

FACT SHEET

Final Rule - Implementation of the 2008 National Ambient Air Quality Standards for Ozone: State Implementation Plan (SIP) Requirements

Action

- On February 13, 2015, the U.S. Environmental Protection Agency issued a final rule that addresses a range of implementation requirements for the 2008 National Ambient Air Quality Standards (NAAQS) for ground-level ozone. The EPA set the final primary and secondary standards at 0.075 ppm on March 12, 2008.
- Implementation of the ozone standards is a shared responsibility of the EPA and states and tribes. This final rule interprets the requirements of the Clean Air Act (CAA) and includes provisions that give the EPA's partners flexibility to minimize administrative burdens while still ensuring the public health protections achieved by meeting the 2008 ozone standards.
 - The EPA will continue to work closely with states, tribes and communities to provide assistance in implementing the 2008 ozone standards.
- This final action specifically:
 - Establishes due dates for air agencies to submit state implementation plans (SIPs) demonstrating how areas designated as nonattainment for the 2008 ozone NAAQS will meet the standards by the appropriate attainment date;
 - Clarifies attainment dates for each nonattainment area according to its classification (established based on air quality thresholds);
 - Provides guidance on nearly all aspects of the attainment planning requirements for designated nonattainment areas;
 - Revokes the 1997 ozone NAAQS; and
 - Establishes anti-backsliding requirements for areas remaining nonattainment for the 1997 ozone NAAQS.
- The state planning and emissions control requirements addressed in this rule include: attainment demonstrations; reasonable further progress emissions reduction plans; reasonably available control technology; reasonably available control measures; nonattainment new source review; emission inventories; and other implementation-related topics.
- This final rule clarifies the attainment dates for each ozone nonattainment area classification in light of a December 2014 decision by the U.S. Court of Appeals for the D.C. Circuit (the court) vacating the deadlines previously established in the Agency's 2012 Classifications Rule for the 2008 ozone NAAQS.
 - There are 46 areas designated nonattainment for the 2008 ozone NAAQS nationwide. Of those, 36 areas are classified as "Marginal" nonattainment.
- This final rule revokes the 1997 NAAQS for all purposes, including transportation conformity, upon its effective date, which will occur 30 days after publication in the *Federal Register*. The EPA's 2012 Classifications Rule for the 2008 ozone NAAQS previously revoked the 1997 NAAQS for purposes of transportation conformity only. However, that portion of the Classifications Rule was vacated by the court in December 2014.

- In this rule, the EPA is finalizing a number of anti-backsliding measures for areas that remain nonattainment for the 1997 8-hour ozone NAAQS after the 1997 standard is revoked. These anti-backsliding measures will ensure that certain emission controls remain in place and air quality in the nonattainment areas does not get worse after the 1997 standard is revoked, while at the same time minimizing administrative and planning burdens associated with the transition to the more stringent 2008 standard.
- This final rule is focused on implementation-related activities for the 2008 ozone NAAQS. Implementation activities undertaken to meet the 2008 ozone NAAQS are expected to help many areas make progress toward meeting any future revised ozone standards.
 - On November 25, 2014, the EPA proposed to strengthen the ozone NAAQS in order to ensure that the standards meet the requirements of the CAA. The EPA will complete that proposed rulemaking in 2015. In the event EPA takes final action to revise the current (2008) NAAQS, EPA would issue a new implementation rule specific to that future revised NAAQS.
- Ozone pollution has been declining in recent years. From 1990 to 2013, the U.S. has experienced a 23% decline in national average ozone concentrations.
 - Though there is more work to be done, national rules now in place, such as the Tier 3 Vehicle Emission and Fuel Standards Program, will continue to improve air quality and help the states meet the NAAQS.

For Further Information:

- To download a copy of the notice, visit:
<http://www.epa.gov/air/ozonepollution/actions.html#impl>.
- Today's final rule and other background information are also available either electronically at <http://www.regulations.gov>, EPA's electronic public docket and comment system, or in hardcopy at the EPA Docket Center's Public Reading Room.
- The Public Reading Room is located at EPA Headquarters, room number 3334 in the William Jefferson Clinton West Building, 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.
- Materials for this final action can be accessed using Docket ID No. EPA-HQ-OAR-2010-0885.
- Additional information on the 2008 ozone nonattainment areas is available on the EPA Green Book at <http://www.epa.gov/airquality/greenbook/hindex.html>
- For more information on the final rule, contact either Dr. Karl Pepple at (206) 553-1778 or email at pepple.karl@epa.gov or Mr. Butch Stackhouse at (919) 541-5208 or email at stackhouse.butch@epa.gov.