

Final Determinations of Attainment by the Attainment Date, Extension of the Attainment Date, and Reclassification of Several Areas Classified as Serious for the 2008 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 six nonattainment areas classified as Serious for the 2008 ozone National Ambient Air Quality Standards (NAAQS). These areas were required to attain the standards by July 20, 2021.
- Within six months after the attainment date, by January 20, 2022, Clean Air Act (CAA) section 181(b)(2) required 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:
 - The Greater Connecticut, CT, area attained the 2008 ozone NAAQS by the attainment date.
 - Five areas failed to attain the 2008 ozone NAAQS by the attainment date. Upon the effective date of this final action—30 days after publication in the *Federal Register*—as required by the CAA, EPA is reclassifying these areas as Severe nonattainment. Each area will have until July 20, 2027, to achieve the standards:
 1. Dallas-Fort Worth, TX
 2. Denver-Boulder-Greeley-Ft. Collins-Loveland, CO
 3. Houston-Galveston-Brazoria, TX
 4. Morongo Band of Mission Indians, CA
 5. New York-N. New Jersey-Long Island, NY-NJ-CT
- EPA is denying Texas’s request for a 1-year attainment date extension for the Houston-Galveston-Brazoria, Texas, nonattainment area. As a result, EPA is reclassifying the area as Severe.
- Areas reclassified to Severe face more stringent CAA requirements designed to aid them in attaining the 2008 ozone NAAQS by no later than July 20, 2027. These requirements include expanding the set of major stationary sources that must adopt reasonably available emission controls and that are subject to new source and modified permitting provisions, additional mobile source controls, and the submission of a new plan demonstrating how the area will attain as quickly as possible. Additionally, the CAA requires that reformulated gasoline be sold in areas reclassified as Severe no later than one year after the effective date of the reclassification.

- This final action will require these states to submit State Implementation Plan (SIP) revisions addressing all Severe area requirements no later than 18 months after the effective date. Any emission controls air agencies determine are needed for meeting CAA requirements must be implemented as soon as possible but no later than 18 months from the SIP submission deadline.
- For the Morongo Band of Mission Indians nonattainment area, the Morongo Tribe may, but is not required to, submit implementation plans to EPA for approval.

BACKGROUND

- On March 27, 2008, EPA strengthened the NAAQS for ozone from an 8-hour average concentration of 0.08 parts per million (ppm) to a more protective 0.075 ppm.
- Effective on July 20, 2012, EPA designated 46 areas throughout the country as nonattainment for the 2008 ozone NAAQS, and the areas were classified as either Marginal, Moderate, Severe or Extreme depending on the severity of each area's ozone problems. Serious nonattainment areas were required to attain the standard by July 20, 2021.
- As of July 20, 2021, nine areas were classified as Serious nonattainment for the 2008 ozone NAAQS. Two of these areas were classified as Serious at the time of initial designations (July 20, 2012) and six of these areas were reclassified to Serious nonattainment after failing to meet the July 20, 2018, Moderate area attainment date.
- On April 13, 2022, EPA proposed actions for seven nonattainment areas classified as Serious for the 2008 ozone NAAQS.
 - On April 11, 2022, the Wisconsin portion of the Chicago-Naperville, IL-IN-WI, 2008 ozone nonattainment area was redesignated to maintenance. On May 20, 2022, the Illinois and Indiana portions of the Chicago-Naperville, IL-IN-WI, 2008 ozone nonattainment area were redesignated to maintenance. EPA is not finalizing our proposed finding of failure to attain by the attainment date for any portion of this area because it is no longer a nonattainment area.

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/2008-ozone-national-ambient-air-quality-standards-naags-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 Robert Lingard with EPA's

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