

**Final Rule: Determinations of Attainment by the Attainment Date, Extensions of the Attainment Date, and Reclassification of Several Areas for the 2008 Ozone National Ambient Air Quality Standards**

**FACT SHEET**

**ACTION**

- On April 11, 2016, the U.S. Environmental Protection Agency (EPA) took several final actions related to determinations of whether each of the 36 nonattainment areas classified as Marginal for the 2008 ozone National Ambient Air Quality Standards (NAAQS) attained or failed to attain the standards by the attainment date, or qualified for a one-year attainment date extension.
- The EPA has determined that 17 Marginal areas attained the 2008 ozone standards by the July 20, 2015, attainment date:

Allentown-Bethlehem-Easton, PA	Knoxville, TN
Baton Rouge, LA	Lancaster, PA
Calaveras County, CA	Memphis, TN-MS-AR
Charlotte-Rock Hill, NC-SC	Reading, PA
Chico (Butte County), CA	San Francisco Bay Area, CA
Cincinnati, OH-KY-IN	Seaford, DE
Columbus, OH	Tuscan Buttes, CA
Dukes County, MA	Upper Green River Basin Area, WY
Jamestown, NY	

- The EPA has determined that eight Marginal areas did not attain the 2008 ozone standards by the July 20, 2015, attainment date, but that these areas qualify for a 1-year attainment date extension based in part on their 2014 monitored air quality data:

Cleveland-Akron-Lorain, OH	San Luis Obispo County (Eastern San Luis Obispo), CA
Houston-Galveston-Brazoria, TX	Sheboygan County, WI
Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE	St. Louis-St. Charles-Farmington, MO-IL
Pittsburgh-Beaver Valley, PA	Washington, DC-MD-VA

- The EPA has determined that 11 Marginal areas did not attain the 2008 ozone standards by the July 20, 2015, attainment date, that these areas do not qualify for a 1-year attainment date extension, and that they must be reclassified as Moderate based on their 2012-2014 air quality data:

Atlanta, GA	Mariposa County, CA
Chicago-Naperville, IL-IN-WI	Nevada County (Western part), CA
Denver-Boulder-Greeley-Fort Collins-Loveland, CO	New York, N. New Jersey-Long Island, NY-NJ-CT
Greater Connecticut, CT	Phoenix-Mesa, AZ
Imperial County, CA	San Diego County, CA
Kern County (Eastern Kern), CA	

- In this action, the EPA is also establishing a due date of January 1, 2017, by which states with newly-reclassified Moderate areas must submit State Implementation Plan (SIP) revisions to address Moderate nonattainment area requirements for those areas. The reclassified areas must attain the 2008 ozone standards as expeditiously as practicable, but not later than the Moderate area attainment date of July 20, 2018.
- Finally, for the New York-N. New Jersey-Long Island, NY-NJ-CT, area, the EPA is rescinding the clean data determination issued in June 2012, and is issuing a new SIP call, for the 1997 ozone NAAQS. The states in the New York City area may satisfy the SIP call for the 1997 NAAQS by making timely submittals to meet the Moderate area SIP requirements that now apply to this area for the 2008 ozone NAAQS.
- The EPA will continue to work closely with states responsible for newly-reclassified areas as they prepare SIP revisions to meet Moderate area requirements by the January 1, 2017, due date.

## **BACKGROUND**

- In March 2008, the EPA revised the primary and secondary ozone standards from a level of 0.08 ppm to 0.075 ppm. The EPA later designated 46 areas throughout the country as nonattainment for the 2008 ozone standards, effective July 20, 2012. At that time the EPA also established classifications for the designated nonattainment areas, and classified 36 of those areas as Marginal. The deadline for Marginal areas to attain the 2008 ozone NAAQS was 3 years from the effective date of designation, July 20, 2015.
- The EPA's determination of attainment for 17 areas does not officially change the designation status of any of these nonattainment areas. These areas remain designated nonattainment until the states submit, and the EPA approves, redesignation requests that include 10-year maintenance plans.
- The EPA redesignated the Knoxville, TN, area to attainment effective August 12, 2015. The Agency also redesignated the Charlotte-Gastonia-Rock Hill, NC-SC, area to attainment effective August 27, 2015 (for the NC portion) and January 11, 2016 (for the SC portion). Given that these areas were still designated nonattainment as of July 20, 2015, the EPA is including them among the areas for which the agency is finalizing determinations of attainment by the attainment date.

## **CLEAN DATA DETERMINATION RESCISSION AND SIP CALL FOR NY-NJ-CT AREA FOR THE 1997 OZONE NAAQS**

- Under EPA's Clean Data Policy, EPA may issue a determination of attainment, known as a clean data determination, that an area is attaining the relevant standard. This notice and comment action suspends the area's obligations to submit an attainment demonstration, reasonable available control measures (RACM), reasonable further progress, contingency measures and other planning requirements related to attainment for as long as the area continues to attain.
- On June 18, 2012, the EPA issued a clean data determination for the NY-NJ-CT nonattainment area, suspending the three states' obligations to meet certain attainment-related planning requirements, including submittal of attainment demonstrations, for the 1997 8-hour ozone standards.
- On May 15, 2014 (79 FR 27830), the EPA proposed to rescind the clean data determination for the area based on the fact that the area was no longer attaining the 1997 8-hour ozone standards, and the EPA proposed a SIP Call for the NY-NJ-CT area for the 1997 ozone NAAQS.

### **FOR MORE INFORMATION**

- To download this action from the EPA's website, go to Ozone Regulatory Actions at <https://www.epa.gov/ozone-pollution>.
- 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.
  - The Public Reading Room is located at the EPA Headquarters, room number 3334 in the EPA 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 these final actions can be accessed using Docket ID No. EPA-HQ-OAR-2015-0468
- For further information about this action, contact either Mr. Cecil (Butch) Stackhouse at (919) 541-5208 or by email at [stackhouse.butch@epa.gov](mailto:stackhouse.butch@epa.gov), or Mr. H. Lynn Dail at (919) 541-2363 or by email at [dail.lynn@epa.gov](mailto:dail.lynn@epa.gov), both of the EPA's Office of Air Quality Planning and Standards.