

Final Disapprovals: “Good Neighbor” State Implementation Plans Addressing Interstate Transport Obligations for the 2015 Ozone National Ambient Air Quality Standards

FACT SHEET

ACTION

- On January 31, 2023, the U.S. Environmental Protection Agency (EPA) took steps to protect air quality in communities affected by harmful ground-level ozone (or “smog”) pollution by determining whether state air quality plans meet Clean Air Act obligations to adequately address emissions that contribute to unhealthy ozone levels downwind. EPA disapproved 19 state implementation plan (SIP) submissions addressing interstate transport for the 2015 ozone National Ambient Air Quality Standards (NAAQS). In addition, EPA partially approved and partially disapproved 2 SIP submissions. The states covered by this final action are:

Alabama	Maryland	New York
Arkansas	Michigan	Ohio
California	Minnesota*	Oklahoma
Illinois	Mississippi	Texas
Indiana	Missouri	Utah
Kentucky	Nevada	West Virginia
Louisiana	New Jersey	Wisconsin*

**Partial Approval/Disapproval*

- EPA’s disapprovals are based on an assessment of the information and analyses provided by states in their individual SIP submissions, comments received, and EPA’s most recent nationwide air quality analysis projecting ozone air quality and contributions in 2023.
- Disapproving these “good neighbor” or “interstate transport” SIP submissions establishes a 2-year deadline for EPA to promulgate a Federal Implementation Plan (FIP) for the affected states to address interstate transport of ozone, unless a state subsequently submits and EPA approves a good neighbor SIP.
- In April 2022, EPA proposed the Good Neighbor Plan for the 2015 Ozone NAAQS – Federal Implementation Plans (FIPs) to address interstate transport of ozone. EPA intends to issue the Final Good Neighbor Plan by March 15, 2023. As currently proposed, these FIPs would begin to achieve NO_x emissions reductions as needed to eliminate significant contribution in the 2023 ozone season.
- States may choose to submit a revised state implementation plan at any time for EPA review, even after EPA has issued its final Good Neighbor Plan.

- 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 SIP elements containing adequate provisions prohibiting significant contribution to nonattainment or interference with maintenance of the NAAQS in other states. For the 2015 8-hour ozone NAAQS, SIP submissions were due to EPA by October 1, 2018.
- On February 22, 2022, EPA proposed to disapprove SIP submissions for 19 states. On May 24, 2022, EPA proposed to disapprove an additional 4 SIP submissions. (EPA reproposed disapproval of Alabama's resubmitted SIP in October 2022.) This is EPA's final action on 21 of these proposed disapproval actions. EPA will take subsequent action to address remaining interstate transport obligations for the 2015 ozone NAAQS at a later time.

FOR MORE INFORMATION

- To download this action from EPA's website, go to <https://www.epa.gov/airmarkets/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-2021-0663).
- 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) 541-0906 or by email at uher.thomas@epa.gov.