

Performance Track Regulatory and Administrative Incentives

Membership in Performance Track provides you with regulatory and administrative benefits. EPA has established the policy to recognize facilities with strong environmental performance and commitments to go beyond regulatory requirements. In addition to the recognition, marketing the regulatory and administrative incentives that Performance Track offers to key decision-makers within your facility and company should help you build the consensus you need to apply for Performance Track. Currently, there are several federal incentives in place, and others in various stages of development. Cooperation with state agencies is often required in order to successfully deliver these incentives to program members. In addition, some states may offer incentives to Performance Track members beyond what is offered at the federal level. To view additional information on regulatory and administrative incentives, you can visit www.epa.gov/performance-track/benefits/regadmin.htm.

The following is a summary of incentives already implemented by EPA:

The incentives available now are reduced reporting frequency for minor air sources, flexible air permits, an expedited NPDES permit renewal process, more favorable terms for Clean Water State Revolving Fund loans, facilitating existing NPDES permitting flexibilities, reduced facility self inspections, an extended accumulation time for storing hazardous waste, a low priority for routine inspections, and Green Suppliers review discounts.

Air Incentives

- **Reduced Reporting Frequency for Minor Air Sources**—This provision reduces the frequency of reports required under the Maximum Achievable Control Technology (MACT) provisions of the Clean Air Act such that semi-annual reports may be submitted annually. The rule also allows for submitting an annual certification in lieu of an annual report in some circumstances. More information is available

in the EPA fact sheet (see www.epa.gov/performance-track/benefits/regadmin/mact_factsheet.pdf).

- **Flexible Permits**—EPA is proposing revisions to the Title V and new source review programs under the Clean Air Act. The proposed revisions would make more broadly available a new approach to air permitting known as a "flexible air permit." EPA has already developed a number of flexible air permits for Performance Track facilities that are "major sources." The flexible permits typically include provisions that approve certain types of changes that would otherwise require a major permit modification. Facilities with flexible permits usually can make pre-approved changes, based on business conditions, without having to amend their permit. Flexible permits save facilities and states time and money. EPA intends to hold informational workshops and allocate implementation resources for the final rule on a priority basis to Performance Track facilities. Resources and tools designed to assist Performance Track facilities in capturing the opportunities provided through flexible air permits may include education and outreach, technical resources and expertise through identified points of contact. A copy of the proposed rule and a fact sheet on flexible permitting can be found at <http://epa.gov/nsr/actions.html#aug07> and from the Performance Track website.

Water Incentives

- **Expedited NPDES Permit Reviews**—Performance Track staff works with EPA's Office of Water on the implementation of a policy to expedite the review of National Pollutant Discharge Elimination System (NPDES) permits held by Performance Track members. Performance Track contacts members whose NPDES permits are about to expire to discuss opportunities for expedited permit review.
- **Clean Water State Revolving Fund Program**—EPA encourages states to provide more favorable terms to Performance Track facilities in their Clean Water State Revolving Fund (CWSRF) programs.



CWSRF programs use a combination of federal and state contributions to make low interest loans to interested parties for a variety of water quality projects dealing with municipal wastewater treatment projects, non-point sources, watershed protection or restoration, and estuary management. The incoming loan repayments are “recycled” into new loan disbursements for other water-related projects. The CWSRF loans can help Performance Track facilities achieve environmental commitments that are important to state and local environmental priorities. The support also could encourage facilities to increase their community involvement, perhaps helping to link facilities with watershed groups. Working with Performance Track facilities also allows states to support activities that are beyond regulatory requirements. More information is available in the EPA fact sheet (see www.epa.gov/owm/cwfinance/cwsrf/performance-track.pdf).

- **Facilitating Existing Flexibilities**—Performance Track has been working with several Performance Track members to facilitate the use of existing NPDES permitting flexibilities. These discussions include one or some combination of the following -- coordinated or balanced effluent and ambient monitoring, reduced effluent monitoring frequency, reduced reporting frequencies, expedited review of a facility’s NPDES permit, and single point of contact in state and Region.

Waste Incentives

- **Less Frequent Self-inspections for Performance Track Facilities**—This regulation provides Performance Track Resource Conservation and Recovery Act (RCRA) facilities the opportunity to reduce self-inspections of certain types of hazardous waste units from daily or weekly to monthly. More information is available in the EPA Fact Sheet (see www.epa.gov/performance-track/benefits/regadmin/BRule_factsheet4-17-06.pdf).
- **Extended Hazardous Waste Accumulation Time**—This regulation allows large quantity generators of hazardous waste who are Performance Track members up to 180 days, and in some cases 270 days, to accumulate their hazardous waste without an RCRA permit or interim status. Facilities must notify their state to use this incentive. More information is available in the EPA Fact Sheet (see www.epa.gov/performance-track/benefits/regadmin/factsheetRCRA.pdf).

Other Incentives

- **Low Priority for Routine Inspections**—Performance Track facilities are given a low priority for routine inspections by EPA. Senior enforcement officials in each EPA region are responsible for ensuring that this policy is implemented and appropriately incorporated into internal planning and accountability processes, as well as planning processes with states and localities.
- **Green Suppliers Review Discounts**—EPA’s Performance Track program is partnering with the Green Suppliers Network to offer PT member manufacturing facilities a discounted rate for Green Supplier reviews. Each review will provide Lean and Clean training as well as technical assistance to the staff of the PT member facility. Manufacturers will be trained in the use of the Lean and Clean tools through their practical application to a product or process line in the facility. Following the review and training, the facility will receive a report that identifies opportunities for improvement. These can be used as starting points for new PT goals. The normal fee for a Green Suppliers review is \$6,500 for a manufacturing facility, and \$4,500 if the facility employs 500 or fewer people. For this partnership, up to nine PT facilities can obtain a GSN review at the reduced rate of only \$2,500 per facility (if it has 500 or fewer employees) or \$4,500 for facilities with 500 or more employees. For further information about GSN, see <http://www.epa.gov/greensuppliers/>.

Other State and Partnership Program Incentives

EPA’s Performance Track program is working with state partners to streamline state program application and reporting processes, reduce regulatory and administrative burdens placed on members, and develop and deliver meaningful facility-specific incentives that encourage higher levels of performance. To memorialize these partnerships, EPA has signed a Memorandum of Agreement (MOA) with twelve states—Colorado, Georgia, Maine, Massachusetts, Mississippi, Missouri, Tennessee, Texas, Utah, Virginia, Washington, and Wisconsin.