

EPA Ozone Implementation and NAAQS Review

Overview:

- 2015 and 2008 ozone NAAQS Implementation.
- NAAQS Review Status.

Ozone NAAQS Implementation Update

- Under CAA section 181(b)(2)(A), EPA must determine whether an area attained the ozone NAAQS by the applicable attainment date.
 - 2008 ozone NAAQS Serious areas had an attainment date of July 20, 2021.
 - 2015 ozone NAAQS Marginal areas had an attainment date of August 3, 2021 (September 24, 2021, for San Antonio).
- On September 15, 2022, the EPA Administrator signed a final rule related to 6 areas classified as Serious for the 2015 8-hour ozone NAAQS.
 - Five Serious nonattainment areas for 2008 NAAQS did not attain:
 - Dallas-Fort Worth, TX; Denver-Boulder-Greeley-Ft. Collins-Loveland, CO; Houston-Galveston-Brazoria, TX (*attainment date extension request denied*); Morongo Band of Mission Indians; New York-N. New Jersey-Long Island, NY-NJ-CT
 - 1 area attained by the attainment date:
 - Greater Connecticut, CT.
- Chicago-Naperville, IL-IN-WI area redesignated to maintenance since proposed reclassification.
- SIP revisions required for the newly reclassified Severe areas must be submitted no later than 18 months after the effective date of reclassification. Controls needed for meeting CAA requirements must be implemented no later than 18 months from the SIP submission deadline (overall 36-month schedule).
- CAA section 185 fee program SIP submittal deadline of 36 months after the effective date of reclassification.

2015 Ozone NAAQS Determinations of Attainment

- On September 15, 2022, the EPA Administrator signed a final rule related to 28 areas classified as Marginal for the 2015 8-hour ozone NAAQS.
 - Five Marginal areas attained the NAAQS by the attainment date:
 - Atlanta, GA; Southern Wasatch Front, UT; Amador County, CA; San Francisco Bay, CA; and Yuma, AZ.
 - One area was granted a 1-year extension of the attainment date:
 - Uinta Basin , UT.
 - 22 nonattainment areas failed to attain the standards by the attainment date:
 - Allegan County, MI; Baltimore, MD; Berrien County, MI; Chicago, IL-IN-WI; 5. Cincinnati, KY portion of OH-KY multistate area; Cleveland, OH; Dallas-Fort Worth, TX; Denver Metro/North Front Range, CO; Greater Connecticut, CT; Houston-Galveston-Brazoria, TX; Louisville, KY portion of KY-IN multistate area; Mariposa County, CA; Milwaukee, WI; Muskegon County, MI; Northern Wasatch Front, UT; Pechanga Band of Luiseño Mission Indians; Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE; Phoenix-Mesa, AZ; San Antonio, TX; Sheboygan County, WI; St. Louis, MO-IL; and Washington, DC-MD-VA.
- Four areas redesignated to maintenance since proposed reclassification;:
 - Cincinnati, OH portion of OH-KY multistate area ; Door County-Revised, WI ; Manitowoc County, WI; and Louisville, IN portion of KY-IN multistate area.
- 10 Marginal areas are being handled in sperate regional office actions
- SIP revisions required for the newly reclassified Moderate areas must be submitted no later than January 1, 2023, and RACM/RACT for these areas must be implemented as expeditiously as practicable, but no later than the same date.
- Basic I/M programs 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 RFP SIPs.

NAAQS Reviews Status (Sept 2022)



	Lead	Ozone	PM ¹	Secondary (Ecological) NO ₂ , SO ₂ , PM ²	Primary NO ₂	Primary SO ₂	CO
Last Review Completed (final rule signed)	Sept 2016	Dec 2020	Dec 2020	Mar 2012	April 2018	Feb 2019	Aug 2011
Recent or Upcoming Major Milestone(s)	<u>April 2022</u> CASAC Consultation on Integrated Review Plan, Vol 2 <u>Early 2023</u> Draft ISA	<u>April 2022</u> Draft PA released	<u>Summer 2022</u> Proposed Rulemaking (anticipated) <u>Spring 2023</u> Final Rulemaking (anticipated)	<u>2023</u> Draft PA with REA Appendices ³	<u>TBD</u> ⁴	<u>TBD</u> ⁴	<u>TBD</u> ⁴

¹ Combined primary and secondary (non-ecological effects) review of PM

² Combined secondary (ecological effects only) review of NO₂, SO₂, and PM

³ REA – Risk and Exposure Assessment; PA – Policy Assessment

⁴ TBD = To be determined

Reconsideration of Ozone NAAQS



- On October 28, 2021, EPA announced that it would reconsider the 2020 decision to retain the existing ozone NAAQS set in 2015, with a final decision on the reconsideration expected by the end of 2023.
- In April 2022, a draft Policy Assessment (PA) for the Ozone Reconsideration was released with the preliminary staff conclusions that it is appropriate to consider retaining the current primary (health-based) and secondary (welfare-based) standards without revision.
- The Clean Air Scientific Advisory Committee (CASAC) postponed its review of the draft PA until it discusses certain scientific issues related to the Integrated Science Assessment (ISA) at meetings scheduled Aug 29, Sept 12, 14 and 16 meetings. Based on these deliberations, the CASAC plans to develop a consensus letter to the Administrator with the CASAC's views on the scientific issues related to the 2020 ISA.
- EPA expects the current deliberations on the science to conclude in early fall and will assess at that time what, if any, modifications to the reconsideration schedule may be needed.

Reconsideration of PM NAAQS

- EPA is reconsidering the December 2020 final decision to retain the PM NAAQS, without revision, because the available scientific evidence and technical information indicate that the current standards may not be adequate to protect public health and welfare, as required by the Clean Air Act.
- EPA released the final Supplement to the 2019 PM Integrated Science Assessment and a final Policy Assessment in May 2022. The CASAC provided advice to the Administrator on drafts of these documents in March 2022.
- In its comments, the CASAC agreed with EPA that the primary (health-based) annual PM_{2.5} standard (currently set at a level of 12 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$)) is “not sufficiently protective of public health” and should be revised. The majority of the CASAC supported revising the level to within the range of 8-10 $\mu\text{g}/\text{m}^3$, while the minority supported revising the level to within the range of 10-11 $\mu\text{g}/\text{m}^3$.
 - The majority of CASAC members disagreed with EPA that the current primary 24-hour PM_{2.5} standard (currently 35 $\mu\text{g}/\text{m}^3$) was adequate and recommended revising the level within the range of 25 to 30 $\mu\text{g}/\text{m}^3$, while the minority recommended retaining the current standard.
- EPA expects to issue a proposed rulemaking in September 2022 and a final rule in Spring 2023, following an open, transparent process with opportunities for public review and comment.