



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

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OFFICE OF  
AIR, NOISE, AND RADIATION

MEMORANDUM

SUBJECT: Status Report on ONAC Phase-Out Activities as of February 1, 1982

FROM: John M. Ropes, Director  
Office of Noise Abatement and Control

TO: Mrs. Kathleen M. Bennett  
Assistant Administrator  
for Air, Noise and Radiation

This report is intended to keep you apprised of our progress in phasing out the Noise Program. I am happy to report that we are experiencing excellent progress and, for the most part, are ahead of our original schedule for the bulk of ONAC activities to be completed. This is largely due to the professionalism that ONAC staff have exemplified during a very uncertain period of time. Similarly, much of our success has been due to the support of your office.

On the whole, the phase-out is progressing extremely well in spite of the considerable amount of time we devote to assisting employees with their outplacement efforts. However, this was foreseen in our planning and does not represent any real problem nor does it place our progress in jeopardy. We have every reason to believe that our progress will continue on schedule.

The only problem we face is in the area of formal Agency clearance of the proposed withdrawal from regulatory activities and standard setting. It is potentially possible that the "Red-border process" will consume more time than we had originally planned for such activities. Perhaps, the Agency should consider assigning a higher, more immediate, priority to the review and clearance of deregulatory actions as opposed to new regulations which are not constrained by phase-out time schedules.

Following is a brief summary of the phase-out actions we have accomplished so far. I hope you will find the information useful and, should you desire additional details, I would be pleased to provide them.

TECHNOLOGY & FEDERAL PROGRAMS DIVISION

Programs Already Phased Out

During the 1st quarter of FY '82 we phased out the following programs:

- \* The Quiet House Demonstration

- \* The Industrial and Construction Equipment Demonstration
- \* The Occupational Noise Program

All of the above programs have been completed and/or terminated. Approximately \$180,000 remains unspent in the Quiet House Demonstration. After closing costs, we expect a savings to the Government of approximately \$150,000. No funds remain in the other two programs.

- \* The Quiet Truck Demonstration

All work has been stopped on the Quiet Truck Demonstration with the exception of the preparation and review of the final reports. This will be completed by mid-February. Approximately \$80,000 remains unspent. After closing costs we expect to recover \$50,000 for the Government.

#### Programs Phasing Out

We are in the process of phasing out the following programs:

- \* The Quiet Tire Program
- \* The Quiet Engine Program
- \* The Aviation Noise Study

The Quiet Tire Program is proceeding according to schedule and will be completed this spring. Should we lose the project officer before that time, the Department of Transportation has agreed to take over the technical management of the contract. The Quiet Engine Program will be completed by June. Again, if necessary, the U.S. Army Construction Engineering Laboratory has agreed to assume this project. The National Science Foundation is expected to continue some of the work and we are considering a transfer of equipment purchased for this project to that Agency.

The Aviation Noise Study that began several years ago is in its final phase. The summary report will be available by March with back-up documentation completed early this summer.

The Technology and Federal Programs Division will be collapsed early in February. The remaining five employees will be assigned to other ONAC Divisions. Divisional files and records are being closed out accordingly and prepared for final disposition. All files other than ongoing program files will be boxed and shipped to the Federal Records Center for archiving. Files of ongoing programs will be boxed and shipped to the Federal Records Center during the spring and summer as the programs close out administratively.

STATE AND LOCAL PROGRAMS DIVISION

Coupled with the withdrawal of Federal Noise Regulations, returning the Noise Program to the States is our highest priority. Thus, our program emphasis must be to provide as much assistance as we can to States during the final months of this fiscal year. If States are to maintain their programs, they must be as adequately prepared to do so as possible. In that regard, we will continue to strengthen States' programs to the extent resources and time will allow. Our actions in this area can be listed under 2 main headings:

1. State Program Assistance
2. Buy Quiet

State Assistance

The principal activities under this heading are:

1. Direct involvement with States to help strengthen their noise control programs,
2. Providing direct and indirect technical assistance, and
3. Providing equipment, training and technical/educational publications.

In October 1981, we held a meeting with 24 States that have active noise control programs. The primary focus of the meeting was on the continuation of those programs and the types of assistance EPA could provide to accomplish that goal as well as on the steps the States will have to take to preserve and enhance their programs. Of the 24 States represented, 22 have submitted written appraisals of their current and projected condition relative to growth, budget and legislative or executive support.

- \* 15 States requested specialized assistance from EPA in designing public support programs in establishing advisory committees and other guidance.
- \* 21 States requested training assistance of various types.
- \* 19 States submitted a list of equipment leased or owned and a list of equipment needed.
- \* 24 States submitted requests for published EPA materials.

Follow-up discussions were held by phone with all States requesting assistance to determine the best plan of action for each State. As a result, an assistance plan was developed for each State. To date:

- \* Six site visits have been conducted by ONAC staff with contractor support in response to the 15 States requesting specialized assistance. Visits to the remaining nine States will be conducted through the spring and early summer.

- \* Nine State training sessions have already been conducted with 16 more scheduled for the remainder of this fiscal year. Approximately 500 State and local noise officials will be trained.
- \* Approximately \$1.5 million in equipment will be made available to States, localities and universities from ONAC and the Regional Offices. By early March, all of the Regional Offices will have transferred their equipment under Revocable License Agreements. We intend to pursue a more permanent transfer of this equipment to the States.
- \* We have completed 17 of 21 publications designed to assist the States with their programs. The remaining four will be completed within the next four months as will the plans for dissemination. In addition, we have distributed almost 80,000 publications of general interest, educational program materials, and technical documents since November 1, 1981. Apart from the 56 bulk mailings to those requesting material, this office responded to almost 700 individual requests. This represents a real dollar savings to the Agency as well as a sizable investment in publications that will assist States in their programs.

We will be continuing to monitor the progress of our State Cooperative Agreements through the remainder of FY-1982. We currently have 20 State Cooperative Agreements in place which will terminate by that time.

The National ECHO (Each Community Helps Others) Program, managed by the National League of Cities will continue to provide direct, on-site assistance to communities and cities. During the first quarter of FY-1982, over 90 persons received training from 18 communities and over 60 communities received technical assistance. Under the airport ECHO program we have also scheduled assistance for eight noise impacted airport communities during the remaining months of this fiscal year.

In addition, we are encouraging State Noise Programs to become involved with the Federal Aviation Administration's grant program to study communities impacted by aircraft noise. Those States targeted for FAA assistance are current ONAC Cooperative Agreement holders. We will be following up with interested States to help them through the FAA grant process and will provide them with administrative and technical support.

Finally, 15 new State ECHO projects have been established by the States--demonstrating the continuation of recent momentum; and, in the past three months, State agencies have provided technical assistance to over 70 communities.

#### Buy Quiet Program

The Buy Quiet Program represents a market-incentive approach to noise control. In this regard, the marketplace of manufacturers responds to the

marketplace of users who establish limits and purchase specifications on products they will buy. One of the purchase specification considerations is noise. Experience has shown that, once sensitized to the public's interest in quiet products, purchasing agents for States, cities and the private sector will establish noise purchase specifications which provide an incentive to manufacturers to produce quieter products. Currently, 96 State and local jurisdictions are participating in the Buy Quiet Program under the aegis of ONAC and the National Institute for Governmental Purchasing (NIGP).

Our principal focus is on the institutionalization of the Buy Quiet Program at the State and local governmental level and within the quasi-public and private sectors. In the remainder of the time allotted to the program we will emphasize the following activities:

1. Expand the marketability of Buy Quiet by integrating it into NIGP's overall service to members--who are purchasing agents for States and localities;
2. Enlist the support of State and local agencies who use products to influence purchasing agents to include Buy Quiet in their purchase specifications--this will be accomplished through direct contacts, workshops and conferences;
3. Expanding use of the Buy Quiet theme to business and industry through presentations to associations and representative organizations of major purchasers of equipment;
4. Preparation and dissemination of a Buy Quiet concept paper which will stand the test of time and which can be provided to States, localities and business and industry.

By the end of the fiscal year, we anticipate that we will have taken all necessary and available steps to ensure the continuation of the Buy Quiet concept. It is difficult to quantify the dimensions of our efforts in this area. However, a final report on the program will reflect a growth in the number of jurisdictions participating and in the number of quasi-public and private sector agencies and organizations which have participated.

#### STANDARDS AND REGULATIONS DIVISION

We have made considerable progress on our phase-out plan for standards and regulations. The apparent realization that we can retract and withdraw from rulemaking in favor of State and local controls has added momentum and, barring any legal difficulty, we will accomplish the objectives we have established for the phase-out. At this time, we are actually ahead of schedule in the phase-out of this aspect of the Noise Program. Our specific accomplishments during the past three months are as follows:

1. The final package for deferring the 80 dB Standard for Medium and Heavy Duty Trucks for a three year period beginning January 1, 1983 to January 1, 1986 is currently awaiting a decision by the Administrator.

2. The final package including Federal Register notice and Action Memo for the withdrawal of the Motorcycle Test Amendment was forwarded to your office on January 22. Since it has been reviewed by OGC and OPM staff, we anticipate favorable Agency review during red-border.
3. The final package including Federal Register notice and Action Memo for the withdrawal of the Interstate Rail Carrier Property Line and Refrigeration Car Regulations was submitted to your office on January 22. Since it also has been reviewed by both OGC and OPM staff, we anticipate favorable Agency review during red-border.
4. We have prepared all documentation and a draft notice for the Federal Register which combines the proposed withdrawal of the proposed regulations for Wheel and Crawler Tractors and Buses. The notice also proposes the removal of these two products from the immediate regulatory action list of major noise sources. Similarly, the combined notice proposes to remove Power Lawnmowers, Truck Transport Refrigeration Units, Pavement Breakers and Rock Drills from the same list. The draft notice has completed two reviews by OGC. OPM has not yet completed its review of the draft. We anticipate submission of a final package to you by February 22 for your review and introduction to OMB and the Agency red-border process.
5. We have prepared the necessary documentation and a draft of a Federal Register notice to rescind the Garbage Truck Regulation and to remove Garbage Trucks from the regulatory action list of major noise sources. The package is currently undergoing its first OGC review. We anticipate that this package with Action Memo will be in your office by February 22.
6. With the exception of ongoing withdrawal actions, all program files have been catalogued and packed for storage in the archives. Active files and documents will be packed following final Agency rulemaking action.
7. All appropriate documents (Standards and Regulations Reports/Publications) have been submitted to the National Technical Information Service (NTIS) with complete annotated bibliography.

#### Remaining Activities

We have yet to complete:

1. The withdrawal of the proposed regulations pertaining to Special Local Determinations for Interstate Motor Carriers;
2. The withdrawal of the proposed regulations pertaining to Special Local Determinations for Interstate Rail Carriers.

3. The docket analysis and preparation of the final withdrawal packages for products described in items 4 and 5 above.

#### SCIENCE ADVISORY STAFF

Traditionally, the Science Advisory Staff undertook projects of a long-range scientific nature. Thus, the implementation time required for these projects is somewhat protracted and subject to close scrutiny. In addition to 21 ongoing projects, four new major projects were contemplated prior to the phase-out. Since we began phasing out, the four contemplated projects were cancelled and 12 of the 21 ongoing projects were completed and arrangements for dissemination have been made.

Of the remaining nine ongoing projects, there are no further activities planned or anticipated on three of them except for final dissemination; one has been handed off to the Ontario Ministry of the Environment. We will continue to consult on that project as needed through September 30, 1982; three will be disseminated by the authors of these reports in a series of papers with no further EPA dissemination; one will appear as a publication of the National Institute for Occupational Health and Safety (NIOSH) and we are currently seeking a program sponsor for the final project.

Ancillary activities such as program monitoring, voluntary interactions with outside organizations and other Federal Agencies have been drastically curtailed. Current staff priorities are to complete unfinished business and to bring the remaining projects to final dissemination.

#### PLANS AND PROGRAMS STAFF

As part of the immediate Office of the Director, the Plans and Programs Staff has been extremely busy with the details of physically closing ONAC down, managing personnel actions, arranging for shipping and storage of literally hundreds of boxes and cartons containing records and documents, furniture and property surplus inventories, and the normal duties of house-keeping, program analysis, planning and coordination.

#### Personnel Reductions

We have made considerable progress in the area of reducing the number of employees at ONAC. This has been accomplished completely through retirements and a vigorous outplacement program managed by the Office of the Director. Elements of our outplacement program are:

- \* Job counseling with employees by senior ONAC staff experienced in personnel matters.
- \* Arranging for interviews both within EPA and outside with other Federal agencies and the private sector for employees desiring such service;

- \* Conducting interview training programs for employees who are actively seeking employment elsewhere;
- \* Conducting a training program in legal terminology for secretaries who will interview for jobs in that specific area;
- \* Management intervention with prospective employers. ONAC officials have personally intervened on behalf of those seeking employment with specific potential employers;
- \* Assistance in preparation of personal resumes for employees and preparation of effective SF 171's;
- \* Contacting other Federal Agencies who are in a hiring mode such as the Department of the Army and the Department of the Navy on behalf of employees actively seeking employment in those areas;
- \* Constant tracking of job openings and what happens to employees who apply for posted openings;
- \* Arranging for private employment agencies to interview ONAC personnel through personal intervention of the Office of the Director;
- \* Pursuing every possible avenue to provide the ONAC employee with skills and training for job seeking and interviewing.

PERSONNEL STATUS

<u>Type of Position</u>	<u>Nov. 1, 1981</u>	<u>Jan. 31, 1982</u>
Permanent Full Time Professional	33	17 /1
Permanent Full Time Secretaries	9	7 /2
Permanent Part Time Professionals	5	3 /3
Permanent Part Time Secretaries	2	1 /4
Temporary Full Time	1	1
Temporary Part Time	<u>1</u>	<u>0</u>
	51	29

Footnotes:

- /1 Includes 1 upcoming retirement. Includes 3 awaiting formal job notice resulting from successful interview.
- /2 Includes 2 awaiting formal job notice resulting from successful interviews.
- /3 Includes 1 awaiting paperwork for transfer to another unit in EPA.
- /4 Includes 1 upcoming retirement.

Note: There were 92 employees on board in February of 1981 at the time ONAC was advised of the Administration's decision to phase out the program.