U.S. Environmental Protection Agency FY2024 Budget: National Association of Clean Air Agencies Recommendations

Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

11/21/2022

The National Association of Clean Air Agencies ("NACAA") transmitted a November 8th letter to the United States Environmental Protection Agency ("EPA") providing recommendations for the federal agency's FY2024 budget.

The letter is transmitted to Janet McCabe, EPA's Deputy Administrator.

NACAA describes itself as a:

. . . national, non-partisan, non-profit association of air pollution control agencies in 40 states, including 170 local air agencies, the District of Columbia, and five territories.

NACAA recognizes that the federal budget has not been announced at this point. However, becasue the Biden Administration is currently preparing a draft, the organization states that it is making specific recommendations related to federal grants to state and local air quality agencies.

The November 8th letter initially makes the following points:

- The Clean Air Act places responsibility for implementing the federal air pollution control program on state and local clean air agencies
- Clean Air Act responsibilities includes tasks such as:
- Monitoring
- Issuing permits
- Planning
- Developing emission reduction strategies
- Enforcing requirements
- Educating the public
- Training staff
- Amount appropriated for federal grants to state and local air quality agencies is inadequate and/or relatively small

NACAA surveyed its state and local air agencies regarding the resources that will be needed to meet current and expected obligations and the recommendations include:

- Provide $500 million in federal grants to state and local air agencies under Sections 103 and 105 of the Clean Air Act to carry out current programs and new challenges expected in the near future. This is an increase of approximately $269 million over the amount appropriated in FY 2022 ($231 million) and $178 million more than the Administration requested for FY 2023 ($322 million).

- Allow flexibility for state and local air agencies to use federal grants for the highest priority needs in their areas.
- Retain fine particulate matter (PM2.5) monitoring funds under Section 103 authority, so agencies are not required to provide matching funds in order to obtain the grants.
- Provide grant increases under authorities of the CAA that do not require matching funds (e.g., Section 103) as much as possible. This will allow agencies that do not have sufficient matching funds to still obtain the grants.

The November 8th letter also acknowledges the enactment of the Inflation Reduction Act ("IRA"). However, it expresses concern that while the IRA provides funding for climate change, environmental justice, and other issues, the funds are not a substitute for the increased funding that NACAA is recommending.

A copy of the NACAA letter can be downloaded here.

https://www.4cleanair.org/wp-content/uploads/EPA-Letter-NACAA-FY-2024-Recommendations.pdf