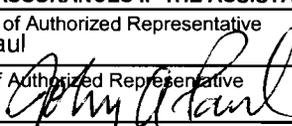


**APPLICATION FOR  
FEDERAL ASSISTANCE**

OMB Approval No. 0348-0043

<b>1. TYPE OF SUBMISSION:</b> Application <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction		<b>2. DATE SUBMITTED</b> 07/27/06	Applicant Identifier
		<b>3. DATE RECEIVED BY STATE</b>	State Application Identifier
Preapplication <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction		<b>4. DATE RECEIVED BY FEDERAL AGENCY</b>	Federal Identifier A-00526407
<b>5. APPLICANT INFORMATION</b>			
Legal Name: Combined Health District of Montgomery County		Organizational Unit: Regional Air Pollution Control Agency	
Address (give city, county, State, and zip code): 117 South Main Street Dayton, OH 45422-1280		Name and telephone number of person to be contacted on matters involving this application (give area code) (937) 225-4435	
<b>6. EMPLOYER IDENTIFICATION NUMBER (EIN):</b> 8 1 - 6 0 0 0 1 7 2		<b>7. TYPE OF APPLICANT: (enter appropriate letter in box)</b> <input checked="" type="checkbox"/> C A. State B. County C. Municipal D. Township E. Interstate F. Intermunicipal G. Special District H. Independent School Dist. I. State Controlled Institution of Higher Learning J. Private University K. Indian Tribe L. Individual M. Profit Organization N. Other (Specify) _____	
<b>8. TYPE OF APPLICATION:</b> <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) <input type="checkbox"/> <input type="checkbox"/> A. Increase Award    B. Decrease Award    C. Increase Duration D. Decrease Duration    Other(specify): _____		<b>9. NAME OF FEDERAL AGENCY:</b> U.S. Environmental Protection Agency	
<b>10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER:</b> 6 6 - 0 0 1 TITLE: Air Pollution Control Program Support		<b>11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:</b> Please see attached work plan.	
<b>12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.):</b> Clark, Darke, Greene, Miami, Montgomery, Preble Counties (OH)			
<b>13. PROPOSED PROJECT</b>		<b>14. CONGRESSIONAL DISTRICTS OF:</b>	
Start Date 10/01/06	Ending Date 09/30/07	a. Applicant 3rd (OH)	
		b. Project 3rd, 4th, 7th (OH)	
<b>15. ESTIMATED FUNDING:</b>		<b>16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?</b>	
a. Federal	\$ 474,326 <sup>00</sup>	a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON: DATE 07/31/06	
b. Applicant	\$ <sup>00</sup>	b. No. <input type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372 <input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW	
c. State	\$ 425,233 <sup>00</sup>		
d. Local	\$ 371,391 <sup>00</sup>		
e. Other	\$ <sup>00</sup>		
f. Program Income	\$ <sup>00</sup>		
g. TOTAL	\$ 1,270,950 <sup>00</sup>	<b>17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?</b> <input type="checkbox"/> Yes    If "Yes," attach an explanation. <input checked="" type="checkbox"/> No	
<b>18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.</b>			
a. Type Name of Authorized Representative John A. Paul		b. Title Supervisor	c. Telephone Number (937) 225-4435
d. Signature of Authorized Representative 		e. Date Signed 07/27/06	

**BUDGET INFORMATION - Non-Construction Programs**

SECTION A - BUDGET SUMMARY						
Grant Program or Activity Function	Catalog of Federal Domestic Assistance Number	Estimated Unobligated Funds		New or Revised Budget		
		Federal	Non-Federal	Federal	Non-Federal	Total
(a)	(b)	(c)	(d)	(e)	(f)	(g)
1.		\$ 474,326	\$ 796,624	\$	\$	\$ 1,270,950
2.						0
3.						0
4.						0
5.	Totals	\$ 474,326	\$ 796,624	\$ 0	\$ 0	\$ 1,270,950

**SECTION B - BUDGET CATEGORIES**

6. Object Class Categories	(1)	(2)		(3)		(4)	(5)
		GRANT PROGRAM, FUNCTION OR ACTIVITY					
a. Personnel	\$ 677,346	\$ 677,346	\$	\$	\$	\$	677,346
b. Fringe Benefits	219,571	219,571					219,571
c. Travel	15,805	15,805					15,805
d. Equipment	51,038	51,038					51,038
e. Supplies	28,291	28,291					28,291
f. Contractual							0
g. Construction							0
h. Other	76,779	76,779					76,779
i. Total Direct Charges (sum of 6a-6h)	1,068,830	1,068,830	0	0	0	0	1,068,830
j. Indirect Charges	202,120	202,120					202,120
k. TOTALS (sum of 6i and 6j)	\$ 1,270,950	\$ 1,270,950	\$ 0	\$ 0	\$ 0	\$ 0	\$ 1,270,950
7. Program Income	\$	\$	\$	\$	\$	\$	0

**Authorized for Local Reproduction**

<b>SECTION C - NON-FEDERAL RESOURCES</b>				
(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS
8.	\$	\$	\$	0
9.				0
10.				0
11.				0
12. TOTAL (sum of lines 8-11)	\$	\$	\$	0
<b>SECTION D - FORECASTED CASH NEEDS</b>				
13. Federal	\$	\$	\$	\$
14. Non-Federal	796,624	199,156	199,156	199,156
15. TOTAL (sum of lines 13 and 14)	\$ 1,270,950	\$ 317,738	\$ 317,738	\$ 317,737
<b>SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT</b>				
(a) Grant Program	FUTURE FUNDING PERIODS (Years)			
	(b) First	(c) Second	(d) Third	(e) Fourth
16.	\$	\$	\$	\$
17.				
18.				
19.				
20. TOTAL (sum of lines 16-19)	\$	\$	\$	0
<b>SECTION F - OTHER BUDGET INFORMATION</b>				
21. Direct Charges: \$1,068,830	22. Indirect Charges: 29.84% of \$677,346 or \$202,120			
23. Remarks:				

**The Regional Air Pollution Control Agency (RAPCA)**

**Federal Fiscal Year 2007 Section 105  
Grant Application  
Work Plan**

**July 27, 2006**

# Regional Air Pollution Control Agency (RAPCA) FFY07 Work Plan

RAPCA's vision is summarized in its mission:

*The primary purpose of the Regional Air Pollution Control Agency is to protect citizens of the Miami Valley from the adverse health and welfare impacts of air pollution. This is accomplished through enforcement of federal, state, and local air pollution control regulations, and through implementation of the state's industrial permit system. RAPCA personnel strive for technical credibility and accountability in all issues and actions.*

RAPCA is required under state and federal law to perform all of the functions designed to attain and maintain ambient air quality and protect public health.

The Clean Air Act Amendments (CAAA) of 1990 required states to develop and implement a number of regulatory programs. The Ohio EPA has developed a strategic plan which incorporates the requirements of the CAAA. Goals include attaining the National Ambient Air Quality Standards (NAAQS), timely and efficient issuance of permits, reducing air toxics, and providing quality service. RAPCA partners with Ohio EPA in the counties of Montgomery, Miami, Preble, Darke, Greene, and Clark to achieve Ohio's air quality goals. The goals and strategies are also aligned to U.S. EPA's regional and national priorities. The goals below are the activities performed by RAPCA, including activities which are not funded by U.S. EPA.

The goals of RAPCA are:

1. **Provide Quality Service** – RAPCA will strive to meet our principles of customer service, and implement its quality management systems, as described in the quality management plan, on an ongoing basis.
2. **Attain and Maintain the National Air Quality Standards** – Attain and maintain the national air quality standards in the Miami Valley. Develop and implement a plan to attain and maintain new or revised national ambient air quality standards in all of RAPCA's counties by 2010 or within the time frame specified by U.S. EPA.
3. **Monitor Air Quality** – Operate a comprehensive air quality monitoring network which (a) provides timely monitoring data, (b) ensures that 100% of the monitors meet the U.S. EPA standards for data capture and accuracy, and (c) verifies data when violations are measured and assesses whether the readings were accurate.
4. **Reduce Air Toxics** – Develop improved air toxics information (monitoring network and inventory) to support quantitative evaluation, characterization and tracking of risk-based indicators and implement programs, including MACT standards and the mercury rule, to lower air toxics.

5. **Timely Enforcement** – RAPCA will operate a fair and timely enforcement program for violations of air requirements.
6. **Inspections of Industrial Facilities** – Monitor compliance of high priority facilities (Title V permits, FESOPs and synthetic minor PTIs). Through technical assistance, inspections, and appropriate enforcement actions, Title V facilities will maintain substantial compliance (i.e., no emission or control requirement violations) with air regulations and permit requirements.
7. **Timely and Efficient Permit Issuance** – Provide for the processing of all permit actions on a timely basis according to Ohio EPA permit guidance.

Please see the table below for activities RAPCA is committing to in order to ultimately meet the air quality measures identified in the enclosed FY2007 Air Quality Performance Measures Template.

Also enclosed with this work plan is a copy of the preliminary Local Air Agency Contract RAPCA has with Ohio EPA for FFY2007, and a copy of the Outcomes (Indicators) for our agency. Please refer to these documents for specific requirements, timeframes, and activities for our agency.

**Goal 1: Clean Air and Global Climate Change:** Protect and improve the air so it is healthy to breathe and risks to human health and the environment are reduced. Reduce greenhouse gas intensity by enhancing partnerships with businesses and other sectors.

**Objective 1.1 Healthier Outdoor Air** – Through 2010, working with partners, protect human health and the environment by attaining and maintaining health-based air-quality standards and reducing the risk from toxic air pollutants.

**Subobjective 1.1.1:** By 2015, working with partners, improve air quality for ozone and PM2.5 as follows:

**Strategic Targets:**

**1.1.1.1** By 2015, reduce the population-weighted ambient concentration of ozone in all monitored counties by 14% (based on air quality status using 3 years of data collected as of 2003).

**1.1.1.2** By 2015, reduce the population-weighted ambient concentration of PM2.5 in all monitored counties by 6% (based on air quality status using 3 years of data collected as of 2003).

**RAPCA Activities to Meet Subobjective 1.1.1**

**Administrative**

1. RAPCA will participate in negotiations with U.S. EPA and the Ohio EPA to submit a final grant application/contract. RAPCA will make FFY 2006 and 2007 amendment requests as necessary.
2. RAPCA will submit a comprehensive end-of-the year progress report by November 1, 2007.
3. RAPCA will submit a final 2006 Financial Status Report (FSR) or extension request by December 31, 2007 and certify that CEL is met.
4. RAPCA will implement MBE, WBE, and EEO.
5. RAPCA will submit a FY2008 Section 105 Application by July 1, 2007 (assuming national program guidance is available from U.S. EPA). RAPCA will continue to work with U.S. EPA and Ohio EPA to develop a work plan that includes U.S. EPA's goals as well as outputs and outcomes.
6. RAPCA will not supplant any non-Federal funds that would otherwise be available for maintaining the ongoing Section 105 supported program.
7. RAPCA will work with U.S. EPA to identify training which U.S. EPA may conduct in Ohio for Ohio EPA and LAAs. Ohio EPA will coordinate this training when scheduled

8. RAPCA will continue to emphasize staff training to better serve the people in our six county region. We revolve the majority of our training requirements around the U.S. EPA's Air Pollution Training Institute (APTI) courses.
9. RAPCA will continue to send staff to U.S. EPA's annual conferences and those hosted by Ohio EPA; send staff to the annual Air and Waste Management Association (AMWA) conference; and continue to share information from the semi-annual STAPPA/ALAPCO meetings.

#### Public Information and Outreach

1. Information on the technical aspects of controlling air pollution and its public health implications are disseminated to the general public through news releases, speaking engagements, literature distribution, a 24-hour air pollution line, and a monthly newsletter.
2. RAPCA will continue to provide the Air Quality Index (AQI) and a daily report on pollen and mold through a public phone service, called AirLine, to area residents.

#### SIP Development

1. RAPCA will assist Ohio EPA and Miami Valley Regional Planning Commission (MVRPC) in developing Section 110 SIPs for the 8-hour ozone standard and the PM<sub>2.5</sub> standards in accordance with U.S. EPA's implementation schedule (OEPA will submit this SIP by June 15, 2007). RAPCA will stay informed of the activities of the U.S. EPA and STAPPA/ALAPCO workgroups.
2. RAPCA will assess where voluntary ozone control measures make sense and commit to work with U.S. and Ohio EPA, communities in our jurisdiction, and sources to implement voluntary control measures. Voluntary projects may include:
  - a. Diesel retrofit projects that may qualify under U.S. EPA's voluntary retrofit program;
  - b. RAPCA will encourage school districts to develop and implement anti-idling policies and diesel retrofits to reduce exposure to diesel emissions;
  - c. Potential emission reductions from diesel fleets through the use of contract language for applicable construction projects and school bus contracts; anti-idling initiatives; and
  - d. Identifying other voluntary programs besides diesel work for early reductions for ozone and PM as well as air toxics.
  - e. RAPCA will partner with U.S. EPA and the Hearth, Patio, and Barbecue Association to retrofit older wood stoves with cleaner

burning units.

3. RAPCA will continue to develop and implement standards, plans, and actions to maintain air quality.
4. We make routine updates to the AQS database site file that includes adding monitor and site termination dates. These data are available to Region 5 or retrieval. In addition, Appendix E, a list of monitoring sites, is revised each summer and becomes a part of our grant package. Copies will be sent to Region 5 and to the NAMS coordinator in RTP.
5. Changes to the network are, and will be, sent to Region V as they occur. RAPCA will complete all phases of a network review regarding criteria pollutants and fine Particulate Matter (PM<sub>2.5</sub>).
6. RAPCA is fully participating in the development of the 2002 NEI.
7. RAPCA will keep Region 5 and Ohio EPA informed of any network changes.
8. RAPCA will revise annually Appendix E, a list of monitoring sites.
9. RAPCA's monitoring and analysis unit personnel will continue to provide technical assistance for the Southwest Ohio Heat Watch/Warning system. RAPCA provides public information as well as mitigation measures aimed at reducing morbidity and mortality.
10. RAPCA monitors air pollution levels year-round and has established criteria for an Air Pollution Advisory, a day when high air pollution levels are likely. RAPCA, through monitoring and forecasting processes, is able to predict when air pollution levels will go beyond the health related AQI level of 100. This information is provided to the media and public on a daily basis and is available continuously via our web page and U.S.EPA AirNow web page.
11. RAPCA will continue the entry of ozone and PM air quality forecasting data to the U.S. EPA's AirNow program.

#### Data Management

1. RAPCA will continue to track data completeness on a monthly basis and will meet the minimum data capture of 75%.
2. RAPCA will submit site information to AQS as changes are made. RAPCA will report exceedances of the National Ambient Air Quality Standards (NAAQS) to U.S. EPA on a quarterly basis. Ozone exceedances will be reported on an as-they-occur basis.

3. RAPCA will assist Ohio EPA in developing the annual SLAMS Report.
4. RAPCA will assist to develop an overall plan to address the fine particulate standard in accordance with U.S. EPA's implementation plan. RAPCA will assess where voluntary PM<sub>2.5</sub> controls measures make sense and work with EPA, communities, and sources to implement voluntary control measures.

#### Industrial Permitting/Inspections/Enforcement

1. RAPCA will meet all permitting time lines as established in the Ohio permitting guidance.
2. RAPCA will conduct annual training for all new permit staff and RAPCA will notify U.S. EPA and Ohio EPA of any need for training.
3. RAPCA will develop a 2005 Title V facility emissions inventory and a 2004 HAP emission inventory.
4. In accordance with the Federal Compliance Monitoring Strategy (CMS), RAPCA will submit a two-year inspection plan for fiscal years 2006 and 2007 to the Ohio EPA and U.S. EPA.
5. RAPCA will commit to at least one anti-tampering inspection each quarter in FY2007.
6. RAPCA will communicate promptly with U.S. EPA and Ohio EPA regarding any hot topics such as difficult applicability determinations and community issues. Regular communication on program and permit issues will also be maintained through the monthly program enforcement calls and through OLAPCOA.
7. RAPCA will conduct full-time compliance inspections of non-Title V facilities per the Ohio EPA contract.
8. The results of reviews of Title V annual compliance certifications and the results of stack tests (per the criteria of the CMS) will be submitted to U.S. EPA and Ohio EPA.
9. RAPCA will continue to use the new inspection form and instructions, which were developed by a work group, comprised of staff from Central Office, District Offices, and local air agencies, and finalized in FFY04.
5. A complete and accurate inventory will be maintained for all federally regulated sources. Information submitted to the Air Facility System (AFS) consistent with Agency Policies and guidance. At a minimum, this data will include the AFS Minimum

## Data

10. Requirements as specified in the current ICR.
11. RAPCA will conduct its enforcement activities in accordance with the “Policy of Timely & Appropriate Enforcement Response to High Priority Violations (HPVs)” and the “Revised Asbestos NESHAP Strategy”.
12. Conference calls will be held with U.S. EPA and Ohio EPA to discuss the State’s efforts to resolve the known violators. During these conference calls, newly discovered violators will be identified, and we will be prepared to discuss the date, case lead, evidence, and timeline for resolution.

## Monitoring

1. RAPCA operates a comprehensive air quality monitoring network in accordance with the regulations specified in Title 40 Code of Federal Regulations (CFR) Part 58, as well as with U.S. EPA guidelines.
2. RAPCA will send one representative to the AQS conference and other regional and state meetings which pertain to the management of monitoring data.
3. RAPCA will submit validated, edited ambient monitoring data into AQS within 90 days of the conclusion of the quarter.
4. RAPCA will not change certified data in the Air Quality System (AQS) without first notifying the Regional Office.
5. Data submitted by entities pursuant to federal regulations will be reviewed for completeness, accuracy, and compliance. Sources with delinquent or missing submissions will be identified in CETA. When appropriate, a written analysis of the review of each submission (except for asbestos demo/reno notices) will be prepared.

## Air Quality Heat Information

1. This past year, RAPCA’s Monitoring and Analysis Unit personnel provided technical assistance for the Southwest Ohio Heat Watch/Warning System.
2. RAPCA will continue to provide public information as well as mitigation measures aimed at reducing morbidity and mortality.
3. RAPCA monitors air pollution levels year-round and has established criteria for an Air Pollution Advisory, a day when high air

pollution levels are likely. RAPCA, through a monitoring and forecasting process, is able to predict, when air pollution levels will go beyond the health related AQI level of 100. This information is provided to the media and public on a daily basis and is available continuously via our web page and U.S.EPA's AirNow web page.

4. RAPCA will continue the entry of ozone and PM air quality forecasting data to the U.S.EPA's AirNow program.

Regional Haze/Preserve and maintain healthy air quality in Carbon Monoxide (CO), Nitrogen Dioxide(NO), Sulfur Dioxide (SO<sub>2</sub>), and Lead (Pb) areas

1. SO<sub>2</sub> levels measured are significantly below the ambient standard for this pollutant.
2. We no longer monitor for lead in the RAPCA area.
3. We have some sources (boilers and asphalt plants) that burn recycled oil. These sources are inspected, with waste oil samples taken and analyzed for lead and other contaminants on a periodic basis.
4. We operate two monitoring sites for CO and continue to measure attainment at each.

**Objective 1.2: Healthier Indoor Air:** Through 2012, working with partners, reduce human health risks by reducing exposure to indoor contaminants through the promotion of voluntary actions by the public.

**Subobjective 1.1.2:** By 2011, working with partners, reduce air toxics emissions and implement area-specific approaches to reduce the risk to public health and the environment from toxic pollutants, as follows:

- |                |   |
|----------------|---|
| <b>1.1.2.1</b> | By 2010, reduce the toxicity-weighted risk for cancer incidence by 4% from the 1993 level of 23%.     |
| <b>1.1.2.2</b> | By 2010, reduce the toxicity-weighted risk for non-cancer incidence by 1% from the 1993 level of 56%. |

By 2010, the States, locals, tribes and Region 5 will have the information and tools to assess toxics trends for all 6 of our states, 1 local air pollution control agency, and at least 4 of our Tribal lands. Levels and trends are characterized not only across States and Tribes, but also within communities.

**RAPCA Commitments to Meet Subobjective 1.1.2**

1. RAPCA will enter data for any case-by-case MACT determinations into U.S. EPA's database following appropriate QA/QC protocol.
2. RAPCA will continue to participate in the review of Section 112(I)(5) (early reduction program for reducing air toxic emissions) proposals for facilities in Ohio.
3. RAPCA will continue to cooperate with U.S. EPA to assist in achieving the goal of reducing 75 percent of the incidence of cancer

in urban areas from emissions of hazardous air pollutants.

4. RAPCA will coordinate with U.S. EPA, Region 5, and LAAs in educational efforts such as workshops, training, and technical assistance in the area of air toxics. Particular focus will be placed on communication related to CEMEX and Perma-Fix in 2007.
5. RAPCA will promote communication, coordination, and cooperation with all levels of government, the regulated community and the public in the area of air toxics.
6. RAPCA has applied for grant funds to monitor HAPs from two selected locations in Montgomery County.
7. RAPCA conducts facility odor surveillance at the Perma-Fix of Dayton facility. This is a potential source of HAP emissions.
8. The analysis of asbestos samples by a private contractor will continue to be handled in accordance with U.S. EPA's guidance. The Analysis Report will be obtained from the contractor once the analysis is completed.
9. RAPCA has submitted data collected from urban air toxics sites routinely into AQS. Ohio EPA will continue to submit volatile organic compound and metals data into AQS as the data is generated.
10. RAPCA will continue to conduct air toxics assessments based on monitoring and/or emissions data. Ohio EPA will continue existing efforts to address local situations, either through conducting local assessments or by exploring risk reduction opportunities.
11. RAPCA will identify potential sources of mercury emissions and request information from facilities with these sources. RAPCA will investigate methods to reduce point source mercury emissions to the atmosphere.

**Objective 1.2: Healthier Indoor Air** - By 2008, 22.6 million more Americans than in 1994 will be experiencing healthier indoor air in homes, schools, and office buildings.

**Subobjective 1.2.1:** By 2012, the number of future premature lung cancer deaths prevented annually through lowered radon exposure will increase to 1,250 from the 1997 baseline of 285 future premature lung cancer deaths prevented.

Nationally, by 2008, approximately 12.8 million additional people will be living in homes with healthier indoor air. These include people living in homes with radon-resistant features, children not being exposed to environmental tobacco smoke, and asthmatics with reduced exposure to indoor asthma triggers.

**Strategic Targets:** Not applicable.

More of the nation's schools will adopt good IAQ management systems as a part of a multimedia approach to protect students and staff from all environmental contaminants.

More students with asthma and their families will be better educated about managing asthma triggers in their home environment. Decrease the number of children exposed to ETS in the home environment.

More homes will be tested for radon levels; of those homes with high radon levels, more will be mitigated; new homes will be built with radon-resistant construction techniques.

**RAPCA Commitments to Meet Subobjective 1.2.1**

**Indoor Air Quality**

1. RAPCA will conduct inspections of indoor air concerns and distribute indoor air quality information packets including EPA literature on mold, radon, asthma triggers, and other indoor air pollutants. Packets are distributed via mail, on-site inspections and participation in local health and environmental festivals.
2. RAPCA and the Greene County Combined Health District coordinate a radon-awareness program. RAPCA has received funding to continue the radon awareness program through September, 2006, and we have applied for funding through September, 2007. Our radon awareness program will benefit seven counties: Miami, Montgomery, Mercer, Darke, Preble, and by contract with Clark and Mahoning Counties.
3. RAPCA will continue coordinating with the Ohio Department of Health to cooperate in the development and implementation of initiatives to address indoor air quality.
4. RAPCA will partner with the National Association of Counties (NACo) in 2007 to install radon mitigation systems in Montgomery County through Habitat for Humanity homes built during FY 2007.

**Objective 1.3: Protect the Ozone Layer** – By 2010, through worldwide action, ozone concentrations in the stratosphere will have stopped declining and slowly begun the process of recovery, and the risk to human health from overexposure to ultraviolet (UV) radiation, particularly among susceptible subpopulations, such as children, will be reduced.

Sub-Objectives	Strategic Targets	Commitments
None	Minimize emissions of CFCs and other ozone depleting (ODS) substances from Region 5 and educate the public regarding UV-	1. RAPCA will continue to participate in activities such as education/outreach on stratospheric ozone, Title VI, and/or climate change.

	related risks.	<ol style="list-style-type: none"> <li>2. RAPCA will continue to provide Title VI information and respond to complaints to affected parties. Ohio EPA continues to participate in activities within Ohio that deal with environmental impacts of ozone depleting substances and technologies that impact the release of global warming emissions.</li> <li>3. RAPCA responds to complaints received concerning CFC releases into the atmosphere.</li> </ol>
<b>Objective 1.4: Radiation</b> – Through 2008, working with partners, minimize unnecessary releases of radiation and be prepared to minimize impacts to human health and the environment should unwanted releases occur.		
<b>Sub-Objectives</b>	<b>Strategic Targets</b>	<b>Commitments</b>
None	Unnecessary releases of radiation minimized and should unwanted releases occur, impacts to human health and the environment minimized.	RAPCA will continue to respond to any complaints of possible releases of radiation.
<b>Objective 1.5: Reduce Greenhouse Gas Intensity</b> – Through EPA’s voluntary climate protection programs, contribute 45 million metric tons of carbon equivalent (MMTCE) annually to the President’s 18 percent greenhouse gas intensity improvement goal by 2012. (An additional 75 MMTCE to result from the sustained growth in the climate programs are reflected in the Administration’s business-as-usual projection for greenhouse gas intensity improvement.		
<b>Sub-Objectives</b>	<b>Strategic Targets</b>	<b>Commitments</b>
None.	<p>Greenhouse gas intensity significantly reduced.</p> <p>Millions of Metric tons of carbon equivalent prevented from the building, industrial and transportation sectors.</p>	<ol style="list-style-type: none"> <li>1. RAPCA will encourage school districts to develop and implement anti-idling policies and diesel retrofits to reduce exposure to diesel emissions.</li> <li>2. RAPCA will conduct increased anti-tampering law inspections in 2007 with the loss of the local E-check (I/M) program. RAPCA will complete at least one anti-tampering inspection per quarter in FY 2007.</li> </ol>

**Table C-2 FY 2007 Air Quality Performance Measures Template**

**Categorical Grant: State and Local Assistance**

**Goal 1: Clean Air and Global Climate Change:** Protect and improve the air so it is healthy to breathe and risks to human health and the environment are reduced. Reduce greenhouse gas intensity by enhancing partnerships with businesses and other sectors.

**Objective 1.1: Clean and Healthy Outdoor Air:** Through 2010, working with partners, protect human health and the environment by attaining and maintaining health-based air-quality standards and reducing the risk from toxic air pollutants.

**Subobjective 1.1.1:** By 2015, working with partners, improve air quality for ozone and PM2.5 as follows:

**Strategic Targets:**

1.1.1.1 By 2015, reduce the population-weighted ambient concentration of ozone in all monitored counties by 14% (based on air quality status using 3 years of data collected as of 2003)

1.1.1.2 By 2015, reduce the population-weighted ambient concentration of PM2.5 in all monitored counties by 6% (based on air quality status using 3 years of data collected as of 2003)

ACS Code	Outcomes/Output Measures	2007 National Baseline	2007 National Target	2007 State Baseline	2007 State Measurement	Measurement Period or Date	Source of Data	Comments
<b>Program Measures</b>								
OMB PART	Percent improvement in the population-weighted ambient concentrations of ozone in all monitored counties (based on air quality status for 3 years of data collected as of 2003)	6%					Air quality data from the national ozone monitoring network as reported by States into the EPA's Air Quality Data Subsystem. Population data is from the US Census Bureau.	Achievement of these targets will be initially assessed and determined at the National level only. To enable this to occur, States are to quality assure and enter ambient data into AQS consistent with data reporting requirements.
OMB PART	Percent improvement in the population-weighted ambient concentrations of PM2.5 in all monitored counties (based on air quality status for 3 years of data collected as of 2003).	3%					Air quality data from the national PM2.5 monitoring network as reported by States into the EPA's Air Quality Data Subsystem. Population data is from the US Census Bureau.	Achievement of these targets will initially be assessed and determined at the National level only. To enable this to occur, States are to quality assure and enter ambient data into AQS consistent with data reporting requirements.
OMB PART	Cumulative percent reduction in the number of days with Air Quality Index (AQI) values over 100, weighted by population and AQI value. (Based on air quality status for 3 years of data collected as of 2003). States report annually the number of AQI days over 100 by non-attainment area.	21%					Air quality data from the national monitoring networks for PM and Ozone are reported by States into the EPA's Air Quality Data Subsystem.	Achievement of these targets will initially be assessed and determined at the National level only. To enable this to occur, States are to quality assure and enter ambient data into AQS consistent with data reporting requirements.
OMB PART	Reduce the number of days during the ozone season that the ozone NAAQS is exceeded. Measured in baseline non-attainment areas starting with those areas that were non-attainment as of FY 2002.	TBD					Air quality data from the national ozone monitoring network as reported by States into the EPA's Air Quality Data Subsystem.	Achievement of these targets will initially be assessed and determined at the National level only. To enable this to occur, States are to quality assure and enter ambient data into AQS consistent with data reporting requirements.
OAQPS M11	States submit NAAQS pollutant data, PAMS and QA data to the Air Quality Subsystem (AQS) according to schedule in 40 CFR Part 58. Value in cell is number of States submitting data.	141					Air quality data from the national monitoring network as reported by States into the EPA's Air Quality Data Subsystem.	

**Table C-2 FY 2007 Air Quality Performance Measures Template**

**Categorical Grant: State and Local Assistance**

**Goal 1: Clean Air and Global Climate Change:** Protect and improve the air so it is healthy to breathe and risks to human health and the environment are reduced. Reduce greenhouse gas intensity by enhancing partnerships with businesses and other sectors

**Objective 1.1: Clean and Healthy Outdoor Air:** Through 2010, working with partners, protect human health and the environment by attaining and maintaining health-based air-quality standards and reducing the risk from toxic air pollutants

**Subobjective 1.1.2.:** By 2011, working with partners, reduce air toxics emissions and implement area-specific approaches to reduce the risk to public health and the environment from toxic pollutants, as follows

**Strategic Targets:**

1 1 2 1 By 2010, reduce the toxicity-weighted risk for cancer incidence by 4% from the 1993 level of 23%

1 1 2 2 By 2010, reduce the toxicity-weighted risk for non-cancer incidence by 1% from the 1993 level of 56%

ACS Code	Outcomes/Output Measures	200x National Baseline	200x National Target	200x State Baseline	200x State Measure-ment	Measure-ment Period or Date	Source of Data	Comments
<b>Program Measures</b>								
OMB PART	Percentage reduction in cancer-causing toxic pollutant emissions using 1993 as the base year	22%					National Emissions Inventory (NEI), EPA Compendium of Cancer/Non-Cancer Health Risks	
OMB PART	Percentage reduction in cancer-causing toxic pollutant emissions using 1993 as the base year.	55%					National Emissions Inventory (NEI); EPA Compendium of Cancer/Non-Cancer Health Risks	
OAQPS T06	States submit by June 1, 2007 the integrated 2005 emissions inventory for HAPS. Value in cell is number of HAP inventories submitted.	50					National Emissions Inventory (NEI) - Hazardous Air Pollutants Component	
OAQPS M20	States operate NATA sites according to National grant and technical guidance and in keeping with the terms of QAPP and QMP. Value in cell is number of NATA sites operating. Baseline is 2003.	23					Air quality data from the NATA monitoring network as reported by States into the EPA's Air Quality Data Subsystem.	

**Objective 1.1: Clean and Healthy Outdoor Air:** Through 2010, working with partners, protect human health and the environment by attaining and maintaining health-based air-quality standards and reducing the risk from toxic air pollutants.

ACS Code	Outcomes/Output Measures	2007 National Baseline	2007 National Target	2007 State Baseline	2007 State Measure-ment	Measure-ment Period or Date	Source of Data	Comments
<b>Program Measures</b>								
OMB PART	Percent of major NSR permits issued within one year of receiving a complete permit application. (Baseline is FY2004 - 61%).	61%					Upon issuance of a major NSR permit, States enter permitting data, including the application acceptance data and permit issuance date into EPA's RACT/BACT/LEAR Clearinghouse	Achievement of this target will be assessed and determined at the national level only. States are to enter permit processing data into the RBLIC consistent with CAA requirements, including the Application accepted date and the Permit issuance date for all major NSR permits issued.

**Table C-2 FY 2007 Air Quality Performance Measures Template**

**Categorical Grant: State Indoor Radon**

**Goal 1: Clean Air and Global Climate Change:** Protect and improve the air so it is healthy to breathe and risks to human health and the environment are reduced. Reduce greenhouse gas intensity by enhancing partnerships with businesses and other sectors.

**Objective 1.2: Healthier Indoor Air:** Through 2012, working with partners, reduce human health risks by reducing exposure to indoor contaminants through the promotion of voluntary actions by the public.

**Subobjective 1.2.1:** By 2012, the number of future premature lung cancer deaths prevented annually through lowered radon exposure will increase to 1,250 from the 1997 baseline of 285 future premature lung cancer deaths prevented

**Strategic Targets:** Not Applicable.

ACS Code	Outcomes/Output Measures	2007 National Baseline	2007 National Target	2007 State Baseline	2007 State Measurement	Measurement Period or Date	Source of Data	Comments
<b>Program Measures</b>								
ORIA	Number of homes with operating mitigation systems	TBD					National level data is obtained from National Radon Mitigation Fan Manufacturers Annual Sales Data/ State data may come from a variety of sources, including reports from mitigators, and estimates based on other state data.	
ORIA	Number of homes built with radon-resistant new construction.	TBD					National data is from National Association of Homebuilders (NAHB) Annual Survey of Homebuilding Practices. State level data will be state estimates based on a variety of sources (e.g. builder estimates).	Due to the discretionary nature of state radon programs, a limited number of States will be able to directly report on the 3 EPA measures the first year. In the 4th measure, the remaining States are asked to articulate how the outcomes of their radon programs lead to increases in one or more of the EPA measures. EPA will work with states to develop alignment between measures and to establish relevant baselines. The Agency will also work to show the relationship of reduced exposure and risk, reflected by these measures, to reduced lung cancer deaths on a state by state basis.
ORIA	Number of schools mitigated or built with radon-resistant new construction	TBD					Direct state radon program work or information provided by schools and school districts to State radon staff which then reports to EPA	
ORIA	States report the performance measures they use that have clear linkages to those of EPA (homes mitigated, new radon resistant homes, schools mitigated or new radon resistant).	TBD					State Indoor Radon Grant Work Plan Agreements with Reporting Requirements - Data will come from a variety of sources (e.g. - testing data from reports of registered testers in a state.	

# LOCAL AIR AGENCY CONTRACT

(Federal Fiscal Year (FFY) 20067 - October 1, 20056 Through September 30, 20067)

Catalog of Federal Domestic Assistance (CFDA) name: Air Pollution Control Program

CFDA Number/year: 66.001 (October 1, 20056 through September 30, 20067)

Awarding Agent: Ohio Environmental Protection Agency

THIS AGREEMENT is made this \_\_\_\_ day of \_\_\_\_\_, 20056, by and between the Ohio Environmental Protection Agency, hereinafter referred to as "Ohio EPA" and the Regional Air Pollution Control Agency, Montgomery County Health Department, hereinafter referred to as "LAA."

In consideration of the mutual covenants and stipulations set out herein, the parties agree as follows:

## ARTICLE I

### **DELEGATION OF AUTHORITY**

#### A. Representative of Ohio EPA

This Contract establishes the LAA as a representative of Ohio EPA and as the delegated city or general health district or other political subdivision of the state of Ohio for the performance of duties and obligations enumerated herein below in the political subdivisions listed in the Delegation Agreement between the director of Ohio EPA (the director) and the LAA, ~~dated as of October 1, 1993, and attached hereto as Appendix R (the "Delegation Agreement")~~.

#### B. Local Enforcement and Civil Penalties

1. If, pursuant to local legislation, the LAA initiates enforcement actions to enforce air pollution control rules that cover subjects also specifically covered by state rules, including informal written warnings, formal warning letters, notice of violation letters, local court proceedings and other actions deemed appropriate within the area of jurisdiction, the LAA will consult, as appropriate, with Ohio EPA prior to making any enforcement decision.
2. Local enforcement orders charging violations corresponding to violations listed in Revised Code section 3704.05 and issued pursuant to local legislation to resolve corresponding violations of local and state rules shall be reviewed and approved by Ohio EPA prior to issuance of the proposed enforcement order to the violator. Ohio EPA will make reasonable efforts to provide comments to the LAA on draft local enforcement orders within 10 working days of receipt. However, Ohio EPA retains the right, at any time, to require that the LAA submit an Enforcement Action Request (EAR) to Ohio EPA rather than continue to pursue a local enforcement action on any case Ohio EPA deems would be more appropriately handled at the state level. Local enforcement orders may only be issued if local legislation authorizes the enforcement. If any local enforcement orders are issued to Title V, New

Source Performance Standards (NSPS), and National Emission Standards for Hazardous Air Pollutants (NESHAP) violators, such orders must also be in accordance with the United States Environmental Protection Agency (U.S. EPA) Timely and Appropriate (T&A) Enforcement Response to High Priority Violations document. All local enforcement orders shall include requirements to pay monetary civil penalties that are consistent with Ohio EPA and U.S. EPA policy (in accordance with the U.S. EPA Clean Air Act Stationary Source Civil Penalty Policy, dated October 25, 1991 and revised on May 5, 1992 for asbestos demolition and renovation penalties).

3. For local enforcement orders issued to resolve asbestos/demolition notification violations, gasoline dispensing facility violations (including the transfer of gasoline into storage tanks without the use of a vapor balance system), and other categories of violations designated by Ohio EPA, a copy of only the first local enforcement order for such categories of violations must be reviewed by Ohio EPA prior to negotiation with the violator. Such local enforcement orders must be consistent with the "standard" enforcement orders used by Ohio EPA. For multiple sites, the procedure described at Article I(B)(2) must be followed.
4. Ohio EPA shall be consulted prior to final acceptance of any proposed case settlement to ensure that Ohio EPA is in agreement with the negotiated control plan, compliance schedule, and civil penalty. Ohio EPA shall receive a copy of all final enforcement orders within 14 days of the executed order. Ohio EPA may determine a particular case has statewide enforcement value or otherwise requires a response by Ohio EPA. Upon notice of such determination and upon request of the Ohio EPA, such cases shall be referred to Ohio EPA via an EAR in lieu of local enforcement as a result of case-by-case determinations made by Ohio EPA.
5. Nothing in this section shall be construed as a limitation or prohibition on the LAA from enforcing or aiding in the enforcement of any local or federal laws, regulations and/or ordinances, insofar as such enforcement is not inconsistent with the provisions of section 3704.11 of the Revised Code, and in accordance with the provisions of Article I(B)(1-4) above. The LAA and Ohio EPA further agree that, where the LAA has local authority to enforce air pollution control rules that cover subjects also specifically covered by state rules and settles an enforcement case with local administrative orders, the LAA will direct 20 percent of the total assessed civil penalty to the Ohio EPA "~~Clean Diesel School Bus Program Fund~~" ~~Fund~~ (5CD Fund), and 50 percent of the remaining civil penalty amount to the "Treasurer, State of Ohio" for payment into the "Environmental Education Fund" account in the manner specified by Ohio EPA. The determination of the 50 percent going to the "Environmental Education Fund" shall be made after first deducting any additional Supplemental Environmental Project (SEP) credits. The remaining 50 percent shall be directed to the LAA, but the LAA must have collection procedures in place. The 20 percent SEP for the "~~Clean Diesel School Bus Program~~" ~~5CD Fund~~ is only assessed in administrative orders where the final penalty amount is expected to be \$5,000 or greater.

### C. Authority

It is understood by both parties to this Contract that, for the purpose of fulfilling the duties and obligations enumerated hereinbelow, the LAA, having entered into the Delegation Agreement, has the authority pursuant to section 3704.112 of the Revised Code to perform, in the name of Ohio EPA, all of the following functions within the political subdivisions it represents (note that Ohio EPA, and therefore the LAA, has not been delegated any authorities by the U.S. EPA to regulate

or enforce the Radionuclide NESHAPs found at 40 CFR 61, Subpart B, H, I, Q, R, T or W):

1. The authority to establish, maintain and operate air quality monitoring stations and other devices designed to measure air pollutants [Revised Code section 3704.03(J)].
2. The authority to enter public or private property at any reasonable time to make inspections, to conduct tests, to examine records or reports, to determine actual or potential emissions from such premises, and to determine compliance with sections 3704.01 to 3704.11 of the Revised Code and any regulations, orders, or other determinations thereunder. If authorized entry or inspection is refused, hindered, or thwarted, authority is hereby granted to apply for an appropriate inspection warrant to achieve the purposes of Chapter 3704 of the Revised Code [Revised Code section 3704.03(L)].
3. The authority to investigate or make inquiries into any alleged violation of Chapter 3704 of the Revised Code or act of air pollution, upon the complaint of any person, upon the LAA's own initiative, or upon request of Ohio EPA [Revised Code sections 3704.06(D) and 3745.08].
4. The authority to issue or deny permission as an agent of Ohio EPA to open burn, pursuant to Chapter 3745-19 of the Ohio Administrative Code, to individuals making application for such permission [Revised Code section 3704.11]. Requests for permission under emergency or other extraordinary conditions must be reviewed by Ohio EPA prior to the issuance or denial of permission. All such permissions are deemed final actions of Ohio EPA. Any denial of such permission is deemed a proposed action of Ohio EPA.
5. The authority to encourage, participate in, or conduct studies, investigations and research relating to air pollution, collect and disseminate information, and conduct education and training programs relating to air pollution [Revised Code section 3704.03(C)].
6. The authority to accept and administer gifts or grants from the federal government and from any other source, public or private, for carrying out functions under Chapter 3704 of the Revised Code [Revised Code section 3704.03(M)].

## **ARTICLE II**

### **SCOPE OF SERVICES**

#### **A. Statement of Work**

1. The LAA shall undertake and remain responsible for timely performance of the work specified under this Contract, as set out in Statement of Work, attached hereto as Appendix A, which is incorporated herein as if fully restated. The LAA shall carry out its duties and obligations and conduct the programs required under this Contract in accordance with all applicable air pollution control laws and regulations and with Ohio EPA, Division of Air Pollution Control (DAPC) engineering guides, written policy directives of the director of Ohio EPA, and all other relevant guidelines and strategies issued by Ohio EPA and U.S. EPA (see Appendix Q).

2. Nothing in this section or in the Statement of Work shall limit the appeal rights of the political subdivision, of which the LAA is a part, with regard to denial of or terms of permits or any other final action taken relating to an air contaminant source which has been the subject of a recommendation to Ohio EPA by the LAA. However, Ohio EPA in its discretion may direct that review of particular permit applications or other actions to be taken by the LAA with regard to an air contaminant source may be taken instead by the appropriate Ohio EPA District Office if Ohio EPA determines that the LAA is not acting in a timely and proper manner, that action by the LAA might pose a conflict of interest, or that the nature of controversy regarding the application or contemplated action would dictate any recommendation would be best made by the appropriate Ohio EPA District Office, or by DAPC Central Office. Ohio EPA will exercise this discretion only after written notice to the LAA and consultation with the LAA.

#### B. Monitoring and Evaluation

Ohio EPA will monitor the performance and measure progress toward accomplishing the approved objectives and outputs described in Appendix A. Any shortfall or unsatisfactory performance appraisal will be promptly communicated to the LAA for corrective action. Ohio EPA, through any authorized representative(s), may at any reasonable time inspect or otherwise evaluate performance rendered hereunder. Formal program evaluations will be periodically performed. It is the responsibility of the LAA to consider and respond to all recommendations and/or directives issued by Ohio EPA.

#### C. Consultation

To the extent practicable and reasonable, Ohio EPA shall coordinate and consult with the LAA in a timely manner, on the development of all programs, plans, policies, guidelines, and regulations that mutually affect the parties to this Contract, and shall be obligated to provide to the LAA in a timely manner, authoritative copies of proposals and final documents concerning such programs, plans, policies, guidelines and regulations as they become available. Ohio EPA will participate in Ohio Local Air Pollution Control Officers Association (OLAPCOA) meetings and provide updates on fee revenue and the potential impact on funding to the LAA. Ohio EPA will periodically consult with the LAA on the content of Appendix Q of this agreement.

#### D. Access and Confidentiality

All files, forms, permits and variances, and any other data and information on record with the LAA, with the exception of privileged correspondence, files protected from disclosure by law, and trade secrets as determined in accordance with Ohio EPA policy, shall be made available for public inspection upon request and copying of said documents shall be provided at a reasonable charge when requested. The LAA shall use the same fee for copying charges as Ohio EPA for all documents, records, permits, and files that are produced or are in the possession of the LAA as a result of the activities associated with this or previous Contracts.

—**NOTE:** The language in the next paragraph will be used in those instances where Ohio EPA has received and approved a local public records access policy. RAPCA has had this language in the past, but will need to resubmit their current local policy and advise and identify any changes. Ohio EPA will review and assess. Any LAA that prefers to use a local policy must request to do so in writing, and must submit a copy of the policy to the Ohio EPA for review and approval . . .

The LAA has submitted to the Ohio EPA, DAPC Chief, a local public records policy, including a provision for reasonable copying charges. Such policy has been approved by Ohio EPA and is hereby incorporated into this contract, attached hereto as Appendix RS. It is to be followed in lieu of the preceding paragraph.

## **ARTICLE III**

### **COMPENSATION FOR SERVICES**

#### **A. Amount and Method of Payment**

Ohio EPA shall compensate the LAA for services rendered, a total sum (excluding the Air Rotary Enforcement Fund payment and the Synthetic Minor Title V, permit to install (PTI), and asbestos fees) not to exceed \$1,336,469.820. This total amount is comprised of \$188,133 in 5BC Base funds, \$97,128,998.348 in 5BC Supplemental funds, and \$1,047,338.9 in projected emission/permit fees. In addition, the LAA is eligible to receive \$479,261.326 in federal Section 105 base grant funds, and \$124,639.189 in federal Section 103 PM<sub>2.5</sub> grant funds, which will be paid directly to the LAA by the U.S. EPA. The LAA understands and acknowledges that it is responsible for using its best efforts to acquire local program funds for the Contract period sufficient to maintain an adequate level of local funding consistent with that of prior years. A decrease in a local funding commitment may result in proportionate reductions in state and federal funding to the LAA. Local funds secured pursuant to this Contract, as well as all state and federal funds must be expended in accordance with the established sharing proportions reflected in Appendices B1, B2, B3, B4 and B54, which are attached hereto and incorporated herein as if fully restated, and in a manner which is consistent with the budgeted amounts in the itemized categories set forth in each of those Appendices.

Subject to the preceding conditions stated in this Article III and to the conditions of performance stated in the Statement of Work, payments shall be made in installments according to the following schedule unless circumstances beyond the control of Ohio EPA prevent payment by these deadlines.

#### **1. State Funding Payments**

First state funding payment - 5BC Base Fund payment for the time period October 1, 2005 through June 30, 2006 (Fund ALI 715-622) -- by not later than 45 days from execution of this Contract: \$141,100.

Second state funding payment - 100 percent of the SFY 2006 5BC Supplemental Fund allocation (Fund ALI 715-672) -- by not later than 45 days from execution of this Contract: \$97,128,998.348.

Third state funding payment - the 4<sup>th</sup> quarter of calendar year (CY) 2003 Title V emission fees -- by not later than 45 days from execution of this Contract: \$251,386.

Fourth state funding payment - 50 percent of the total Non-Title V amount to be collected for the CY 2004 and CY 2005 emission time period -- by not later than December 31, 2005: \$41,793.

Fifth state funding payment - the first two quarters of CY 2004 Title V emission fees -- by not later than February 28, 2006: \$502,773.

Sixth state funding payment - the 3<sup>rd</sup> quarter of CY 2004 Title V emission fees -- by not later than July 31, 2006: \$251,386.

Seventh state funding payment - 5BC Base Fund payment for the time period July 1, 2006 to September 30, 2006 (Fund ALI 715-622 -- by not later than August 15, 2006: \$47,033.

2. Permit to Install Payments

Payment for 70 percent of the PTI fees collected by Ohio EPA within the LAA's jurisdiction for the period between July 1, 2005 and June 30, 2006 will be made to the LAA by not later than September 1, 2006.

3. Asbestos Payments

Payment for 80 percent of the asbestos fee dollars collected by Ohio EPA within the LAA's jurisdiction for the period between July 1, 2005 and June 30, 2006 will be made to the LAA by not later than September 1, 2006.

4. Synthetic Minor Title V Fee Payments

Payment of 100 percent of the fee dollars collected by Ohio EPA within the LAA's jurisdiction for the period between May 1, 2005 and April 30, 2006 will be made to the LAA by not later than August 15, 2006.

— 5. Federal Section 105 Grant Payments

—These funds will be paid directly to the LAA by the U.S. EPA.

— 6. Federal Section 103 PM<sub>2.5</sub> Grant Payment

—These funds will be paid directly to the LAA by the U.S. EPA.

7. Air Rotary Enforcement Fund Payment

Pursuant to Section II(D)(4) of Appendix A to this Contract, the LAA portion of civil penalty settlement amounts collected for the period between January 1, 2004 and December 31, 2004 by Ohio EPA within the LAA's jurisdiction shall be directed to the LAA -- by not later than 60 days from execution of this Contract or from the date Appendix B3 is approved, whichever is later: \$47,250.

The funding sources for this payment should be reflected on Appendix B3 and expenditures reported on Appendix F3.

#### 8. Funding Estimates

Monies estimated to be collected under Article III A (2), (3) and (4) shall be considered state program funds and subject to the requirements stated in Article III B. The LAA will be required to submit a revised Appendix B1 by no later than 30 days from receipt of these payments to reflect additions or reductions in monies.

#### B. Budget

1. As a condition precedent to payment, the LAA shall submit to Ohio EPA for approval, a completed Budget Information form (Appendix B1), attached hereto, ~~which estimates anticipated program budget resources and expenditures for the Contract period. Program budget expenditures shall be projected, and shall.~~ The budget shall show all anticipated funds from the sources listed in Article III (A) (1), (2), (3), (4) and (5), and shall project program expenditures that will subsequently be incurred; consistent with the approved Appendix B1, the objectives of the Ohio State Implementation Plan (SIP) and, subsequent SIP revisions and with the currently effective Air Pollution Control Assistance Agreement between Ohio EPA and U.S. EPA.
2. As a delegated agent of Ohio EPA receiving both state (GRF5BC Base, 5BC Supplemental, emissions fees, PTI fees, and asbestos fees) and federal or federal pass-through dollars in this Contract, the LAA is required to comply with all applicable federal regulations, including the Office of Management and Budget (OMB) Circulars (1) A-87, Section J, Cost Allocation Plan, which requires a plan for allocation of costs to support the distribution of any joint costs related to the program (defined in this Contract), (2) A-102, revised, 40 CFR, Parts 31 and 35, which establish consistency in the management of grants, and (3) A-133, which concerns audits of state and local governments.
3. Program funds, which may include ~~the non-state~~ as well as the state program funds ~~which that~~ are identified in Appendix B1, B2, B3, or B4 must be used for those costs specifically incurred for the approved program. These funds are to be expended for the purpose stated and for those items enumerated in the approved budgets unless an approved transfer is made pursuant to paragraph B(4) of this Article. The program funds may be expended and/or obligated only during the period covered by this Contract, except as otherwise indicated, or approved by Ohio EPA and U.S. EPA, where appropriate.
4. Transfers may be made among budget categories to facilitate program operation; however, prior approval (which includes obtaining an approved revised Appendix B1, B2, B3, or B4) from Ohio EPA shall be obtained in the following circumstances:

- a. transfer of program funds that would substantially alter the scope or purpose for which the Contract is made;
- b. expenditures of program funds that would result in a cumulative change in the total budget of more than 10 percent;
- c. an expenditure of program funds that would be made in a budget category for which no funds were approved;
- d. for purchases of any item of equipment that will cost more than five thousand dollars (\$5,000.00) and which was not specifically enumerated in the approved Appendix B1, B2, B3, or B4; and
- e. for any professional service contract over ten thousand dollars (\$10,000.00) that was not specifically included in the approved Appendix B1, B2, B3, or B4.

Adequate justification must be submitted to Ohio EPA to support a request for approval of any of the budget changes outlined above. All requests to Ohio EPA for budget transfers and/or program revisions must be made as soon as practical, but not later than 30 days after the beginning of the quarter in which the budget transfer and/or program revision is proposed to be effected. Notification of approval or denial of the request shall be provided by Ohio EPA within 20 working days following receipt of a complete request.

5. Any unencumbered balance of state and/or federal pass-through funds of one dollar (\$1.00) or more at the end of the Contract period, as reflected in the final closeout expenditure report (Contract Appendices J1, J2, J3, J4, J5, J7 and/or or J84), constitutes a debt to the state of Ohio and possibly, to the federal government, respectively. With regard to unencumbered balances of state funds reflected in any of the final closeout appendices identified above, unless directed otherwise by Ohio EPA pursuant to an approved carryover budget (Contract Appendix B2 or B4), a separate voucher in each case drawn in the amount owed, made payable to the Ohio Treasurer of State and shall be remitted to Ohio EPA at the same time the final closeout expenditure reports are submitted. With regard to unencumbered balances of federal funds reflected in any of the final closeout appendices identified above, a separate voucher in each case drawn in the amount owed, made payable to the United States Environmental Protection Agency and shall be remitted to Ohio EPA at the same time the final closeout expenditure reports are submitted. The vouchers in each case shall be remitted to the following address:

Ohio EPA  
Lazarus Government Center  
122 South Front Street  
Columbus, Ohio 43215  
Attention: DAPC, Planning and Contracts Unit

6. The amount of funds available for both this and future budget periods shall bear a direct correlation to the performance of the LAA in its assigned role in the Ohio SIP and subsequent revisions thereof.

7. The LAA, if Air Rotary Enforcement Funds are available, will be required to submit to Ohio EPA for approval a completed Air Rotary Enforcement Account #696 - Budget Information form (Appendix B3), attached hereto, which identifies the use of these funds and estimates the anticipated program budget for these funds. These Air Rotary Enforcement Account Funds shall not be used as matching dollars to qualify for federal grant funding. Unspent Appendix B3 funds shall either be returned to Ohio EPA or approved to be carried forward in the next Contract period.
8. As a condition precedent to Contract approval, the LAA shall submit a Vehicle Use Plan form, attached hereto as Appendix M (or a similar form), which reflects the status of all vehicles available for use by the LAA.

C. Prior Approval for Specific Purchases

Regardless of whether or not a budget transfer pursuant to this Article III, Section B is involved, approval prior to a purchase or commitment to purchase must be received from Ohio EPA for the purchases listed below.

1. Automated data acquisition systems for continuous air monitors, regardless of cost, to ensure that the general purpose microcomputers associated with such systems, and any other computing/archiving equipment, are fully compatible (operational, technical and functional) with Ohio EPA Remote Ambient Data System (RADS) hardware and software; and
2. Any air monitoring or associated equipment costing five thousand dollars (\$5,000.00) or more. (Requests for approval under this section shall be written and shall describe the equipment with specificity, including model number, make, and any other identifying criteria. The request shall also state the reason for purchase and the intended location of the equipment. All such written requests shall be responded to by Ohio EPA within 30 days after receipt.)

D. Reports

1. Pursuant to OMB Circular A-133, if there are findings with the air pollution control grant portion of the single audit, the LAA must send a copy of the audit identifying each finding along with a corrective action plan for each finding. If there are no findings associated with Ohio EPA's grant portion of the single audit, the LAA may send a letter stating that there were no findings. In either case, the report or the letter for CY 2005~~6~~ must be sent to Ohio EPA by not later than September 30, 2006~~7~~.
2. The LAA must submit to Ohio EPA, by not later than 45 days after the last day of each quarter, a report of all expenditures that occurred during that period, from whatever source, for each program budget (regardless of whether the LAA under, or over spends its a budget as defined in the Appendix B1), which occurred during that period~~B2, B3 and B4 program budgets~~). Such reports shall be on the Quarterly Expenditure Report section of Ohio EPA Local Air Pollution Control Agency Quarterly Report, attached hereto as Appendix F1, F2, F3 and F4, or any subsequent revisions thereof. Payments as provided in Article III, Section

A can be withheld in accordance with Article IV if acceptable reports have not been submitted to Ohio EPA.

- ~~3. The LAA must submit to Ohio EPA, no later than 45 days after the last day of each quarter, a report of all expenditures which occurred during that period for the Appendix B1 program activities. Such report shall be on the Quarterly Expenditure Report section of Ohio EPA Local Air Pollution Control Expenditure Report, attached hereto as Appendix F1 or any subsequent revisions thereof.~~
- ~~4. The LAA must submit by November 30, 2006, the Year-End Fiscal Year Summary Expenditure Reports, attached hereto as Appendix J1 through J4 in each case where there is an approved Appendix B1 through B4, for FFY 2005 expenditures. The LAA must submit by May 15, 2006, the Year-End Fiscal Year Summary Expenditure Report for the PM<sub>2.5</sub> program, attached hereto as Appendix J5.~~

~~52006 expenditures:~~

4. The LAA must employ a computerized Time Accounting System (TAS) that has been approved by Ohio EPA, which identifies Title V program chargeable activities, non-Title V chargeable activities, and PM<sub>2.5</sub> monitoring chargeable activities. Within 10 days after the close of each month, the LAA, in the manner and format designated by Ohio EPA, shall submit a TAS report that compiles the data collected for the previous month. This report shall be submitted electronically in manner prescribed by Ohio EPA. All hours need to be identified as Title V or non-Title V. General support hours should be divided between Title V and non-Title V pursuant to the actual ratios between the two. This system and the information it generates is subject to a fiscal audit.

## ARTICLE IV

### **WITHHOLDING AND REDUCTION**

#### A. Contract-Related Activities

Ohio EPA may withhold and/or reduce funds payable in accordance with this Contract if the director determines that the LAA has substantially failed to achieve a Contract-required activity pursuant to this Contract. Except as otherwise stipulated in this Contract, withheld or reduced payments shall not exceed the portion of the funds allocated to produce the outputs which the LAA failed to achieve. Funds may be withheld or reduced from any payment which is due the LAA in any quarter upon notice by the director via certified mail explaining the cause for the reduction. In the event a reduction becomes necessary and no further funds are scheduled to be disbursed pursuant to Article III(A) of this Contract, then:

1. If the LAA and Ohio EPA enter into a contract the following fiscal year enabling the LAA to provide services similar to those contained in this Contract, the amount due to Ohio EPA shall be satisfied by reductions made to the first available payment(s) under such

subsequent contract; or

2. In the event no such subsequent contract is entered into, the LAA shall make a legal commitment to pay Ohio EPA the amount of funds that would have otherwise been paid by adjustment as described in Article IV(A)(1).

In the event Ohio EPA (grantee) is penalized by U.S. EPA (grantor) for unacceptable or untimely fiscal reporting by reducing available grant funds to Ohio EPA, and upon a determination by the director that the LAA is at fault because of an untimely or unacceptable Contract-required fiscal report(s), Ohio EPA shall pass through to the LAA, the resulting reduction, to the extent the LAA contributed by fault to the reduction in grant dollars. Such determination by the director will be based on factual information shared in consultation between Ohio EPA and the LAA.

**B. State and Federal Funding Appropriations/Emission Fees**

In the event that the Governor and/or General Assembly of Ohio and/or U.S. EPA reduces Ohio EPA's funding appropriation during the state fiscal year affecting the LAA's appropriation, or in the event the emission fees obtained pursuant to Revised Code sections 3745.11(C) and (D) fall significantly below expected levels, then Ohio EPA has the right to reduce the LAA's budget accordingly under this Contract. Pursuant to Article V, Section F, the LAA has the right to terminate and renegotiate with Ohio EPA a change in its state Contract program commitments and/or outputs to reflect such budgetary reductions. At its option, the LAA may seek to amend this Contract pursuant to Article V, Section E rather than exercise its right to terminate.

**C. Local Appropriations**

In the event the local budget appropriation for the LAA is reduced during the Contract period, Ohio EPA may not take action to reduce the LAA's state funding level under this Contract if all contractual commitments and/or outputs are met, a demonstration that local budget reductions were necessary, and the appropriate revisions to Appendix B1 have been approved by Ohio EPA.

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## **ARTICLE V**

### **GENERAL PROVISIONS**

**A. Effective Date**

This Contract shall become effective on the date of execution by the director for the period beginning October 1, 2005~~6~~ and shall remain in full force and effect through September 30, 2006~~7~~ provided that neither party to this Contract exercises its option to renegotiate or terminate this Contract pursuant to Section F of this Article.

**B. Assurances, Compliance with Applicable Laws**

The LAA hereby assures and certifies that it:

1. Possesses legal authority to contract hereunder; that a resolution, motion or similar action has been duly adopted or passed as an official act of the LAA's governing body and of all the political subdivision(s) it represents, authorizing the performance hereunder, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the LAA to act in connection with the application and to provide such additional information as may be required, that, as of the date of this Contract and pursuant to section 3704.01(J) of the Revised Code, as amended by Am. Sub. H.B. 152 (1993), no political subdivision that has authorized the LAA to perform for it hereunder has terminated that authorization.
2. Shall comply with the requirements of 40 CFR Part 31.36, Procurement Under Assistance Agreements.
3. Shall comply with the requirements of 40 CFR Section 31.42, Retention and access requirements for records, 40 CFR Section 31.22(a), Allowable costs, Limitation on use of funds and OMB Circular A-87, to ensure federal grant funds are used only for allowable costs and all associated records and documentation are kept in accordance with the record retention and access requirements. In the event either party elects to terminate this Contract, or if the parties do not subsequently enter into another contract after this Contract expires, the LAA shall immediately arrange to provide all financial and programmatic records to the Ohio EPA, and shall not destroy any such records without first obtaining expressed written permission from Ohio EPA.
4. Agrees, pursuant to Revised Code section 125.111, that in the hiring of employees for the performance of work under this Contract or any subcontract, the LAA shall not discriminate by reason of race, color, religion, sex, age, handicap, national origin, or ancestry. The LAA further agrees that it shall not in any manner discriminate against, intimidate, or retaliate against any employee hired for the performance of work under this Contract on the account of race, color, religion, sex, age, handicap, national origin or ancestry.
5. Will establish procedures to ensure that employees comply with all requirements imposed by Chapters 102 and 2921 of the Revised Code and require the individual primarily responsible for directing the LAA to file a financial disclosure form with the Ohio Ethics Commission as prescribed under section 102.02 of the Revised Code prior to April 15, 2006~~7~~. The LAA further agrees to establish safeguards to ensure that its employees conduct themselves in a manner which avoids the appearance of impropriety.
6. Will maintain a safety and health program adequate to assure the safety and health of its employees while performing any job duties pursuant to this Contract. The safety and health program shall, at a minimum, include:
  - a. an initial basic safety training class for new employees with a continuing safety training program at least as stringent as Ohio EPA's Field Safety Training Policy, referenced in Appendix Q;
  - b. a continuing program to train employees in proper safety procedures;
  - c. the maintenance of an adequate inventory of safety equipment and supplies;

- d. a medical monitoring program, the scope and stringency of which shall be at least as broad and as stringent as Ohio EPA's medical monitoring program referenced in Appendix Q as the Ohio EPA Occupational Medical Screening Surveillance Program (OMSSP); and
  - e. the establishment of field inspection procedures which assure compliance with safety and health standards at least as effective as standards adopted by the federal Department of Labor pursuant to the federal Occupational Safety and Health Act.
7. Comply with the requirements and follow the procedures as outlined below for direct billing and payment of expenses relative to hosting a conference, meeting or seminar. The terms conference, meeting or seminar shall also include any type of retreat, training or employee recognition event. In the event the requirements and procedures are not followed, Ohio EPA may disallow any or all expenses associated with the event, and may in turn require that any state or federal grant funds passed through to the LAA and utilized for the disallowed purchase be returned to Ohio EPA.
- a. Require that individuals sign in at the event and indicate the agency or organization they represent.
  - b. Expenditures for the purchase of food and/or beverages will only be allowed when the associated itemized purchase receipt or invoice is provided, accompanied by the statement below and signed by the person responsible for the expenditures relative to the event:  
  
"I certify that this purchase of (food and/or beverages) on [date(s)] was for a (conference, meeting or seminar), and that no liquor or other alcoholic beverage was included."
  - c. Require that an official agenda or itinerary be submitted with the above information.
  - d. Make the information and documents above that are associated with an event available to Ohio EPA upon request.
8. Is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any federal department or agency.
9. Has not within a 3 year period preceding the date upon which this Contract became effective, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.
10. Is not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph 8 above.

11. Has not within a 3 year period preceding the date which this Contract became effective had one or more public transactions (federal, state or local) terminated for cause or default.

C. Assignment

This Contract shall not be assignable by either party without the prior written consent of the other party.

D. Construction, Severability

This Contract shall be governed in all respects by the laws of the state of Ohio. A determination that any part of this Contract is invalid shall not invalidate or impair the force or effect of any other part thereof, except to the extent that such other part is wholly dependent for its operation upon the part so declared invalid. This Contract shall not be deemed to include clause or section headings, which are inserted herein for convenience only.

E. Amendment

This Contract may be amended upon mutual written consent of the parties.

F. Termination

Ohio EPA or the LAA may terminate this Contract for any reason, and renegotiate its provisions, upon two weeks prior written notice by certified mail to the other party. Upon termination of this Contract, Ohio EPA may take over the work and prosecute the same to completion by agreement with another party or through any other means. In the event of termination, the LAA shall cooperate with Ohio EPA in transferring all lease/use agreements for air monitoring site locations to Ohio EPA to avoid disruption and ensure continuous data collection. Any payment due to the LAA at the time of a termination may be adjusted to the extent of any additional cost occasioned by Ohio EPA.

In the event that this Contract is terminated by Ohio EPA, the LAA shall be compensated for all costs that are allowable and reimbursable under this Contract prior to the effective date of termination and for costs reasonably incurred by the LAA relating to commitments which had become firm prior to the effective date of the termination. Ohio EPA shall notify the LAA by certified mail of a termination.

**G. Rights and Remedies**

The rights and remedies of Ohio EPA and the LAA provided in this section are in addition to any other rights and remedies provided by law or under this Contract.

IN WITNESS WHEREOF, the parties have executed this Contract by their respective officials thereunto duly authorized as of the day and year signified hereinbelow.

**OHIO ENVIRONMENTAL PROTECTION AGENCY**

Date \_\_\_\_\_ By \_\_\_\_\_  
Joseph P. Koncelik, Director

**LOCAL AIR AGENCY**

Date \_\_\_\_\_ By \_\_\_\_\_  
Duly Authorized Representative

\_\_\_\_\_  
Title

# APPENDIX A

## STATEMENT OF WORK

The LAA shall perform the following services in the manner directed by Ohio EPA in a manner consistent with, and prescribed by (1) the Ohio SIP and subsequent revisions, (2) the currently effective Air Pollution Control Assistance Agreement between Ohio EPA and U.S. EPA and (3) Appendices B through R, attached hereto. The LAA shall:

### I. Functional Responsibilities

- A. Attend, as a delegated agent of Ohio EPA, public hearings, conferences and other formal meetings. This responsibility shall include, when requested by Ohio EPA, presenting Agency policy, explaining Agency actions, and describing Agency programs and responsibilities. Written guidance will be provided as appropriate by Ohio EPA.
- B. Observe all applicable time limits for air permit processing, as established by law or regulation or by the director of Ohio EPA in compliance with the Ohio SIP and subsequent revisions.
- C. Maintain an ongoing liaison with the appropriate lead transportation planning agency and Ohio EPA concerning all air quality planning projects within the LAA's jurisdiction.
- D. Conduct or provide a training program for staff personnel that will assist the employee in obtaining the skills and knowledge needed to perform current duties and also prepare the individual for a future in the program. Ohio EPA will, when possible, consult with and give at least a 45 day notice on major training opportunities sponsored by Ohio EPA.
- E. Cooperate and coordinate with Ohio EPA, Public Information Center, DAPC Central Office and DAPC district office to collect and disseminate information, and conduct education and training programs for the citizens and the regulated community relating to air pollution and its control.
- F. Enter into Appendix C, under the Category/Subcategory I-D, the work of the LAA director, and other support staff that involves the general operation of the program including, but not limited to, fiscal planning, Contract negotiations, reports preparation, non-surveillance agency travel, and personnel and fiscal management. This inclusion is to cover all other agency activities to assure that work years of effort and expenditures in this table total to an amount equal to the total of the budget categories described in Appendix B1.

G. Coordinate with Ohio EPA, the development and maintenance of an appropriate electronic communication and data handling system for the processing of air permits and for accessing the Air Quality System (AQS). This will include the development of a Local Area Network (LAN) platform to interconnect adequate numbers of personal computers (PCs) with Ohio EPA client/server systems to be used in permit processing, access to AQS and for reporting monthly and annual output and financial data to Ohio EPA. As the LAA procures new computer equipment it must purchase equipment that incorporates the standard higher end features and capabilities that are commercially available at the time of purchase and compatible with systems used by Ohio EPA. Minimum PC and software specifications are listed below:

#### **Hardware**

IBM compatible PC client, Intel Pentium 4 and/or Celeron CPUs, 256 MB RAM minimum with 512 MB RAM recommended, adequate hard drive storage, 3.5 inch floppy disk optional, CD-R(W) optional, integrated sound and SVGA video card (800X600 resolution), or XGA (1024 x 768 resolution) or better, mouse and Internet connection media.

#### **Software**

A minimum requirement for workstation operating system is MS Windows 2000 with service pack 4, or better. Internet Explorer 6 (MS does not support IE 5.5 anymore) is a minimum requirement and will allow access to DAPC web applications. DAPC's web applications do not support Netscape Navigator.

**NOTE:** Although there are no software requirement changes being recommended at this time, be aware that STARS 2 will be available around 2007/2008 and that it is anticipated that MS Word 2007 (which is not yet available) will be used. So keep this information in mind when formulating your short-term and long-term software/licenses assurances.

## **II. Enforcement Services**

### **A. Compliance Monitoring/Field Surveillance**

1. Engage in a compliance monitoring program consisting of six primary compliance evaluation and field surveillance activities: (1) review of time-oriented reports; (2) performing emissions calculations, review of coating usage information or malfunction reports; (3) on-site inspection of terminal milestones of any permit to operate (PTO), Title V permit, variance, consent order, court order or order of the director of Ohio EPA; (4) facility inspections of sources with effective, pending or expired operating permits; (5) witnessing emission tests performed for compliance demonstrations; and (6) complaint investigations. These activities will be conducted as necessary with heaviest emphasis on the high priority facilities (HPFs) listed in Appendices G-1 and G-2. The LAA shall respond to all complaints alleging air pollution violations in a thorough and timely manner. Compliance monitoring inspections

shall be documented by completing the DAPC Inspection Report form shown herein as Appendix N (or a substantially similar form approved by Ohio EPA) and shall be conducted in a manner consistent with the instructions provided in Appendix N, and the required information subsequently entered into the Compliance and Enforcement Tracking Application (CETA) in a timely manner.

2. Data submitted by entities, including time oriented reports from HPFs, will be reviewed for completeness, accuracy and compliance. Sources with delinquent or missing submissions and sources whose submissions indicate a violation of the federally enforceable regulations will be identified through the use of CETA within 30 days of the end of the calendar month the violation was documented.

## B. National Emissions Standards for Hazardous Air Pollutants [Part 61 and Part 63]

### 1. General Requirements

- a. Work with DAPC Central Office to obtain recommendations on the purchase and maintenance of safety and inspection equipment necessary to comply with Ohio EPA inspector safety requirements.
- b. Provide and maintain, in good operating condition, an adequate supply of safety and inspection equipment. Equipment shall include but is not limited to: powered air purifying respirators, negative pressure (half face or full face) purifying respirators and replacement cartridges, Tyvek protective clothing, disposable towels, waterproof photographic equipment, film, sampling equipment (zip-lock bags, bottles, seals) flashlights, hard hats, safety boots, prescription glasses for use with respiratory equipment.
- c. Comply with the Safety and Health Recommendations for the Asbestos Program document developed by Ohio EPA Safety Office, and cited in Appendix Q.

### 2. Asbestos Demolition and Renovation:

- a. Retain all demo/reno notices along with the accompanying envelopes or postmarks for late notices. Notifications submitted in compliance shall be retained at least two years. Noncomplying notifications shall be retained at least five years.
- b. Within five days of receipt, log all NESHAP notices received in the Asbestos Contractors Tracking System (ACTS) and provide complete tracking information including compliance status.
- c. Within five days of receipt, review all notices for timeliness and completeness and note the compliance status in ACTS. Send warning letters to first time violators for late or incomplete notifications. For repeat offenders and for notifications submitted after demo/reno is performed, resolve the violations with an enforceable compliance agreement that contains penalties in accordance with U.S. EPA's Civil Penalty Policy (in

accordance with section II(D) of this Appendix and paragraph A(2) of Article I of the Contract), or refer the case to Ohio EPA for settlement using the Asbestos Enforcement Action Request.

- d. When notices are not sent directly to the proper inspecting agency, identify the inspecting agency and transmit the notices to them in sufficient time for proper inspection scheduling. Call by phone to advise, if necessary.
- e. Implement a non-notifier program to detect, enforce, and prevent notification noncompliance. The non-notifier program shall consist of:
  - i. Surveillance: observation of demolition and renovation activities and random inspection of suspect non-notified demolition and renovation activities to determine if notification has been made and to detect the presence of non-notified asbestos quantities.
  - ii. Outreach and education: presentations, direct mailings, compliance and technical assistance, consulting, and media exposure of program and enforcement.
  - iii. Investigation and follow-up of 100 percent of complaint and informant referrals.
  - iv. Checking building permits or public works files.
- f. Achieve at least a 15 percent inspection rate on initial asbestos NESHAP notifications received this Contract period, as determined by data entered into the ACTS database. Any and all subsequent inspections, being either complaint, random, or non-notifier inspections are to be counted in the total asbestos inspection database to monitor total asbestos inspection performance.
- g. Conduct inspections, wherever possible, in such a way as to observe asbestos abatement work in progress. For each inspection, complete an asbestos inspection form (Appendix L), and update ACTS to document the inspection date and compliance status. For every instance of noncompliance, inspectors shall collect evidence of non-compliance for possible future enforcement action. When samples are obtained, a Sample Collection Log must be a part of the inspection report to identify and describe all samples collected. Also, a Chain-of-Custody (COC) Form must be used to ensure all samples are properly identified and tracked from the point of sample collection through receipt by the analytical laboratory. The COC should contain information which includes site name and address; date of inspection/sampling; unique sample identification numbers; name/signature of sampler and date; name/signature of recipient(s) and date; type of analysis to be performed; and other pertinent information to describe the sample. Examples of a COC and Sample Collection Log Form are included in Appendix L. All samples obtained from asbestos compliance inspections which result in no enforcement cases should be retained for a minimum of six months. All samples obtained from asbestos inspections which result in an enforcement case must be retained until the

completion of the enforcement case.

- h. Resolve, pursuant to local legislation, each substantive violation of non-notification or emission control requirements with an enforceable agreement that includes penalties in accordance with U.S. EPA's Civil Penalty Policy or refer the case to Ohio EPA for settlement using the Asbestos Enforcement Action Request form.
  - i. Report current federal fiscal year ACTS data to DAPC Central Office within 10 days of the end of a quarter. DAPC Central Office will return an updated statewide database to the LAA and directly report ACTS information to U.S. EPA. DAPC Central Office will send a report of asbestos contractors to be invoiced as soon as possible after receiving the quarterly data. The LAA will review and identify any errors as soon as possible after receiving the report. DAPC Central Office will invoice facilities directly after receiving all the corrected data from the field offices.
3. Non-Transitory Sources:
- a. Identify previously uninventoried Part 61 Subpart L, BB, FF, Y and V NESHAP sources subject to asbestos, benzene, beryllium, inorganic arsenic, acrylonitrile, and mercury as they are discovered.
  - b. Part 61 NESHAP source inspections are to be documented by completing Appendix N (or a substantially similar form approved by Ohio EPA) and shall be conducted in a manner consistent with the instructions provided in Appendix N (including all information outlined in Appendix P), and a full compliance evaluation shall be performed for the source consistent with the federal CMS policy. The inspection and compliance activities shall be entered into CETA.
  - c. The LAA shall complete the requirements of the benzene work program described in the memorandum attached as Appendix P.
  - d. Assist DAPC Central Office in the identification of all sources subject to 40 CFR Part 61, NESHAP and Part 63, Maximum Achievable Control Technology Standards (MACT). Full compliance evaluations (FCEs), as such term is used in the federal CMS policy, shall be completed for each source subject to Part 61 or Part 63 standards located at a HPF, in accordance with the schedules presented in Appendices G-1 and G-2. The inspection and compliance activities shall be entered into CETA.
  - e. Once per year, inspect landfills handling asbestos for compliance with permit terms and conditions. Report asbestos landfill inspections in the total asbestos inspection database.
  - f. Identify violating non-transitory Part 61 NESHAP sources and Part 63 MACT sources. Identify the type of violation, the date on which the violation occurred and how it was determined. Submit an EAR with a recommended resolution of the case, or pursue local enforcement action in accordance with Article I (B) of this Contract.

### C. Reports, Inspections and Monitoring

1. Provide the DAPC Central Office enforcement contact person with copies of all new emission violation warning letters/Notices of Violation (NOV) that have been sent to violators. The LAA is required to denote at the top of the warning letter/NOV if the facility is a HPF. The LAA shall list all HPFs in Appendices G-1 and G-2, shall identify the HPFs in CETA, and update CETA upon discovery of any additional HPF. Notification of additions or deletions to the appendices should be made to the DAPC Compliance Monitoring Unit Supervisor and to the U.S. EPA Enforcement Coordinator upon identification. All formal enforcement actions associated with any violator, except asbestos demo/reno actions, shall be entered into CETA.
2. During facility inspections, personnel shall inspect each existing continuous emission monitor (CEM) and/or continuous opacity monitor (COM) installations. For new CEM/COM installations, the LAA shall notify the DAPC Compliance Monitoring Unit that will in turn, witness the performance specification tests as specified in 40 CFR Part 60, Appendix B. General guidance for inspecting CEM units, and for witnessing the performance specification tests are included in the Technical Guidance on The Review and Use of Excess Emission Reports, cited in Appendix Q. A copy of each performance specification test report shall be forwarded to the DAPC Compliance Monitoring Unit for monitor certification.
3. Review all quarterly (or monthly) Excess Emission Reports (EER), including those EERs required of facilities subject to 40 CFR Part 60, NSPS. The data from the review shall be recorded on the Excess Emission Report Summary Form attached hereto as Appendix I (or approved equivalent), and sent to the DAPC Compliance Monitoring Unit within 45 days of the end of the quarter during which these data were generated. Follow-up on the recommended actions specified in Ohio EPA's quarterly CEM/COM Overview is required. All formal enforcement actions resulting from EER reviews shall be entered into CETA.
4. During the course of this Contract period, witness/observe 50 percent of all performance tests conducted to demonstrate compliance in accordance with Ohio EPA policy as outlined in the Ohio EPA Source Testing Guidelines and Engineering Guide #53 of the DAPC Engineering Guide Notebook, cited in Appendix Q. ~~A minimum of two out of three acceptable runs shall be witnessed/observed during the course of a performance test. The factors considered in determining which performance tests are witnessed/observed, are 1) knowledge of the testing company, 2) knowledge of the facility, and 3) frequency of tests witnessed/observed at the facility.~~ The data regarding all tests observed must be entered into CETA, in the Appendix K section and then in the FCE/Site Visit section in a timely manner.
5. Inspect and document via inspection reports, 100 percent of gasoline dispensing facilities (GDFs) equipped with stage II vapor control in the LAA's jurisdiction to determine the compliance status of each inspected source of air contaminant emissions. The Stage II vapor control GDFs in affected counties are listed in Appendix G-3. The inspection activities shall be entered into CETA. Inspection reports shall be copied and submitted to U.S. EPA upon request in a timely manner.

6. Perform at least one (1) anti-tampering inspections per quarter as committed to in Appendix D according to procedures established by Ohio EPA and respond promptly to complaints registered with the LAA or forwarded by Ohio EPA. Investigations must be conducted to ensure that federally authorized and/or state certified personnel continually acquire needed experience and that the state anti-tampering laws are adequately enforced. Because the revised anti-tampering language expanded Ohio EPA's enforcement authority, Ohio EPA will offer training which that will cover inspection procedures of the anti-tampering rules (Ohio Administrative Code Chapter 3745-80). When this training is offered, inspectors will be expected to attend. The initiation of the complaint investigation will begin within 14 days of receipt by the LAA. Inspection reports and forms for each inspection where violations are found shall be forwarded to Ohio EPA anti-tampering program coordinator five working days after completion of the investigation. Inspection reports and forms for inspections where no violations are found shall be forwarded within 30 days of the end of each quarter. The number of inspections shall be entered into CETA as a monthly total.
7. Inspect at least 50 percent of the Title V sources listed in Appendix G-1. These inspections are to be conducted and documented in a manner consistent with the form and instructions provided in Appendix N and a full compliance evaluation shall be performed for each source consistent with the federal CMS policy. The inspection activity shall be entered into CETA.
8. For those facilities designated as mega-sites and included in Appendix G-1, a full compliance evaluation is to be completed for approximately one third (1/3) of the total mega-site population during this Contract year and each contract year thereafter, ensuring that a full compliance evaluation is performed at each mega-site at least once per three year period. The inspections are to be conducted and documented in a manner consistent with the form and instructions provided in Appendix N and a full compliance evaluation shall be performed for each facility consistent with the federal CMS policy. The inspection activity and compliance information shall be entered into CETA in a timely manner.
9. Inspect at least 20 percent of all synthetic minor and FESOP facilities listed in Appendix G-2. These inspections are to be conducted and documented in a manner consistent with the form and instructions provided in Appendix N and a full compliance evaluation shall be performed for each facility consistent with the federal CMS policy. The inspection activity and compliance information shall be entered into CETA.
10. Pursuant to Ohio EPA guidance, review and enter into CETA prior to September 30, 2006, the required compliance information associated with the annual compliance certification submitted by Title V sources. Within 60 days, notice of violation letters shall be sent to those facilities that do not submit their certifications by their required established deadline. Close tracking of the NOV must occur and an EAR prepared and submitted to Ohio EPA if a facility fails to adequately respond to a NOV, or pursue local enforcement action in accordance with Article I (B) of this Contract.
11. Identify and review applicable PTI applications according to appropriate categories and criteria as cited in the federal NSPS, NESHAP, the Interpretive Ruling Emission Offset Policy, the Prevention of Significant Deterioration (PSD), and Ohio air toxics permit review

process.

#### D. Enforcement

1. Regularly communicate the status of all enforcement actions with the appropriate Enforcement Committee (EC) contact person in accordance with written policy and guidance from Ohio EPA.
2. Continue to require necessary record-keeping for volatile organic compound (VOC) sources to ensure continued compliance with the current rules and permit requirements. If noncomplying coatings are being utilized by a company, daily record-keeping will be required to monitor compliance on a daily volume-weighted average basis for all affected coating lines except for coating lines equipped with VOC control equipment that adequately meet the applicable capture efficiency, control efficiency, overall control efficiency, or pounds of VOC per gallon of solids requirement regardless of coating VOC content.
3. Recommend enforcement actions, as appropriate, to Ohio EPA. Such enforcement recommendations shall be initiated using the appropriate and current Ohio EPA Enforcement Action Request form in accordance with written policy and guidance from Ohio EPA. Enforcement actions will be taken against all noncomplying facilities in accordance with DAPC enforcement procedures and U.S. EPA's December 22, 1998 memorandum titled, The Timely and Appropriate "T&A" Enforcement Response to High Priority Violations. Prior to submitting the EAR, the LAA shall contact the appropriate Ohio EPA District Office and determine whether any other environmental violations or enforcement actions are occurring at the subject facility. This information shall be noted on the EAR form.
4. Fifty percent of any civil penalty settlement amount (after first deducting any Supplemental Environmental Project (SEP) credits, including contributions to the Ohio EPA "Clean Diesel School Bus Program ~~5CD~~ Fund"), as negotiated and collected, from each case settled by state Findings and Orders (F&O), state consent orders or court orders within the LAA's jurisdiction, shall be directed to the "Treasurer, state of Ohio" for payment into the "Environmental Education Fund." The remaining 50 percent of the civil penalty amount shall be distributed as follows: up to 25 percent of the civil penalty amount directed to the LAA, as determined by Ohio EPA in consideration of the effort and resources expended by the LAA, and the remaining portion directed to Ohio EPA.
5. Within 30 days of the end of the calendar month, the LAA is required to enter relevant information into the enforcement section of CETA to document and track all formal actions taken.
6. Provide all reasonable assistance and cooperation requested by Ohio EPA or the Office of the Attorney General in support of judicial or administrative litigation arising under Chapters 3704, 3745 and 3767 of the Revised Code. Such assistance may include, but not be limited to, providing specific compliance information, participation in enforcement decisions and negotiations, the provision of source/entity files and the provision of testimony at hearings or trials and/or depositions and interrogatories. Also, provide all reasonable assistance and

cooperation in support of Ohio EPA requests for compliance information for reports or databases being developed by Ohio EPA. All final determinations regarding the interpretation of Ohio air pollution control law and Ohio EPA rules shall be made by the director of Ohio EPA.

7. Monitor the compliance status of each air contaminant source included in a final enforcement agreement; (F&O, consent order, or court order) that contains one or more of the following milestones for achieving compliance with applicable air pollution control law. For each applicable milestone, the LAA shall utilize the methods described below to validate compliance or noncompliance:

<u>Increment</u>	<u>Validation</u>
a. Final control plan:	Receipt of a copy of a report or letter from the entity which outlines in detail, an acceptable compliance program for the source(s).
b. Binding commitment to purchase control equipment:	Receipt of a copy of the contract (preferred), or a letter of certification from an entity officer.
c. Initiation of on-site construction:	Source inspection (preferred), or a letter of certification from an entity officer
d. Completion of on-site construction:	Source inspection (preferred), or a letter of certification from an entity officer.
e. Final compliance with all increments of the schedule(s):	Compliance test witnessed by agency personnel. If compliance test is technically infeasible or economically unreasonable, best available engineering estimates are to be employed. In addition, a source inspection and, if appropriate, opacity observations are necessary.

#### E. CETA Entries

All requirements under Section II, Enforcement Services, concerning inspections, compliance

status, and formal enforcement information will be entered into CETA within 30 days of the action date (receipt of information, discovery of violation, date of inspection, etc.) for said requirement. CETA entry is entries are not required of the LAA staff for formal enforcement efforts concerning all violators which are on a formal compliance schedule an entity's compliance milestones that are contained within a permit, variance, court order, or administrative order or warning letter of the director of Ohio EPA. These CETA updates will be completed by the DAPC Central Office staff, after appropriate input from the LAA.

### III. Permit Services

#### A. Permit Application Processing Tasks

1. Conduct an administrative and technical review of all Title V and air PTO and air PTI applications received consistent with established Ohio EPA policy, and according to the guidelines presented in Ohio EPA Engineering Guides, New Source Guidebook, DAPC Permitting Manual, STARS Library and Permit to Install Procedures Manual, and subsequent revisions thereof.
2. Review all PTI applications for completeness in accordance with the January 22, 1999 memo from Mike Hopkins titled New Preliminary Application Completeness Review Guidance, the PTIs2000 completeness review on-screen guidance and subsequent revisions. Complete 100 percent of these reviews within 14 days of receipt of the application. Prepare a Preliminary Staff Determination for each PTI application in accordance with established Ohio EPA policy, the above mentioned guidelines and all applicable state and federal air pollution policies, laws, and rules and any subsequent revisions or addition to these documents. Submit at least 90 percent of the Preliminary Staff Determinations to DAPC Central Office within 45 calendar days of the determination that the application is preliminarily complete.
3. Coordinate with the DAPC Permitting Section, all requests for dispersion modeling, emission offsets, and PSD reviews.
4. Upon review of a PTI, the reviewer shall identify the appropriate PTI fee amount in accordance with the revised fee schedule, which became effective July 1, 2005. This fee schedule is noted in the Revised Code section 3745.11, shown on page 11 of the Ohio EPA publication titled Ohio EPA Fee Schedule, and available at the "Forms and Publications" Web page at <http://www.epa.state.oh.us/dapc/fees/ptifees.pdf>.
5. The LAA will act on all the initial Title V applications or renewal applications within 15 days of receipt of a permit application or renewal by sending a preliminary completeness (or incompleteness) letter to the applicant. Initial draft permit recommendations are to be submitted for initial review to the DAPC Permitting Section within 68 days of the preliminary completeness determination. Initial preliminary proposed permit development must be submitted to the DAPC Permitting Section within 23 days of assignment of the preliminary proposed permit development task (i.e., upon completion of the 30 day public comment established by the public notice publication date). Initial proposed permit development must be submitted to the DAPC Permitting Section within seven days of any conference requested by the permittee based on the issuance of a preliminary proposed permit.

6. Process all time-oriented reports submitted pursuant to milestones in compliance time schedules, permit special terms and conditions, court orders, and administrative orders of the director of Ohio EPA, pursuant to the DAPC Permitting Manual cited in Appendix Q.

**B. Title V Fee Emission Report, Non-Title V Fee Report and Synthetic Minor Fee Emission Report Processing Tasks**

1. Review all acceptable Title V fee emission reports received prior to April 15, 2006~~7~~ by May 15, 2006~~7~~. All acceptable fee emission reports received after April 15, 2006~~7~~ are to be reviewed within 30 days of receipt. If a Fee Emission Report (FER) is found to be unacceptable by the reviewer, a revision must be requested by sending a proper notice via certified mail to the source owner/operator advising the source owner/operator that a revised FER must be submitted within 30 days. If the source fails to submit the requested FER within 30 days, a phone call must be placed followed up by a confirmation letter documenting the call. If a facility does not comply, then an EAR for FER needs to be immediately (within 14 days) prepared and submitted to the DAPC fee contact person. For further guidance, please refer to the DAPC Permit Issuance and Data Management (PIDM) Section's May 25, 2001, FER Enforcement Guidance Document.
2. Review and submit to Ohio EPA, all acceptable non-Title V fee emission reports (also known as "blue cards") generated by Ohio EPA according to a schedule of 50 percent within 45 days of receipt of the non-Title V field office review sheets and 100 percent within 90 days of receipt of the non-Title V field office review sheets. Provide assistance to the DAPC fee contact person in contacting facilities which have regulated operations and have not returned the non-Title V fee emission reports by the report filing deadline. Assist the fee contact person at DAPC Central Office in contacting those facilities for which the non-Title V fee emission report mailing and/or invoice was returned as undeliverable. The main purposes in providing assistance is to resolve the facility's operational status for each calendar year for the non-Title V fee emission report that is required to be submitted to Ohio EPA by the source owner/operator.

The DAPC PIDM Section will conduct the initial mailing of the non-Title V fee emission reports and will enter the non-Title V fee emission report information provided by source owner/operators into a database within 90 days of receipt of the non-Title V fee emission report. After the review by the LAA, Ohio EPA is responsible for invoicing the facilities. Ohio EPA fiscal personnel will assist in monitoring the collection of the fees.

3. Review and submit to Ohio EPA, all acceptable Synthetic Minor Title V (SMTV) Fee Emission Report Field Office Review Sheets generated by Ohio EPA within 30 days from receipt. If a SMTV FER is found to be unacceptable by the reviewer, a revision must be requested by sending a proper notice via certified mail to the source owner/operator advising the source owner/operator that a revised FER must be submitted within 30 days. If the source fails to submit the requested report by the deadline, a phone call must be placed followed by a confirmation letter documenting the call. If a facility does not comply, then an

EAR for FER violations needs to be immediately (within 14 days) prepared and submitted to the DAPC fee contact person. For further guidance, please refer to PIDM Section's May 25, 2001, FER Enforcement Guidance Document.

### C. Emission Inventory Tasks

The LAA is expected to review the emission calculations for all EIS pollutants for all Title V facilities within its jurisdiction and ensure completeness and accuracy of information within the FER, which contains EIS and emission fee information. If an emission calculation is found unacceptable by the reviewer or information is incomplete and/or inaccurate, a revision must be requested by sending a proper notice to the facility contact requiring the facility to submit a revised EIS/FER report within 30 days. The LAA shall respond to questions referred to them by DAPC Central Office EIS personnel regarding the facility report. ~~The LAA may conduct a local inventory to obtain information needed.~~

### D. Air Toxics Program

1. Assist Ohio EPA in the implementation of the air toxics program, including monitoring, emission estimates, facility inspections, and recommendations for facility-specific control measures.
2. Assist in responding to the specific air toxics requirements of the Clean Air Act (CAA), especially in relation to Title III. Participate in the Ohio MACT Workgroup and adhere to information provided in written communications regarding Title III issues.
3. Special areas requiring assistance are as follows:
  - a. Assist in information gathering for special ambient air monitoring programs being conducted by Ohio EPA to characterize the risk of health impacts from urban and facility-specific air pollution.
  - b. Assist in inspections and communicate with U.S. EPA, Ohio EPA and their contractors in the gathering of information required for the development of MACT standards for facilities within the LAA's jurisdiction.
  - c. Assist in the compilation of information to be included in national air toxics informational computer databases required by the CAA.
  - d. Upon request, advise the DAPC Air Toxics Unit when the LAA plans to inspect a NESHAP/MACT source within the LAA jurisdiction to allow for appropriate discussions or joint inspections with Ohio EPA.

## IV. Ambient Air Monitoring

### A. Quality Assurance

1. Maintain a quality assurance program consistent with, 40 CFR Part 58, Appendix A, U.S. EPA Quality Assurance Handbooks for Air Pollution Measurement Systems, and revisions thereof, and approved quality assurance project plans for specific monitoring projects.
2. Participate in all U.S. EPA and Ohio EPA quality assurance audits and audits of any authorized contractors for all pollutants being measured. Participate in U.S. EPA, Region V performance audits.
3. Annually verify the operation of the LAA ozone primary standard or an ozone transfer standard at the Ohio EPA, Groveport Field Office Facility with Ohio EPA's primary standard or at the Region V Quality Assurance Lab with U.S. EPA's primary standard.
4. Participate in the National Performance Audit Program (NPAP) conducted by the U.S. Environmental Monitoring Systems Laboratory for the criteria pollutants that the LAA monitors. Take corrective actions based on the results of these inter-laboratory surveys when necessary.
5. Collect precision data from all monitoring sites listed in Appendix E, and report these precision data to Ohio EPA within 45 days of the end of the quarter that it is measured. Report all accuracy data from all air monitoring sites listed in Appendix E to Ohio EPA within 45 days of the end of the quarter during which these data were generated. Check precision and accuracy data summaries as supplied by Ohio EPA or U.S. EPA against the LAA's records and make revisions to the summaries where discrepancies exist.

#### B. Air Monitoring Network Outputs

1. Install, calibrate, operate and maintain the air monitors listed in Appendix E in accordance with 40 CFR Parts 50, 53 and 58. The LAA shall obtain written approval from Ohio EPA prior to establishing any new monitoring site not listed in Appendix E.
2. Obtain written approval from U.S. EPA, through Ohio EPA, in advance of any changes to State/Local Air Monitoring Sites (SLAMS) or National Air Monitoring Sites (NAMS) monitors identified in Appendix E that are not caused by circumstances beyond the control of the LAA. Written approval must be obtained from one year to the next, as well as for any changes made during the year.

**NOTE:** The SLAMS/NAMS language will need to be changed to "Ncore (level 1, 2, or 3, as appropriate) upon approval of revised federal monitoring regulations near the end of this year. Since the approval is still pending, the current language as written is correct, but changes will be needed at some point.

3. Notify Ohio EPA within seven days of any change from Appendix E requirements caused by circumstances beyond the control of the LAA. Such notification shall include adequate justification for the change as well as an expeditious schedule for correcting the Appendix E deficiency.

#### C. Frequency of Sampling

1. Assure that, at a minimum, air quality sampling is conducted in the manner and frequency as follows:
  - a. Intermittent equipment shall be operated at the frequency listed in Appendix E. All sites shall collect data on the statewide schedule as required by Ohio EPA.
  - b. Continuous equipment shall be operated continuously except for that time required for calibration, maintenance and repair and as provided for in paragraph (A)(5).
2. Assure that all air quality monitoring equipment is operated at an efficiency level as follows:
  - a. All equipment listed in Appendix E shall be operated at a level calculated to generate not less than:
    - i. Seventy-five percent of scheduled samples from intermittent instruments, except where installation of state of the art ground fault interrupter systems used for safety purposes are shown to have caused failure of the capture rate.
    - ii. Seventy-five percent of scheduled hours for continuous PM<sub>10</sub>, PM<sub>2.5</sub>, sulfur dioxide, nitrogen dioxide, carbon monoxide and ozone, except where installation of state of the art ground fault interrupter systems used for safety purposes are shown to have caused failure of the capture rate.
    - iii. Ozone monitors shall be operated from April 1 through October 31. An ozone monitoring day shall be counted as a valid day if valid eight hour averages are available for at least 75 percent of possible hours in the day (i.e. at least 18 of the 24 averages). In the event that less than 75 percent of the eight hour averages are available, a day shall also be counted as a valid day if the daily maximum eight hour average concentration for that day is greater than the level of the ambient standard.
  - b. Index network equipment shall be operated at a level calculated to generate not less than:
    - i. One sample per work day for intermittent instruments; and
    - ii. Twenty-four hourly samples per day for continuous instruments except for that time required for calibration, maintenance and repair.

#### D. Laboratory Requirements

Provide all analytical laboratory services necessary to properly install, operate, maintain, calibrate, quality control, quality assure equipment listed in Appendix E and supply all physical buildings, personnel, instrumentation, reagents, chemicals and supplies required to perform these laboratory services. Operating procedures for laboratory operations must be documented and easily accessible for reference. A Quality Assurance Manual and Standard Operating Procedures (SOP) must be submitted to Ohio EPA and U.S. EPA, Region V, Quality Assurance

Offices for approval prior to implementation of the SOP. The aforementioned services are to include data loggers. All equipment must be operated in accordance with DAPC quality assurance manuals for ambient air monitoring and data acquisition referenced in Appendix Q.

#### E. Data Reporting

1. Report all air quality data generated by instruments listed in Appendix E and all other instruments approved by the DAPC Air Monitoring Section. This shall include the data from intermittent sampling done to provide the daily air quality index. The  $PM_{10}$  and/or  $PM_{2.5}$  data reported from index sites shall be that calculated after the filter has equilibrated for 24 hours. The LAA shall submit its ambient air monitoring data to the DAPC Air Monitoring Section, within 18 days after the end of the month during which the data is collected, except for intermittent  $PM_{2.5}$  data which must be reported within 30 days after the end of the month during which the data was collected. Data shall be reported either in Air Quality System (AQS) format by mail, or by using personal computer equipment such as "KERMIT" to electronically send its data to the Ohio EPA RADS central computer, or via an electronic mail attachment sent to the DAPC Air Monitoring Section. An explanation for missing data must accompany data mailed in, or must be sent under separate letter for raw data sent by electronic means. Null data codes shall be used with the normal data submittals as a part of the transmitted AQS file.
2. As an alternative to submitting ambient air monitoring data to Ohio EPA, the LAA may choose to be responsible for submitting their own data to the new version of the AQS database. If the LAA does choose this option, the following guidelines must apply:
  - a. The LAA must have two persons trained in the process.
  - b. The DAPC Air Monitoring Section must be notified by electronic mail when the data file is ready for final update to the AQS database.
  - c. The data are to be submitted to the LAA's AQS screening group files on a schedule such that:
    - i. the hourly data are submitted to the AQS screening group file, edited and verified for update to the DAPC Air Monitoring Section for final update by Ohio EPA within 25 days of the month in which it was collected.
    - ii. the intermittent data, except  $PM_{2.5}$  are submitted to the AQS screening group file, edited and verified for update to the DAPC Air Monitoring Section for final update by Ohio EPA within 25 days of the month in which it was collected.
    - iii. the intermittent  $PM_{2.5}$  data are submitted to the AQS screening group file, edited and verified for final update to the DAPC Air Monitoring Section within 25 days after receipt of the data by the LAA.
  - d. Once notified by the LAA that the data are ready for final update into AQS, the DAPC Air Monitoring Section will initiate the update within five working days unless errors are found in the data file.

- e. Once notified by Ohio EPA that the data have been updated the LAA is responsible for making any appropriate retrievals to verify that the data have been properly and accurately updated to the AQS database. If there are errors or omissions the DAPC Air Monitoring Section must be notified within 10 days and the error must be corrected by the LAA by the time of the next monthly update.
3. Participate in an air quality data validation program for monthly validation of air quality data. A block of monthly air quality data must be validated and corrections made and mailed back to the DAPC Air Monitoring Section within eight working days of receipt. If no corrections are needed, a statement to that effect should be mailed back within eight working days. A phone call within eight working days is acceptable if followed by a hard copy statement that no corrections are needed. This hard copy statement may be transmitted via electronic mail.
4. Utilize specified procedures regarding AQS error checking as follows. The AQS error checking routines flag data as potential errors if they are unusually high, low, or spikes. These "errors" will be reported to the originating agency. A reply as to the accuracy of the data is required within one week of notification. This reply may be by telephone, if followed by written confirmation or via electronic mail.
5. Be responsible for decisions to delete single or multiple bits of ambient air quality data based on audit results or other pertinent information. Ohio EPA must be notified of such decisions within 45 days after the end of a sampling quarter. A logbook stating the reasons for deletions should be kept by the LAA.
6. Each LAA shall have computer(s) and other associated and compatible equipment such as a modem and printer as well as communications software including a world wide web tool for interaction with the re-engineered AQS database system. Guidance on minimum requirements for computer peripheral equipment and software will be provided by DAPC Central Office as they are updated and can be found in their current form in Section I(G).
7. Each LAA shall have two staff (minimum) who have valid user IDs at the Nation Computer Center (NCC) so that they may make AQS air quality retrievals in response to internal needs and citizen inquiries.

#### V. Episodes and Spills

- A. Take all emission control actions necessary during air pollution episodes to prevent ambient pollutant concentrations at any location from reaching levels which could cause significant harm to the health of persons, and implement all approved air pollution episode procedures set forth in Appendix H of this Contract.
- B. Submit a written report to Ohio EPA, describing the events of the episode no more than 30 days after the episode has ended.
- C. Notify Ohio EPA, Emergency and Remedial Response Division, immediately upon the identification of an air spill emergency or potential emergency. (Hotline number: 800-282-9378).

## VI. Definitions

For purposes of this Appendix A, the following definitions shall apply:

- A. A "facility" means all of the emitting activities that are located on contiguous or adjacent properties that are under the control of the same person or persons or under common control and that are in the same major group as described in the Standard Industrial Classification manual, 1987. As used in paragraph (C) of Ohio Administrative Code rule 3745-17-08, the definition of facility shall not include agricultural activities, such as the tilling of land, the harvesting of crops, the application of fertilizers, pesticides or herbicides, and grain drying, which are conducted on a farm.
- B. An "air contaminant source" or "source" means each separate operation or activity that results or may result in the emission of any air contaminant.
- C. An "emission inventory system (EIS) source" is:
  - 1. a Title V facility; and
  - 2. other sources as determined by DAPC Central Office in consultation with the LAA to be significant.
- D. A "nonattainment area" is any county or portion of a county which is designated as "nonattainment" for one or more of the National Ambient Air Quality Standards as specified in the latest CAA Section 107 designations published as final actions in the Federal Register.
- E. A "major facility" is any facility that is required to apply for and obtain a Title V permit.
- F. A "synthetic minor" facility is either :
  - 1. A "Title V synthetic minor facility" is a facility for which one or more permits to install or permits to operate have been issued for the air contaminant sources at the facility that include terms and conditions that lower the facility's potential to emit air contaminants below the Title V major source thresholds established in Ohio Administrative Code rule 3745-77-02; or,
  - 2. A "PTI synthetic minor facility" is a facility for which one or more permits to install have been issued for the air contaminant sources at the facility that include terms and conditions that lower the facility's potential to emit air contaminants below the PSD, major new source review, and/or hazardous air pollutants (HAP) MACT applicability thresholds established in federal and/or state law.
- G. A "minor facility" is a facility that is not a major or synthetic minor facility.
- H. A "high priority facility" is any Title V, federally enforceable state operating permit (FESOP), ~~mega-site~~, or synthetic minor PTI facility listed in Appendices G-1 and G-2, including subsequent revisions thereof.

- I. A "Formal Enforcement Action" is any action that began with either a NOV or a warning letter and results in a consent order, court order, or consensual or unilateral administrative F&O (either via the director of Ohio EPA or the duly authorized representative of the LAA; e.g., the director, commissioner or administrator of the LAA).
  
- J. An "Informal Enforcement Action" is any verbal or written NOV or warning letter that does not result in a consent order, court order, or consensual administrative F&O (either via the director of Ohio EPA or the duly authorized representative of the LAA; e.g., the director, commissioner or administrator of the LAA).—



**The Regional Air Pollution Control Agency (RAPCA)**

GOAL (OUTCOME)	OBJECTIVES FOR 2005	ACTIVITY PROCESS	SHORT TERM OUTCOMES (INDICATORS)	INTERMEDIATE TERM OUTCOMES (INDICATORS)	LONG TERM OUTC (INDICATORS)
To protect the citizens of the Miami Valley from the adverse health and welfare impacts of air pollution. This is accomplished through enforcement of federal, state, and local air pollution control regulations, and through implementation of the state's industrial permit system.	<p>From October 1, 2006 - September 30, 2007, RAPCA will:</p> <ul style="list-style-type: none"> <li>Investigation and follow-up of 100% for complaints and informant's referrals on Asbestos</li> <li>Inspect each asbestos contractor in our jurisdiction at least once per year</li> <li>Inspect and document 100% of gasoline Dispensing Facilities in our jurisdiction</li> <li>Inspect at least 50% of Title V sources listed in OEPA Appendix G1.</li> <li>Mega-sites included in OEPA Appendix G1, full compliance evaluation for 1/3 of total mega-site</li> <li>Inspect at least 20% of all synthetic minor and FESOP facilities listed in OEPA Appendix G2</li> <li>Achieve at least a 15% inspection rate on initial asbestos NESHAP notifications received</li> <li>Once per year, inspect landfills handling asbestos for compliance with permit terms and conditions</li> <li>Perform at least one anti-tampering inspection per quarter</li> <li>Witness/observe all performance tests conducted to demonstrate compliance in accordance with OEPA policy</li> <li>Review 100% of PTI applications to prepare and submit preliminary staff determinations on PTIs</li> <li>Collect precision data from all air monitoring sites and report data to OEPA within 45 days of the end of the quarter all accuracy data at same time</li> <li>Monitoring equipment listed in OEPA Appendix E will operate: 75% of scheduled samples from intermittent instruments; 75% of scheduled hours for continuous PM10, PM2.5, sulfur dioxide, nitrogen dioxide, carbon monoxide, and ozone (except where ground faults have caused failure of capture rates)</li> </ul>	<ol style="list-style-type: none"> <li>Provide Quality Service - RAPCA will strive to meet our principles of customer service, and implement its quality management systems on an ongoing basis.</li> <li>Attain and Maintain the National Air Quality Standards - Attain and maintain the national air quality standards in the Miami Valley. Develop and implement a plan to attain and maintain new or revised national ambient air quality standards in all of RAPCA's counties by 2010 or within the time frame specified by USEPA.</li> <li>Monitor Air Quality - Operate a comprehensive air quality monitoring network which (a) provides timely monitoring data, (b) ensures that 100% of the monitors meet the USEPA standards for data capture and accuracy, and (c) verifies data when violations are measured and assesses whether the readings were accurate.</li> <li>Reduce Air Toxics - Develop improved air toxics information (monitoring network and inventory) to support quantitative evaluation, characterization and tracking of risk-based indicators and implement programs, including MACT standards and the mercury rule, to lower air toxics.</li> <li>Timely Enforcement - RAPCA will operate a fair and timely enforcement program for violations of air requirements.</li> <li>Inspections of Industrial Facilities - Monitor compliance of high priority facilities (Title V permits, FESOPs and synthetic minor PTIs). Through technical assistance, inspections, and appropriate enforcement actions, Title V facilities will maintain substantial compliance (i.e., no emission or control requirement violations) with air regulations and permit requirements.</li> <li>Timely and Efficient Permit Issuance - Provide for the processing of all permit actions on a timely basis according to OEPA permit guidance.</li> </ol>	<p>Please see the long term outcomes. Our short term outcome goal is to not exceed the targets listed for 2010.</p> <ul style="list-style-type: none"> <li>Carbon Monoxide-2010 Target=1632.6</li> <li>Nitrogen Oxide-2010 Target=7645.2</li> <li>Particulate Matter-2010 Target=1672.8</li> <li>Sulfur Dioxide - 2010 Target=8683.5</li> <li>Organic Compound - 2010 Target=1568.4</li> </ul>	<p>N/A - See short term and long term outcomes.</p>	<p>The outcome of this program is the maintenance of air standards in accordance with the U.S. health based standard for harmful air pollutants, preventing the unintended release of any pollutant into the air. RAPCA's long term outcome is to bring all within our jurisdiction in attainment. The indicators used to measure progress toward the desired outcomes will monitor criteria pollutants. The emission inventory of criteria pollutants from local manufacturing and industrial facilities identifies the six main pollutants which are released into the air.</p> <ul style="list-style-type: none"> <li>Carbon Monoxide-2010 Target=1632.6</li> <li>Nitrogen Oxide-2010 Target=7645.2</li> <li>Particulate Matter-2010 Target=1672.8</li> <li>Sulfur Dioxide - 2010 Target=8683.5</li> <li>Organic Compound - 2010 Target=1568.4</li> </ul>
2003			<ul style="list-style-type: none"> <li>CO=1314</li> <li>NOx=9486</li> <li>PM=1817</li> <li>SO2=11546</li> <li>OC=1978</li> </ul>		<ul style="list-style-type: none"> <li>CO=1314</li> <li>NOx=9486</li> <li>PM=1817</li> <li>SO2=11546</li> <li>OC=1978</li> </ul>
2004			<ul style="list-style-type: none"> <li>CO=1270</li> <li>NOx=4789</li> <li>PM=804</li> <li>SO2=7591</li> <li>OC=1841</li> </ul>		<ul style="list-style-type: none"> <li>CO=1270</li> <li>NOx=4789</li> <li>PM=804</li> <li>SO2=7591</li> <li>OC=1841</li> </ul>

**INTERNAL OUT**

**The Regional Air Pollution Control Agency (RAPCA)**

GOAL (OUTCOME)	OBJECTIVES FOR 2005	ACTIVITY PROCESS	SHORT TERM OUTCOMES (INDICATORS)	INTERMEDIATE TERM OUTCOMES (INDICATORS)	LONG TERM OUTCO (INDICATORS)
2005	[REDACTED]	[REDACTED]	<ul style="list-style-type: none"> <li>•CO=1195</li> <li>•NOx=6977</li> <li>•PM=964</li> <li>•SO2=9074</li> <li>•OC=1941</li> </ul>	[REDACTED]	<ul style="list-style-type: none"> <li>•CO=1195</li> <li>•NOx=6977</li> <li>•PM=964</li> <li>•SO2=9074</li> <li>•OC=1941</li> </ul>
1ST QTR 2006			Information not available until June, 2007		Information not availab until June, 2007
2ND QTR 2006			Information not available until June, 2007		Information not availab until June, 2007
3RD QTR 2006			Information not available until June, 2007		Information not availat until June, 2007
4TH QTR 2006			Information not available until June, 2007		Information not availat until June, 2007
2006			Information not available until June, 2007		Information not availat until June, 2007

**Outcomes Note:** Outcomes for 2004 are significantly reduced from 2003 figures. These data are the emissions tons per year from large factories only in RAPCA's six county jurisdiction. DP&L Hutchings did not run as much in 2004. CEMEX also adjusted their emissions calculations. CEMEX had been using data from 1991 previously. Both facilities greatly impacted the NOx, PM, and emissions inventory for 2004.

# CEL 2007 - RAPCA

Revised: 7/19/06

YEAR	2003	2004	2005	Projected 2006	Projected 2007
TOTAL NONRECURRENT EXPENDITURES	\$ 32,302	\$ 22,707	\$ 58,126	\$ 37,962	\$ 55,600
SHARING RATIO: NON-FED SHARE	60.64%	60.57%	62.01%	62.06%	62.68%
NON-FED, NONRECURRENT EXPENDITURES	\$ 19,587	\$ 13,754	\$ 36,044	\$ 23,559	\$ 34,850
TOTAL ACTUAL PROGRAM EXPENDITURES	\$ 1,272,950	\$ 1,264,980	\$ 1,277,731	\$ 1,263,239	\$ 1,270,950
SHARING RATIO: NON-FED SHARE	60.64%	60.57%	62.01%	62.06%	62.68%
TOTAL ACTUAL NON-FED EXPENDITURES	\$ 771,875	\$ 766,222	\$ 792,324	\$ 783,978	\$ 796,624
LESS: NON-FED, NONRECURRENT EXPENDITURES	\$ 19,587	\$ 13,754	\$ 36,044	\$ 23,559	\$ 34,850
<b>CONTINUING ELIGIBILITY LEVEL</b>	<b>\$ 752,288</b>	<b>\$ 752,468</b>	<b>\$ 756,280</b>	<b>\$ 760,419</b>	<b>\$ 761,774</b>
(NON-FED/NON RECURRENT)					

## DETAIL WORKSHEET:

TOTAL NONRECURRENT EXPENDITURES:	32,302	22,707	58,126	37,962	55,600			
AUTO	7077	AUTOS	8625	DATA RECORD	AUTOS	18249	AUTOS	34000
ANALYZERS	8779	ANALYZERS	8376	ANALYZERS	ANALYZERS	8376.291	ANALYZERS	
COMPUTERS	4066	COMPUTERS	5706	COMPUTERS	COMPUTERS	5806.5	COMPUTERS	3600
COPIER	8592			LOGGERS	LOGGERS	5530	LOGGERS	15000
LOGGERS	3788			LOGGERS			FAX	3000

Combined Health District  
Montgomery County

**WILLIAM H. BINES, M.S.**  
HEALTH COMMISSIONER

**MORTON NELSON, M.D., M.P.H.**  
MEDICAL DIRECTOR

**MARK CASE, M.S., R.S.**  
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DIVISION OF ENVIRONMENTAL HEALTH

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**BOARD OF HEALTH**

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JOHN X. VALASSIADES, M.D.

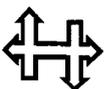
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**INDIRECT COST RATES FOR 2004**

**Based on the final financial statements for 2004 the following are the proposed 2004 final and the provisional 2005 indirect cost rates.**

Division of Community Health	36.69%
Division of Personal Health	28.96%
Division of Environmental Health	29.84%
Division of Administrative Services	43.77%
Division of Special Services	64.91%



"HEALTH IN MANY WAYS"

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HUMAN SERVICES



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# RAPCA 2007 Budget

Line Item	Non-Title V Expenditure	Total Expenditure
	657,804	1,199,861
	10,220	18,641
		515
		-

# RAPCA 2007 Budget

Category	Description	Line Item	Non-Title V Expenditure	Total Expenditure
Salaries	Salaries-Regular Salaried	5102	657,804	1,199,861
Salaries	Salaries-Part Time	5104	10,220	18,641
Overtime	Overtime	5120	283	515
Salaries	Retroactive Pay	5140	0	-
Salaries	Termination Pay-Out Vacation	5175	0	-
Salaries	Termination Pay-Out Sick Leave	5180	9,040	16,490
<b>Salary Total</b>			<b>677,346</b>	<b>1,235,507</b>
Benefits	Worker's Compensation	5505	6,834	12,465
Benefits	Worker's Compensation-Interfund	5507	0	-
Benefits	Retirement-Regular PERS	5520	81,395	148,468
Benefits	FICA (Medicare)	5545	6,395	11,665
Benefits	Health Insurance - Other Agencies	5612	113,622	207,251
Benefits	Life Insurance - Other Agencies	5613	1,269	2,315
Benefits	EAP Programs - Other Agencies	5637	339	619
Benefits	Dental Plans - Other Agencies	5642	4,863	8,871
Benefits	Employee Parking	5800	3,887	7,089
Benefits	Employee Parking-ISF	5801	673	1,228
Benefits	Employee Meals and Refreshments	5805	293	534
<b>Fringe Total</b>			<b>219,571</b>	<b>400,506</b>
Supplies	Office Supplies	6100	4,056	7,399
Supplies	Photocopy Supplies and Usage	6104	1,281	2,337
Supplies	Subscriptions and Books	6105	646	1,178
Supplies	Stockroom Supplies (ISF)	6110	1,345	2,453
Supplies	Computer Software	6120	7,177	13,091
Supplies	Laboratory Supplies	6130	1,349	2,461
Supplies	Chemicals (Laboratory and Other)	6131	1,079	1,969
Supplies	Protective Clothing	6132	1,353	2,469
Supplies	Postage	6135	1,822	3,323
Supplies	Janitorial Supplies	6140	117	213
Supplies	Janitorial Supplies (ISF)	6144	1,169	2,132
Supplies	Small Tools & Minor Equipment	6145	1,605	2,927
Supplies	Building Repair & Maintenance Supplies	6150	72	131
Supplies	Fuel, Oil & Lubricants	6155	427	780
Supplies	Food & Dietary Supplies	6175	144	263
Supplies	Other Operating Supplies	6205	4,650	8,482
<b>Supplies Total</b>			<b>28,292</b>	<b>51,605</b>
Travel	Outside Agency Bd-Approved Registration	6600	1,640	2,991
Travel	Outside Agency Bd-Approved Lodging	6610	2,375	4,331
Travel	Outside Agency Bd-Approved Meals	6620	727	1,326
Travel	Outside Agency Bd-Approved Airline	6630	3,186	5,812
Travel	Outside Agency Bd-Approved Mileage	6640	296	540
Travel	Outside Agency Bd-Approved Other Travel	6650	811	1,480
Travel	Routine Business Mileage	6700	509	928
Travel	Routine Business Parking	6710	1,429	2,606

Category	Description	Line Item	Non-Title V Expenditure	Total Expenditure
Travel	Parking Garage Validation (ISF)	6711	3,576	6,522
Travel	Routine Business Meals	6720	321	586
Training	Training Registration	6900	631	1,152
Training	Professional Dues & Memberships	6920	304	555

<b>Training Total</b>			<b>15,805</b>	<b>28,829</b>
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Services	Temporary Services	7101	0	-
Services	Other Medical Services	7108	286	522
Services	External Printing Services	7119	791	1,443
Services	Printing Services (ISF)	7120	3,362	6,133
Services	Film Printing & Development Services	7124	935	1,706
Services	Laboratory Services	7140	1,439	2,625
Services	Other Services	7195	684	1,247
Other Exp	Client Training/Educational Materials	7384	809	1,476
Maint/Repairs	Facility Electrical Services	7401	935	1,706
Maint/Repairs	Equipment Maintenance & Repair	7410	1,547	2,822
Maint/Repairs	Other Maintenance and Repair	7411	462	843
Maint/Repairs	Service Depot Charges (ISF)	7420	6,986	12,744
Maint/Repairs	Copier Maintenance Contracts	7435	773	1,410
Maint/Repairs	Other Office Equip. Maint. Contracts	7440	512	934
Teleph/Pagers	County Communications	7500	65	118
Comm (nonTele)	800 MHz Radio Charges (ISF)	7510	288	525
Comm (nonTele)	Express Mail & Delivery Charges	7520	737	1,345
Teleph/Pagers	County Telecommunications (ISF)	7525	9,390	17,128
Comm (nonTele)	Internet Access Charges (ISF)	7530	252	460
Advert	Advertising	7535	324	591
Advert	Advertising - Employment	7536	927	1,690
Insurance	Auto Liability	7610	2,084	3,801
Insurance	Auto Physical Damage	7620	2,056	3,750
Insurance	Public Officials Liability	7650	3,179	5,798
Insurance	Professional Malpractice	7660	1,561	2,847
Insurance	Umbrella-Excess Liability	7670	0	-
Insurance	Prop & Casualty Ins-Other Agencies	7681	0	-
Utilities	Electricity	7800	2,438	4,447
Teleph/Pagers	External Telephone Charges	7860	2,734	4,987
Teleph/Pagers	Telephone Local Service Charges	7861	72	132
Teleph/Pagers	Telephone Long Distance Charges	7862	459	837
Teleph/Pagers	Computer Communications Lines	7863	80	146
Teleph/Pagers	External Pager Charges	7865	113	207
Rentals	Rental-Land & Buildings	8100	26,977	49,207
Rentals	Rental-Equipment	8130	432	787
Rentals	Rental-Other	8140	3,076	5,610
Other Exp	Licenses, Fees & Permits	8720	14	26

<b>Other Total</b>			<b>76,779</b>	<b>140,048</b>
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Capital	Office Furniture	9100	1,989	3,627
Capital	Data Processing Equipment - Hardware	9105	9,679	17,654
Capital	Vehicles	9120	18,035	32,896
Capital	Other Office Equipment	9125	987	1,801
Capital	Other Operating Equipment	9135	19,844	36,196
Capital	Construction & Improvement-Buildings	9531	505	921

<b>Equipment Total</b>			<b>51,038</b>	<b>93,095</b>
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<b>Category</b>	<b>Description</b>	<b>Line Item</b>	<b>Non-Title V Expenditure</b>	<b>Total Expenditure</b>
<b>Direct Total</b>			<b>\$1,068,830</b>	<b>\$1,949,590</b>
Indirect (29.84%)			202,120	368,675
<b>TOTAL</b>			<b>\$1,270,950</b>	<b>\$2,318,265</b>



## KEY CONTACTS FORM

**Authorized Representative:** *Original awards and amendments will be sent to this individual for review and acceptance, unless otherwise indicated.*

Name: John A. Paul  
 Title: Supervisor  
 Complete Address: RAPCA, 117 S. Main Street  
Dayton, OH 45422-1280  
 Phone Number: (937) 225-4435

**Payee:** *Individual authorized to accept payments.*

Name: John A. Paul  
 Title: Supervisor  
 Mail Address: RAPCA, 117 S. Main Street  
Dayton, OH 45422-1280  
 Phone Number: (937) 225-4435

**Administrative Contact:** *Individual from Sponsored Program Office to contact concerning administrative matters (i.e., indirect cost rate computation, rebudgeting requests etc.)*

Name: Casie Lord  
 Title: Office Supervisor  
 Mailing Address: RAPCA, 117 S. Main Street  
Dayton, OH 45422-1280  
 Phone Number: (937) 225-5939  
 FAX Number: (937) 225-3486  
 E-Mail Address: lordca@rapca.org

**Principal Investigator:** *Individual responsible for the technical completion of the proposed work.*

Name: Bruno Maier  
 Title: Monitoring and Analysis Unit Supervisor  
 Mailing Address: RAPCA, 117 S. Main Street  
Dayton, OH 45422-1280  
 Phone Number: (937) 225- 4795  
 FAX Number: (937) 225-3486  
 E-Mail Address: maierbe@rapca.org  
 Web URL: www.rapca.org



# LOBBYING AND LITIGATION CERTIFICATION FOR GRANTS AND COOPERATIVE AGREEMENTS\*

**INSTRUCTIONS:**

\*At project completion, complete this form pursuant to the 2001 Department of Veterans Affairs and Housing and Urban Development, and Independent Appropriations Act, Public Law 106-377, Section 424 and 2000 Department of Veterans Affairs and Housing and Urban Development, and Independent Appropriations Act, Public Law 106-74, Section 426 and any other subsequent Appropriation Act requirements.

Please mail this form to your EPA Grant Specialist within 90 days of project completion. DO NOT send this information to the Office of Management & Budget.

Assistance Agreement Number(s):

\_\_\_\_\_  
A-00526407  
\_\_\_\_\_

I hereby certify that none of these funds have been used to engage in the lobbying of the Federal Government or in litigation against the United States unless authorized under existing law.

John A. Paul  
Signature of the Chief Executive Officer

07/27/06  
Date

John A. Paul  
Print Name

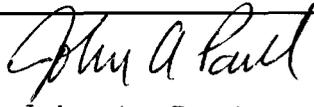
Burden Statement - The annual public reporting and record keeping burden for this collection of information is estimated to average 5 minutes per respondent. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Regulatory Information Division, U.S. Environmental Protection Agency, Ariel Rios Building, 1200 Pennsylvania Avenue, N.W., Mail Code 3213A, Washington, DC 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, N.W., Washington, DC 20503, Attention: Desk Officer for EPA. Include the EPA ICR number and OMB control number in any correspondence.

**DISCLOSURE OF LOBBYING ACTIVITIES**

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352  
(See reverse for public burden disclosure.)

0348-0046

<p><b>1. Type of Federal Action:</b></p> <p><input type="checkbox"/> B</p> <ul style="list-style-type: none"> <li>a. contract</li> <li>b. grant</li> <li>c. cooperative agreement</li> <li>d. loan</li> <li>e. loan guarantee</li> <li>f. loan insurance</li> </ul>	<p><b>2. Status of Federal Action:</b></p> <p><input type="checkbox"/> A</p> <ul style="list-style-type: none"> <li>a. bid/offer/application</li> <li>b. initial award</li> <li>c. post-award</li> </ul>	<p><b>3. Report Type:</b></p> <p><input type="checkbox"/> A</p> <ul style="list-style-type: none"> <li>a. initial filing</li> <li>b. material change</li> </ul> <p><b>For Material Change Only:</b>  year _____ quarter _____  date of last report _____</p>
<p><b>4. Name and Address of Reporting Entity</b></p> <p>Combined Health District of Montgomery County  117 S. Main Street  Dayton, OH 45422-1280</p> <p><b>Congressional District, if known:</b></p>		<p><b>5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime:</b></p> <p><b>Congressional District, if known:</b></p>
<p><b>6. Federal Department/Agency:</b></p> <p>U.S. Environmental Protection Agency</p>	<p><b>7. Federal Program Name/Description:</b></p> <p>66-001: Air Pollution Control</p> <p>CFDA Number, if applicable: _____</p>	
<p><b>8. Federal Action Number, if known:</b></p>	<p><b>9. Award Amount, if known:</b></p> <p>\$ 474,326</p>	
<p><b>10. a. Name and Address of Lobbying Registrant</b> (if individual, last name, first name, MI):</p>	<p><b>b. Individuals Performing Services</b> (including address if different from No. 10a) (last name, first name, MI):</p>	
<p>11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made of entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less that \$10,000 and not more than \$100,000 for each such failure.</p>	<p>Signature: </p> <p>Print Name: John A. Paul</p> <p>Title: Supervisor</p> <p>Telephone No: 937-225-4435 Date: 07/27/06</p>	
<p><b>Federal Use Only:</b></p>		<p>Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)</p>

**ASSURANCES - NON-CONSTRUCTION PROGRAMS**

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

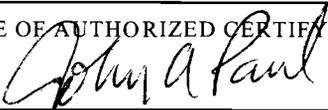
**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

- |  |   |
|--|---|
| <ol style="list-style-type: none"> <li>1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.</li> <li>2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.</li> <li>3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.</li> <li>4. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.</li> <li>5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).</li> <li>6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), which prohibits discrimination on the</li> </ol> | <ol style="list-style-type: none"> <li>basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.</li> <li>7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.</li> <li>8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.</li> </ol> |
|--|---|

<p>9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. 276a to 276a-7), the Copeland Act (40 U.S.C. 276c and 18 U.S.C. 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-333), regarding labor standards for federally-assisted construction subagreement.</p> <p>10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.</p> <p>11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in flood plains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).</p>	<p>12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. 1271 et seq.) Related to protecting components or potential components of the national wild and scenic rivers system.</p> <p>13. Will assist the awarding agency in assuring compliance will Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).</p> <p>14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.</p> <p>15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) Pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.</p> <p>16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4801 et seq.) Which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.</p> <p>17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."</p> <p>18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.</p>
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SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TITLE Supervisor
APPLICANT ORGANIZATION Combined Health District of Montgomery County	DATE SUBMITTED 07/27/06

**U.S. ENVIRONMENTAL PROTECTION AGENCY  
 MBE/WBE UTILIZATION UNDER FEDERAL GRANTS, COOPERATIVE  
 AGREEMENTS, AND INTERAGENCY AGREEMENTS**

**PART 1. (Reports are required even if no procurements are made during the reporting period.)**

<b>1A. FEDERAL FISCAL YEAR</b>  200__7__	<b>1B. REPORTING QUARTER (Check appropriate box)</b>  <input type="checkbox"/> 1 <sup>st</sup> (Oct-Dec) <input type="checkbox"/> 2 <sup>nd</sup> (Jan-Mar) <input type="checkbox"/> 3 <sup>rd</sup> (Apr-Jun) <input type="checkbox"/> 4 <sup>th</sup> (Jul-Sep) <input checked="" type="checkbox"/> Annual																																						
<b>1C. REVISION</b> Year: _____ Quarter: _____	<b>HIGHLIGHT ITEMS TO BE REVISED AND PROVIDE EXPLANATION IN BLOCK No. 6</b>																																						
<b>2A. FEDERAL FINANCIAL ASSISTANCE AGENCY</b> (EPA Office Address - ATTN: DBE Coordinator)  USEPA-Region 5 77 West Jackson Blvd. Chicago, Il 60604-3507		<b>3A. REPORTING RECIPIENT (Name and Address)</b>  Combined Health District of Montgomery County 117 South Main Street Dayton, OH 45422-1280																																					
<b>2B. REPORTING CONTACT</b> (EPA DBE Coordinator)  Richard Cox	<b>2C. PHONE:</b>  312-368-6072	<b>3B. REPORTING CONTACT (Recipient)</b>  Casie Lord	<b>3C. PHONE:</b>  937-225-5939																																				
<b>4A. FINANCIAL ASSISTANCE AGREEMENT ID NUMBER</b> (SRF State Recipients, Refer to Instructions for Completion of 4A, 5A, and 5C)  A-00526407		<b>4B. FEDERAL FINANCIAL ASSISTANCE PROGRAM</b>  66-001																																					
<b>5A. TOTAL ASSISTANCE AGREEMENT AMOUNT</b>  EPA Share: \$ _____  Recipient Share: \$ _474326_____	<b>5B. Check and skip to Block No. 7 if no procurements and accomplishments were made this reporting period.</b>  <input type="checkbox"/>	<b>5C. TOTAL PROCUREMENT AMOUNT THIS REPORTING PERIOD (ONLY include the amount not in any prior reporting period and procurements made by SRF Loan Recipients and Sub-Recipients)</b>  \$ _____51038_____ <p style="font-size: small;">(Exclude procurement amounts reported by Prime Contractors)</p>																																					
<b>5D. ACTUAL MBE/WBE PROCUREMENT ACCOMPLISHED THIS REPORTING PERIOD BY RECIPIENT (SRF State Recipients, Report State Procurement Activities Here)</b> <table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th style="text-align: center;">\$ MBE</th> <th style="text-align: center;">\$ WBE</th> </tr> </thead> <tbody> <tr> <td>Construction</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td>Equipment</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td>Services</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td>Supplies</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td><b>TOTAL</b></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> </tbody> </table>			\$ MBE	\$ WBE	Construction	_____	_____	Equipment	_____	_____	Services	_____	_____	Supplies	_____	_____	<b>TOTAL</b>	_____	_____	<b>5E. ACTUAL MBE/WBE PROCUREMENT ACCOMPLISHED THIS REPORTING PERIOD BY LOAN RECIPIENTS, SUB-RECIPIENTS, AND PRIME CONTRACTORS</b> <table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th style="text-align: center;">\$ MBE</th> <th style="text-align: center;">\$ WBE</th> </tr> </thead> <tbody> <tr> <td>Construction</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td>Equipment</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td>Services</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td>Supplies</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td><b>TOTAL</b></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> </tbody> </table>			\$ MBE	\$ WBE	Construction	_____	_____	Equipment	_____	_____	Services	_____	_____	Supplies	_____	_____	<b>TOTAL</b>	_____	_____
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Supplies	_____	_____																																					
<b>TOTAL</b>	_____	_____																																					
<b>6. COMMENTS:</b>  Budgeted procurement amount for period of 10/01/06 – 09/30/07.																																							
<b>7. NAME OF AUTHORIZED REPRESENTATIVE</b>  John A. Paul		<b>TITLE</b>  Supervisor																																					
<b>8. SIGNATURE OF AUTHORIZED REPRESENTATIVE</b>  		<b>DATE</b>  07/27/06																																					



### PROCUREMENT SYSTEM CERTIFICATION

**APPLICANT'S NAME**

Combined Health District of Montgomery County

**ASSISTANCE APPLICATION NUMBER**

A-00526407

**APPLICANT'S ADDRESS**

117 South Main Street, Dayton, OH 45422-1280

#### SECTION I - INSTRUCTIONS

The applicant must complete and submit a copy of this form with each application for EPA Assistance. If the applicant has certified its procurement system to EPA within the past 2 years and the system has not been substantially revised, complete Part A in Section II, then sign and date the form. If the system has not been certified within the past 2 years, complete Part B, then sign and date the form.

#### SECTION II - CERTIFICATION

**A.** I affirm that the applicant has within the past 2 years certified to EPA that its procurement system complies with 40 CFR Part 31 and that the system meets the requirements in 40 CFR Part 31. The date of the applicant's latest certification is: MONTH/YEAR

**B.** Based upon my evaluation of the applicant's procurement system, I, as authorized representative of the applicant: *(Check one of the following:)*

**1. CERTIFY that the applicant's procurement system will meet all of the requirements of 40 CFR Part 31 before undertaking any procurement action with EPA assistance**

Please furnish citations to applicable procurement ordinances and regulations

**2. DO NOT CERTIFY THE APPLICANT'S PROCUREMENT SYSTEM.** The applicant agrees to follow the requirements of 40 CFR Part 31, including the procedures in Appendix A, and allow EPA preaward review of proposed procurement actions that will use EPA assistance.

TYPED NAME AND TITLE  
John A. Paul, Supervisor

SIGNATURE

DATE  
07/27/06



United States Environmental Protection Agency  
Washington, D.C.

### Certification Regarding Debarment, Suspension, and Other Responsibility Matters

The prospective participant certifies to the best of its knowledge and belief that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three year period preceding this proposal been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

I understand that a false statement on this certification may be grounds for rejection of this proposal or termination of the award. In addition, under 18 USC Sec. 1001, a false statement may result in a fine of up to \$10,000 or imprisonment for up to 5 years, or both.

John A. Paul, Supervisor

Typed Name & Title of Authorized Representative

Signature of Authorized Representative

07/27/06

Date

I am unable to certify to the above statements. My explanation is attached.



Washington, DC 20460  
 Preaward Compliance Review Report for  
 All Applicants Requesting Federal Financial Assistance

FORM Approved  
 OMB No. 2090-0014  
 Expires: 4-30-99

Note: Read Instructions before completing form.

<b>I. A. Applicant (Name, City, State)</b>  Combined Health District of Montgomery County 117 South Main Street Dayton, OH 45422-1280	<b>B. Recipient (Name, City, State)</b>  Same as Applicant	<b>C. EPA Project No.</b>  A-00526407
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**II. Brief description of proposed project, program or activity.**

Air Pollution Control Program covering six Ohio counties, including Miami, Montgomery, Darke, Clark, Greene, and Preble.

**III. Are any civil rights lawsuits or complaints pending against applicant and/or recipient? If yes, list those complaints and the disposition of each complaint.**

Yes  
 No

**IV. Have any civil rights compliance reviews of the applicant and/or recipient been conducted by any Federal agency during the two years prior to this application for activities which would receive EPA assistance? If yes, list those compliance reviews and status of each review.**

Yes  
 No

**V. Is any other Federal financial assistance being applied for or is any other Federal financial assistance being applied to any portion of this project program or activity? If yes, list the other Federal Agency(s), described the associated work and the dollar amount of assistance.**

Yes  
 No

**VI. If entire community under the applicant's jurisdiction is not served under the existing facilities/services, or will not be served under the proposed plan, give reasons why.**

VII. Population Characteristics	Number of People
1. A. Population of Entire Service Area	1,046,204
B. Minority Population of Entire Service Area	176,377
2. A. Population Currently Being Served	1,046,204
B. Minority Population Currently Being Served.	176,377
3. A. Population to be Served by Project, Program or Activity	1,046,204
B. Minority Population to be Served by Project, Program or Activity	176,377
4. A. Population to Remain Without Service	0
B. Minority Population to Remain With Service	0

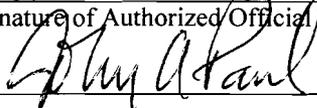
**VIII. Will all new facilities or alterations to existing facilities financed by these funds be designed and constructed to be readily accessible to and usable by handicapped person? If no, explain how a regulatory exception (40 CFR 7.70) applies.**

Yes  
 No

**IX. Give the schedule for future projects, programs or activities (or of future plans), by which services will be provided to all beneficiaries within applicant's jurisdiction. If there is no schedule, explain why.**

The schedule for this project is October 1, 2006 – September 30, 2007.

X. I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

A. Signature of Authorized Official 	B. Title of Authorized Official Supervisor	C. Date 07/27/06
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**For the U.S. Environmental Protection Agency**

<input type="checkbox"/> Approved	Authorized EPA Official	Date
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## REGIONAL AIR POLLUTION CONTROL AGENCY

Serving Clark, Darke, Greene, Miami, Montgomery & Preble Counties

117 South Main Street, Dayton, Ohio 45422-1280

937-225-4435 — Fax: 937-225-3486

[www.rapca.org](http://www.rapca.org)

July 27, 2006

Mr. Richard Cox  
Ohio Project Officer  
USEPA – Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604-3507



Dear Mr. Cox:

Please find RAPCA's 2007 federal grant application enclosed with all assurances. I have also included the Federal Cash Transaction reports for PM-98577203-0 and A-00526406-2.

If you have any questions, please feel free to contact me at (937) 225-5939 or [lordca@rapca.org](mailto:lordca@rapca.org).

Sincerely,

Casie Lord  
Office Supervisor

Enclosures