

PRODUCTION AGRICULTURE
VOLUNTARY (INCENTIVE BASED) AIR QUALITY
COMPLIANCE PROGRAM
 Agricultural Air Quality Task Force
 November 10, 1999

PURPOSE: Provide recommendations to USDA and USEPA requesting that a voluntary (Incentive Based) Air Quality Compliance Program be developed in accordance with the following guiding principles:

INTRODUCTION

Agricultural field operations are perceived to be significant sources of PM_{10} . In areas that are classified as nonattainment, states are required to bring the areas into attainment in a time frame specified by the Clean Air Act (CAA). If a time line is not met, the state is subject to penalties such as withholding of federal highway funds, offsets, and Federal Implementation Plans (FIPs).

In "moderate" and "serious" nonattainment areas, all area source agricultural operations that are perceived to contribute to the ambient concentration of PM_{10} will be required to implement "Reasonably Available Control Measures (RACM)" and "Best Available Control Measures (BACM)", respectively. No current guidance exists on RACM and BACM for agricultural operations. The difficulties with specifying control measures for area sources of PM_{10} are the lack of good scientific data on the quantity of the PM_{10} reductions associates with specific "RACM/BACM". In order to appropriately develop guidance for agricultural operations, the following research is needed:

- *Define appropriate and effective PM_{10} control measures (potential and RACM/BACMs) for agricultural operations that are economically and technologically feasible;*
- *Quantify PM_{10} reductions resulting from the utilization of each proposed RACM/BACM; and*
- *Develop accurate emissions inventories for agricultural operations.*

In the interim, States must include in their State Implementation Plans (SIPS) actions that will bring nonattainment areas into attainment within the time frame specified by the CAA. The Agricultural Air Quality Task Force (AAQTF) recommends that the available control measures (potential candidates for RACM/BACM) be based on the Conservation Management Practices (CMP) compiled by USDA.

VOLUNTARY COMPLIANCE PROGRAM RECOMMENDATIONS

The AAQTF considers that voluntary compliance programs are the appropriate strategy for agriculture. The AAQTF is proposing that voluntary compliance programs be used by air pollution regulatory agencies for reductions of PM_{10} from agricultural operations in areas classified as nonattainment. The goal of these voluntary, incentive-based programs is to provide significant reductions of PM_{10} emissions from agricultural operations while sustaining long-term agricultural production. In order for EPA to utilize this policy, the USDA incentive-based programs must include "accountability" and "backstop provisions". "Accountability" would encompass verification of participation in the program by NRCS of "appropriate agency". (Farmers will self certify and NRCS will provide verification of percent application every third year or as appropriate). Accountability would also include adequate record keeping of plans and participation by USDA. "Backstop" would be a failure to achieve participation credited in the SIP which would result in a "SIP Call" and could result in a regulatory approach by the state which could regulate individual agricultural operations.

Although the motivation for this program is to address PM_{10} regulatory procedures, it is anticipated that this voluntary compliance program could also be used for other regulated pollutants attributed to agricultural operations.

As part of this program, the AAQTF proposed the following:

- A guidance document for agriculture production be developed that would include proposed RACM/BACMs and estimated reductions of PM_{10} associated with implementation of each abatement strategy. It is anticipated that RACM/BACM will need to be determined on a site specific basis. (A RACM/BACM may be appropriate for one location and not appropriate for another.) Provisions will be made to facilitate the incorporation of current research findings into this guidance document.
- Local elected officials from the soil and water conservation districts as agreed to in the USDA/EPA Memorandum of Understanding (MOU) may administer the voluntary compliance program with technical assistance, education, and training

provided by the Natural Resources Conservation Service (NRCS), Cooperative State Research, Education, and Extension Service (CSREES), land grant universities, and the Agricultural Research Service.

- Appropriate resources should be provided to the local soil and water conservation districts and NRCS personnel.
- SIP credits should be allowed based on the rate of participation (percentage of land mass and/or percentage of cooperators participating) and should be based on certification by officials of the conservation district on an annual basis.
- There should be no additional record keeping and reporting requirements on the cooperators beyond that required by the USDA programs.
- The success of this policy will depend upon the states ability to comply with the SIP.
- If agricultural operations are utilizing economically and technologically feasible control measures, the intent of this policy is not to place demands that will result in adverse impacts on those cooperators.