

Final Determinations of Attainment by the Attainment Date, Extension of the Attainment Date, and Reclassification of Several Areas Classified as Marginal for the 2015 Ozone National Ambient Air Quality Standards

FACT SHEET

SUMMARY OF PROPOSED ACTION

- On September 15, 2022, the U.S. Environmental Protection Agency (EPA) finalized actions for 28 nonattainment areas classified as Marginal for the 2015 ozone National Ambient Air Quality Standards (NAAQS). These areas were required to attain the standards by August 3, 2021.
- Within six months of the attainment date, by February 3, 2022, Clean Air Act (CAA) section 181(b)(2) requires EPA to determine whether these areas attained the standard by the attainment date, and if not, take appropriate actions.
- Based on ozone monitoring data for the years 2018-2020, EPA’s final determinations are:
 - Five areas attained the 2015 ozone NAAQS by August 3, 2021:
 1. Atlanta, GA,
 2. Southern Wasatch Front, UT,
 3. Amador County, CA,
 4. San Francisco Bay, CA, and
 5. Yuma, AZ.
 - Twenty-two areas failed to attain the 2015 ozone NAAQS by August 3, 2021. EPA is reclassifying these areas to Moderate upon the effective date of this action. Each area must now attain the standards by August 3, 2024:
 1. Allegan County, MI
 2. Baltimore, MD
 3. Berrien County, MI
 4. Chicago, IL-IN-WI
 5. Cincinnati, KY
 6. Cleveland, OH
 7. Dallas-Fort Worth, TX
 8. Denver Metro/North Front Range, CO
 9. Greater Connecticut, CT
 10. Houston-Galveston-Brazoria, TX
 11. Louisville, KY
 12. Mariposa County, CA
 13. Milwaukee, WI
 14. Muskegon County, MI
 15. Northern Wasatch Front, UT

16. Pechanga Band of Luiseño Mission Indians of the Pechanga Reservation
17. Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE
18. Phoenix-Mesa, AZ
19. San Antonio, TX
20. Sheboygan County, WI
21. St. Louis, MO-IL
22. Washington, DC-MD-VA

- EPA is also granting Utah’s request for a 1-year attainment date extension to August 3, 2022, for the Uinta Basin, UT, nonattainment area.
- Areas reclassified to Moderate face more stringent CAA requirements designed to achieve attainment of the NAAQS by no later than August 3, 2024. These requirements include stricter permitting requirements, implementing reasonably available control technology for major sources and sources covered by certain EPA guidance documents, Basic vehicle inspection and maintenance (I/M) for urbanized areas, and the submission of a new plan demonstrating how the area will attain expeditiously.
- This final action will require states with reclassified areas to submit State Implementation Plan (SIP) revisions addressing all Moderate area requirements no later than January 1, 2023. Any controls that air agencies determine are needed for meeting CAA requirements must be implemented as soon as possible but no later than January 1, 2023. For required Basic I/M programs, EPA is finalizing an implementation deadline of no later than 4 years after the effective date of reclassification for states that do not intend to rely upon emission reductions from their Basic I/M program in attainment or reasonable further progress (RFP) SIPs. The Pechanga Band of Luiseño Mission Indians of the Pechanga Reservation may, but is not required to, submit tribal implementation plans to EPA for approval. Tribes with lands located in multi-jurisdictional nonattainment areas also may, but are not required to, submit tribal implementation plans to EPA for approval. States seeking more time and flexibility for developing and submitting required SIP revisions for newly reclassified areas may consider requesting a voluntary reclassification to Serious.

BACKGROUND

- On October 1, 2015, EPA strengthened the level of the NAAQS for ozone from 0.075 parts per million (ppm) to a more protective 0.070 ppm.
- Effective on August 3, 2018 (September 24, 2018, for the San Antonio, Texas area), EPA designated 52 areas throughout the country as nonattainment for the 2015 ozone NAAQS, and the areas were classified as either Marginal, Moderate, Serious, Severe, or Extreme depending on the severity of each area’s ozone problems.

- Thirty-nine Marginal areas were required to attain the standards by August 3, 2021, and the San Antonio, Texas area was required to attain the standard by September 24, 2021. As required by section 181(b)(2) of the Clean Air Act, EPA is acting on 28 of these areas in the final rule. EPA will be addressing ten areas in separate actions.
- On April 13, 2022, EPA proposed actions for 31 nonattainment areas classified as Marginal for the 2015 ozone NAAQS.
 - On March 31, 2022, the Manitowoc County, WI nonattainment area was redesignated to attainment. EPA is not finalizing our proposed finding of failure to attain by the attainment date for this area because it is no longer a nonattainment area.
 - On April 29, 2022, the Door County-Revised, WI nonattainment area was redesignated to attainment. EPA is not finalizing our proposed finding of failure to attain by the attainment date for this area because it is no longer a nonattainment area.
 - On June 9, 2022, the Ohio portion of the Cincinnati, OH-KY nonattainment area was redesignated to attainment. EPA is not finalizing our proposed finding of failure to attain by the attainment date for the Ohio portion of this area because it is no longer a nonattainment area.
 - On July 5, 2022, the Indiana portion of the Louisville, KY-IN nonattainment area was redesignated to attainment. EPA is not finalizing our proposed finding of failure to attain by the attainment date for the Indiana portion of this area because it is no longer a nonattainment area.
 - The EPA will be acting on the Detroit, MI nonattainment area in a separate action.

FOR MORE INFORMATION

- To download a copy of the final action, go to EPA's Web site at: <https://www.epa.gov/ground-level-ozone-pollution/2015-ozone-national-ambient-air-quality-standards-nonattainment>.
- The final action and other background information are also available either electronically at <http://www.regulations.gov>, EPA's electronic public docket and comment system.
- To review EPA's environmental justice policies and mandates, please visit: <https://www.epa.gov/environmentaljustice/learn-about-environmental-justice>.
- For further technical information about the rule, please contact Emily Millar with EPA's Office of Air Quality Planning and Standards, at (919) 541-2619 or millar.emily@epa.gov; or Robert Lingard at (919) 541-5272 or lingard.robert@epa.gov.