

Findings of Failure to Submit a Clean Air Act Section 110 State Implementation Plan for Interstate Transport for the 2015 Ozone National Ambient Air Quality Standards (NAAQS)

FACT SHEET

ACTION

- On November 22, 2019, the U.S. Environmental Protection Agency (EPA) found that the following states failed to submit complete interstate transport State Implementation Plans (SIPs) for the 2015 8-hour Ozone National Ambient Air Quality Standards (NAAQS).

State
Maine
New Mexico
Pennsylvania
Rhode Island
South Dakota
Utah
Virginia

- These findings of failure to submit interstate transport SIPs for the 2015 ozone NAAQS establish a 2-year deadline for EPA to promulgate Federal Implementation Plans (FIPs) for these states that address interstate transport of ozone, unless a state submits and EPA approves a SIP addressing these requirements before EPA promulgates its FIP.
- EPA is committed to working with these states to expedite the development and submission of interstate transport SIPs, and to review and act on their submissions in accordance with the requirements of the Clean Air Act (CAA).
- This action does not start a mandatory sanctions clock.

BACKGROUND

- On October 1, 2015, EPA promulgated a new 8-hour ozone NAAQS of 70 parts per billion (ppb), which is met at an ambient air quality monitoring site when the 3-year average of the annual fourth highest daily maximum 8-hour concentration does not exceed 70 ppb.
- Within 3 years of the promulgation of a new or revised NAAQS, the CAA requires all states to submit a SIP demonstrating how it will address its interstate transport of certain air pollutants. If a state fails to submit a complete SIP submission by this deadline, CAA section 110(k)(1)(B) requires that EPA issue a findings of failure to submit within 6 months. For the

8-hour ozone NAAQS, SIPs were due to EPA by October 1, 2018, and, if necessary, findings of failure to submit were due to be issued by EPA by April 1, 2019.

- On September 5, 2019, EPA announced its intention to make findings that certain states have failed to submit complete interstate transport SIPs for the 2015 ozone NAAQS by November 22, 2019.

FOR MORE INFORMATION

- To download this action from EPA's website, go to <https://www.epa.gov/interstate-air-pollution-transport>. The official version of this rule will be published in the Federal Register.
- Today's action and other background information are also available either electronically at <http://www.regulations.gov>, the EPA's electronic public docket and comment system, or in hardcopy at the EPA Docket Center's Public Reading Room. (Docket ID EPA-HQ-OAR-2019-0603).
- The Public Reading Room is located in the EPA Headquarters, Room Number 3334 in the William Jefferson Clinton West Building, located at 1301 Constitution Avenue, NW, Washington, D.C. Hours of operation are 8:30 a.m. to 4:30 p.m. eastern standard time, Monday through Friday, excluding federal holidays.
- Visitors are required to show photographic identification, pass through a metal detector, and sign the EPA visitor log. All visitor materials will be processed through an x-ray machine as well. Visitors will be provided a badge that must be visible at all times.
- For further information about this action, contact Mr. Thomas Uher of EPA's Office of Air Quality Planning and Standards at (919) 541-5534 or by email at Uher.Thomas@epa.gov.