually impossible to implement.

Please call one of the undersigned if you would like to discuss these comments

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