

# NEPA Call-In Technical Inquiry 0065 - GSA Compliance With SIPs

17 April 1997

Re: NEPA Call-In Technical Inquiry 0065 - GSA Compliance With SIPs

Dear NEPA Call-In User:

This letter is in response to your April 3, 1997 request for information on GSA's responsibility to comply with Clean Air Act (CAA) State Implementation Plans (SIPs). Specifically, you would like to know if GSA is required to comply with SIPs so you may include this information in the GSA's National Environmental Policy Act (NEPA) Desk Guide which is under development.

Section 176, "Limitations on Certain Federal Assistance" (enclosed) of the Clean Air Act (CAA) prohibits any Federal department, agency, or instrumentality of the Federal Government from engaging in any activity which does not conform to an approved or promulgated implementation plan developed under Section 110, "Implementation Plans" (enclosed) of the CAA. Further, Section 118, "Control of Pollution from Federal Facilities" of the CAA (enclosed) requires all Federal agencies to comply with all Federal, state, interstate, and local requirements in the same manner and to the same extent as any non-governmental entity.

Although the CAA is a Federal law applicable nationwide, the primary responsibility for implementing and enforcing its provisions rests with the states. Under the law, the Environmental Protection Agency (EPA) establishes minimum requirements for achieving acceptable air quality. Actual implementation of the program, however, lies with the states. To implement the CAA, each state must develop a SIP which is a collection of the regulations a state will use to clean up polluted areas. The implementation of the CAA was given to the states because controlling air pollution problems often requires knowledge of local industries, geography, housing patterns, etc.

Since each SIP is tailored for a particular state, they will differ from state to state, and in some cases, from region to region. In many cases, the regulations developed by the state will be more stringent than the corresponding Federal ones. Under no circumstances, however, can SIPs have weaker pollution controls than those established by the EPA. Each plan must be approved by the EPA before it may be implemented.

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Sincerely,

(Original Signed)

NEPA Call-In Researcher