

2015 Ozone National Ambient Air Quality Standard Quick Start Guide for Early Engagement between EPA and Air Agencies

This Checklist lays out a sample timeline of key milestones intended to help EPA and state and local air agencies collaborate early and throughout the state implementation plan (SIP) development process for the 2015 8-hour ozone standard. This tool stems from process improvement discussions between EPA and air agencies where early and frequent communications were identified as key to success in the SIP process. This document seeks to “operationalize” effective communication by providing a timeline for ensuring such discussions occur at pivotal points throughout the SIP process. This “early engagement” is a critical component to supporting air agencies in the development of approvable SIPs and EPA in taking timely action on SIPs. This document is intended to promote efficiency through the SIP process, for both EPA and air agencies.

The Guide is set up as three tables – one for each year different SIP requirements are due (2020, 2021 and 2022) with reference to each other when the timing overlaps (color coded). What is listed below is intended to provide high level suggestions on timing and milestones. Regions are encouraged to use this checklist as a guide and should discuss target dates with air agencies to help air agencies submit approvable SIPs and help EPA act on those SIPs within the statutory timeframes. To the extent this timeline recommends submission of draft SIPs, in addition to the formal submittal, air agencies should use the State Plan Electronic Collaboration System or SPeCS for that purpose.

Table 1. – Checklist for Requirements Due August 3, 2020: Emissions Inventory, Emissions Statements (all areas) and RACT (Moderate & higher)

✓ Date Completed	Action	Responsible Person	Target Date	Notes
Emissions inventory and emission statements (all areas), RACT (Moderate and higher)				
SIP Assignment Subprocess				
	2015 Ozone Designations Effective Date		8/3/2018	
	Final SIP Requirements Rule Published		12/6/2018	
	Assign SIP Lead.	Air Program Manager at EPA (APM)	Oct/Nov 2018	
	Initial Discussions for SIPs due August 2020 between Headquarters and Regions: Regions schedule call with OAQPS contact to review EACH nonattainment area and discuss expectations around control strategy and plan development challenges and opportunities.	SIP Lead at EPA	Dec 2018	
	Assign SIP Team	APM	Dec 2018	

	(i.e., legal, modeling, inventory)			
SIP Preparation Subprocess				
	<p>Conceptual Discussions with Air Agency:</p> <ul style="list-style-type: none"> - Emissions inventory, emission statements, RACT (due August 2020) - Consider beginning discussions on control strategy and attainment demonstration modeling (due August 2021) 	SIP Lead/Team and Air Agency	Jan 2019	
	Ongoing Discussions: (i.e., Establish regular meetings as appropriate; Air agency submits pieces of SIP for informal review as they are completed.)	SIP Lead/Team and Air Agency	Jan 2019 – submittal of early draft	
	Agree on schedule for SIP development: SIP Team should work with air agencies to establish schedule based off of suggested timelines in this Guide.	SIP Lead/Team and Air Agency	March 2019	
	SIP Team: Determine if OAQPS and/or OGC should review draft in addition to SIP Team.	EPA HQ Point of Contact (POC) and SIP Lead	Prior to getting draft SIP for review	
	Early Engagement Draft Submitted: SIP Lead distributes to SIP Team to review.	Air Agency	<p>August 2019 – March 2020</p> <p><u>Anticipated review time:</u> 30 days – most SIPs 60 days – more complex SIPs</p>	One year prior to regulatory due date is a recommended target. Regions should negotiate with air agencies to establish a schedule: a - sooner for certification SIPs b – based on air agency’s regulatory adoption process if state needs to write a regulation (i.e., RACT) c – considering air agency resources.
	Identification of Approvability Issues: SIP Lead brief APM on any potential approvability issues identified by SIP Team and review written comments as necessary.	APM	Sept 2019- April 2020 (1-2 weeks before end of review time)	
	Feedback on Early Engagement Draft:	SIP Lead	Sept 2019– May 2020	

	SIP Lead provides comments to Air Agency and offers to set up conference call.			
	Ongoing discussions (e.g., Discuss how Air Agency is addressing EPA comments, go over schedule.)	SIP Lead/Team and Air Agency		
	Reminder: Begin discussions for 2021 requirements, see Table 2: 15% ROP, NNSR, Attainment Demonstration, RACM, and Basic I/M (Moderate).		Dec 2019	
	Air Agency Public Comment Period Draft Submitted to EPA: SIP Lead distributes to SIP Team for review for possible comment during comment period.	SIP Lead	Jan - May 2020 (2 weeks prior to publication)	Target dates negotiated based on SIP element complexity and/or air agency regulatory process.
	Air Agency Public Comment Period.	Air Agency	Jan – May 2020	Typically 30 days
	Air Agency Public Comment Period Identification of Approvability Issues: SIP Lead briefs APM on any issues, APM decides to comment on record or not.	APM	15 days prior to end of comment period	
	Air Agency Public Comment Period Feedback: SIP Lead gives Air Agency a head’s up, EPA comments on record as appropriate.	SIP Lead	June 2020 at the latest	
	Air Agency shares any substantive comments received during public comment period with EPA.	Air Agency	June – July 2020	
	Ongoing discussions regarding any changes to proposed SIP.	SIP Lead/Team and Air Agency	June – July 2020	
	Emissions inventory, emissions statements, RACT SIP(s) submitted to EPA	Air Agency	August 3, 2020	

Table 2. – Checklist for Requirements Due August 3, 2021: 15% ROP, NNSR, Attainment Demonstration, RACM, and Basic I/M (Moderate)

✓ Date Completed	Action	Responsible Person	Target Date	Notes
15% ROP, NNSR, Attainment Demonstration, RACM, and Basic I/M (Moderate)				
	Assign SIP Lead (if different)	APM	October 2019	
	Initial Discussions for Attainment Plans between Headquarters and Regions: Regions schedule call with OAQPS contact to review EACH nonattainment area and discuss expectations around control strategy and plan development challenges and opportunities.	SIP Lead	Dec 2019	
	Assign SIP Team (i.e., legal, modeling, inventory)	APM	Dec 2019	
SIP Preparation Subprocess				
	Conceptual Discussions with Air Agency: <ul style="list-style-type: none"> - 15% ROP, NNSR, other attainment plan elements required for Moderate areas (due August 2021). - Consider beginning discussions on control strategy and attainment demonstration modeling for Serious areas & above (due August 2022). 	SIP Lead/Team and Air Agency	Dec 2019	
	Ongoing Discussions: (i.e., Establish regular meetings as appropriate; Air agency submits pieces of SIP for informal review as they are completed.)	SIP Lead/Team and Air Agency	Jan 2020 – submittal of early draft	
	Agree on schedule for SIP development: SIP Team should work with air agencies to establish schedule based off of suggested timelines in this Guide.	SIP Lead/Team and Air Agency	March 2020	
	SIP Team: Determine if OAQPS or OGC should review draft in addition to SIP Team.	EPA HQ POC and SIP Lead	Prior to getting draft SIP for review	
	Early Engagement Draft Submitted: SIP Lead distributes to SIP Team to review.	Air Agency	August 2020 – March 2021 Anticipated review time: 30 days – most SIPs 60 days – more complex SIPs	One year prior to regulatory due is a recommended target. Regions should negotiate with air agencies to establish a schedule:

				a - sooner for certification SIPs b – based on air agency’s regulatory adoption process if air agency needs to write a regulation c – considering air agency resources.
	Identification of Approvability Issues: SIP Lead brief APM on any potential approvability issues identified by SIP Team and review written comments as necessary.	APM	Sept 2020 – April 2021 (1-2 weeks before end of review time)	
	Feedback on Early Engagement Draft: SIP Lead provides comments to Air Agency and offers to set up conference call.	SIP Lead	Sept 2020 – May 2021	
	Ongoing discussion (e.g., Discuss how state is addressing EPA comments, go over schedule.)	SIP Lead/Team and Air Agency		
	Reminder: Begin discussions for 2022 requirements, see Table 3: Attainment Plan, RFP with 3% reduction, Enhanced I/M (serious and higher).		Dec 2020	
	Air Agency Public Comment Period Draft Submitted to EPA: SIP Lead distributes to SIP Team for review for possible comment during comment period.	SIP Lead	Jan - May 2021 (2 weeks prior to publication)	Target dates negotiated based on SIP element complexity and/or air agency reg process.
	Air Agency Public Comment Period.	Air Agency	Jan – May 2021	Typically 30 days
	Air Agency Public Comment Period Identification of Approvability Issues: SIP Lead briefs APM on any issues, APM decides to comment on record or not.	APM	15 days prior to end of comment period	
	Air Agency Public Comment Period Approvability Feedback: SIP Lead gives Air Agency a head’s up, EPA comments on record as appropriate.	SIP Lead	June 2021 at the latest	
	Air Agency shares any substantive comments received during public comment period with EPA.	Air Agency	June – July 2021	
	Ongoing discussion regarding any changes to proposed SIP.	SIP Lead/Team and Air Agency	June – July 2021	
	15% ROP, NNSR, attainment plan (Moderate) SIP(s) submitted to EPA.	Air Agency	August 3, 2021	

Table 3. Checklist for Requirements Due August 3, 2022: Attainment Demonstrations, RFP Showing 3% Reduction, Enhanced Vehicle I/M (Serious and higher)

✓ Date Completed	Action	Responsible Person	Target Date	Notes
Attainment demonstration SIPs and RACM, RFP's with 3% reduction, Enhanced I/M (serious and higher)				
	Assign SIP Lead (if different).	APM	October 2020	
	Initial Discussions for Attainment Plans between Headquarters and Regions: Regions schedule call with OAQPS contact to review EACH nonattainment area and discuss expectations around control strategy and plan development challenges and opportunities.	SIP Lead	Dec 2020	
	Assign SIP Team. (i.e., legal, modeling, inventory)	APM	Dec 2020	
SIP Preparation Subprocess				
	Conceptual Discussions with Air Agency: Attainment plan, RFP with 3% reduction, other attainment plan elements required for Serious areas and higher.	SIP Lead(s)/Air Agency	Dec 2020	
	Ongoing Discussions: (i.e., Establish regular meetings as appropriate; Air agency submits pieces of SIP for informal review as they are completed.)	SIP Lead/Team and Air Agency	Jan 2021 – submittal of early draft	
	Agree on schedule for SIP development: SIP Team should work with air agencies to establish schedule based off of suggested timelines in this Guide.	SIP Lead/Team and Air Agency	March 2021	
	SIP Team: Determine if OAQPS or OGC should review draft in addition to SIP Team.	EPA HQ POC and SIP Lead	Prior to getting draft SIP for review	
	Early Engagement Draft Submitted: SIP Lead distributes to SIP Team to review.	Air Agency	August 2021 – March 2022 <u>Anticipated review time:</u> 30 days – most SIPs 60 days – more complex SIPs	One year prior to regulatory due is a recommended target. Regions should negotiate with air agencies to establish a schedule: a - sooner for certification SIPs b – based on air agency's regulatory

				adoption process if air agency needs to write a regulation c – considering air agency resources.
	Identification of Approvability Issues: SIP Lead brief APM on any potential approvability issues identified by SIP Team and review written comments as necessary.	APM	Sept 2021 – April 2022 (1-2 weeks before end of review time)	
	Feedback on Early Engagement Draft: SIP Lead provides comments to Air Agency and offers to set up conference call.	SIP Lead	Sept 2021 – May 2022	
	Ongoing discussion (e.g., Discuss how state is addressing EPA comments, go over schedule.)	SIP Lead/Team and Air Agency		
	Air Agency Public Comment Period Draft Submitted to EPA: SIP Lead distributes to SIP Team for review for possible comment during comment period.		Jan - May 2022 (2 weeks prior to publication)	Target dates negotiated based on SIP element complexity and/or - air agency regulatory process.
	Air Agency Public Comment Period.	Air Agency	Jan – May 2022	Typically 30 days
	Air Agency Public Comment Period Identification of Approvability Issues: SIP Lead briefs APM on any issues, APM decides to comment on record or not.	APM	15 days from receipt of draft	
	Air Agency Public Comment Period Feedback: SIP lead gives Air Agency a head’s up, EPA comments on record as appropriate	SIP Lead	June 2022 at the latest	
	Air Agency shares any substantive comments received during public comment period with EPA.	Air Agency	June – July 2022	
	Ongoing discussion regarding any changes to proposed SIP.	SIP Lead/Team and Air Agency	June – July 2022	
	Attainment plan, RFP with 3% reduction (serious and higher) SIP(s) submitted to EPA.	Air Agency	August 3, 2022	

Resources

2015 Ozone Implementation SIP Requirements Rule (83 FR 62998, December 6, 2018):

- <https://www.epa.gov/ground-level-ozone-pollution/implementation-2015-national-ambient-air-quality-standards-naags-ozone#rule-summary>
- https://www.epa.gov/sites/production/files/2018-11/documents/2015_o3_srr_frn_public_webinar_112018.pdf (November 20, 2018 Webinar)
 - Additional Policies and Programs for Achieving Emissions Reductions (83 FR 63027)
 - Additional Requirements Related to Enforcement and Compliance (83 FR 63028)
 - Ambient Monitoring Requirements (83 FR 63008)
 - Applicability (83 FR 63009)
 - Applicability of Final Rule to Tribes (83 FR 63028)
 - Background Ozone (83 FR 63027)
 - Determining Eligibility for 1-Year Attainment Date Extensions for the 2015 Ozone NAAQS Under CAA Section 181(a)(5) (83 FR 63002)
 - Emissions Inventory and Emissions Statement Requirements (83 FR 63021)
 - Environmental Justice Considerations (83 FR 63029)
 - Fee Programs for Severe and Extreme Nonattainment Areas That Fail to Attain (83 FR 63009)
 - General Nonattainment NSR Requirements (83 FR 63008)
 - International Transport (83 FR 63009)
 - Managing Emissions from Wildfire and Wildland Prescribed Fire (83 FR 63023)
 - Modeling and Attainment Demonstration Requirements (83 FR 63003)
 - Nonattainment NSR Offset Requirement: Interprecursor Trading for Ozone Offsets (83 FR 63016)
 - Redesignation to Nonattainment Following Initial Designations (83 FR 63002)
 - Requirements for an OTR (83 FR 63008)
 - Requirements for Contingency Measures in the Event of Failure to Meet a Milestone or To Attain (83 FR 63026)
 - Requirements for RACM: Consideration of Sources of Intrastate Transport of Pollution (83 FR 63015)
 - Requirements for RACT and RACM G. CAA Section 182(f) NOX Exemption Provisions (83 FR 63008)
 - Requirements for RACT: Deadlines for Submittal and Implementation of RACT SIP Revisions (83 FR 63012)
 - Requirements for RFP (83 FR 63004)
 - Requirements for RFP: Milestone Compliance Demonstrations (83 FR 63011)
 - Submission Deadlines and Form for Nonattainment Area and OTR SIP Elements Due Under CAA Sections 182 and 184 (83 FR 63000)
 - Transportation Conformity and General Conformity (83 FR 63024)

EPA LEAN Thinking and Methods- Kaizen:

- <https://www.epa.gov/lean/lean-thinking-and-methods-kaizen>

Implementation Training and Assistance for State and Local Air Agencies:

- <https://www.epa.gov/ground-level-ozone-pollution/implementation-training-and-assistance-state-and-local-air-agencies>

SIP Checklist Guide:

- <https://www.epa.gov/ground-level-ozone-pollution/state-implementation-plan-sip-checklist-guide>

State Plan Electronic Collaboration System or SPeCS:

- <https://www.epa.gov/air-quality-implementation-plans/submit-sips-online>

Additional References:

Emissions inventory

- 40 CFR 51.30(b)(3) and 40 CFR 51.1315
- <https://www.epa.gov/air-emissions-inventories/air-emissions-inventory-guidance-documents>

Emissions statements

- <https://www.epa.gov/air-emissions-inventories/implementation-emission-statement-program>

RACT

- 40 CFR 51.1312
- <http://www.epa.gov/ttn/caaa/t1/memoranda/ractqanda.pdf>
- <https://www.epa.gov/ozone-pollution/control-techniques-guidelines-and-alternative-control-techniques-documents-reducing>

SIP Revisions and Due Dates for 2015 Ozone NAAQS Nonattainment Areas (Designations Effective August 3, 2018)¹

SIP Revisions Due August 3, 2020						
SIP	Marginal	Moderate	Serious	Severe	Extreme	OTR
Emissions Inventory	X	X	X	X	X	
Emission Statements	X	X	X	X	X	
VOC/NO _x RACT for Major/CTG Sources		X	X	X	X	X
VMT Growth Demonstration (and TCMs if needed)				X	X	
SIP Revisions Due August 3, 2021						
SIP	Marginal	Moderate	Serious	Severe	Extreme	OTR
Nonattainment NSR	X	X	X	X	X	
Attainment Demonstration, RACM and Contingency Measures		X				
15 percent ROP and Contingency Measures		X				
Basic I/M		X				
Clean Fuel for Boilers					X	
SIP Revision Due February 3, 2022 (If Applicable)						
SIP	Marginal	Moderate	Serious	Severe	Extreme	OTR
Clean-Fuel Vehicles Program (or Substitute Provisions)			X	X	X	
SIP Revisions Due August 3, 2022						
SIP	Marginal	Moderate	Serious	Severe	Extreme	OTR
Attainment Demonstration, RACM and Contingency Measures			X	X	X	
RFP and Contingency Measures			X	X	X	
Enhanced I/M			X	X	X	
SIP Revision Due August 3, 2028						
SIP	Marginal	Moderate	Serious	Severe	Extreme	OTR
Section 185 Penalty Fee Program				X	X	

¹ San Antonio, Texas designation effective September 24, 2018. Emissions Inventory and Emission Statements SIP revisions due September 24, 2020. Nonattainment NSR SIP revision due September 24, 2021.

