

Final State Implementation Plan Submittal Deadlines and Implementation Requirements for Reclassified Nonattainment Areas Under the Ozone National Ambient Air Quality Standards

FACT SHEET

ACTION

- On January 3, 2025, the U.S. Environmental Protection Agency (EPA) issued a final rule to streamline state planning and air quality protection requirements under the current and any future ozone National Ambient Air Quality Standards (NAAQS). This final rule will protect public health by clarifying steps needed to assure air quality standards are attained and maintained as required by the Clean Air Act (CAA).
- This final rule establishes:
 - universal default deadlines for submitting state implementation plan (SIP) revisions and for implementation of relevant control requirements that will apply for reclassified Moderate, Serious, and Severe nonattainment areas.
 - that, following reclassification, a state is no longer required to submit SIP revisions addressing certain requirements related to a nonattainment area's prior classification, referred to as "leftover" SIP requirements.
- EPA is not reclassifying any ozone nonattainment areas as part of this action.
- The default deadlines will apply when an area fails to attain the standard by the applicable attainment date or if EPA grants a voluntary reclassification request. These default deadlines will apply to nonattainment areas reclassified as Moderate, Serious, or Severe only where the initial applicable deadline has passed, or is less than 18 months after the effective date of such a reclassification.
- The default SIP submission deadline for reclassified areas is the sooner of 18 months from the effective date of the reclassification or January 1 of the new classification attainment year. For SIP revisions addressing CAA section 185 fee programs for reclassified Severe areas, the default submission deadline is the sooner of 36 months after the effective date of reclassification or January 1 of the new classification attainment year. The default submission deadlines can be adjusted, if necessary and appropriate, through separate notice-and-comment actions.
- The default implementation deadline for reasonably available control technology (RACT) SIP requirements for reclassified areas is the sooner of 18 months after the SIP submission deadline or the beginning of the ozone season associated with the new classification attainment year. The default RACT deadline can be adjusted, if necessary and appropriate, through separate notice-and-comment actions.

- The default implementation deadline for reclassified areas newly required to implement a Basic or Enhanced vehicle inspection and maintenance (I/M) program (but not needing I/M emission reductions for attainment or reasonable further progress (RFP) SIP purposes) is as quickly as possible but no later than 4 years after the effective date of the reclassification.
- The deadline for submitting the first transportation control demonstration for reclassified Serious areas, as required by CAA section 182(c)(5), is 2 years after the attainment demonstration due date.
- Once reclassified, air agencies would no longer be required to submit SIP revisions for ozone nonattainment areas reclassified as Moderate, Serious, and Severe, addressing the following requirements for the prior classification:
 - attainment demonstrations and reasonably available control measures (RACM) analyses tied to the prior attainment date; and,
 - for voluntarily reclassified areas, contingency measures specifically related to the area's failure to attain by the prior attainment date.
- For any nonattainment areas reclassified as Serious under the 2015 ozone NAAQS in separate actions, this final rule requires:
 - SIP revisions be submitted no later than January 1, 2026,
 - any new RACT rules be implemented as quickly as possible but no later than the beginning of the 2026 ozone season, and
 - any newly required Enhanced I/M programs be implemented as quickly as possible but no later than 4 years after the effective date of the reclassification.
- This final rule will take effect 30 days after publication in the *Federal Register*.

BACKGROUND

- There are two ozone standards that have not been revoked and are currently in effect: the 0.075 parts per million (ppm) ozone NAAQS promulgated in 2008, and the 0.070 ppm ozone NAAQS promulgated in 2015.
- Areas designated as nonattainment for an ozone standard are classified as Marginal, Moderate, Serious, Severe, or Extreme depending on the severity of their ozone problem. Areas with higher classifications must plan for and implement more significant air quality protection programs and have longer deadlines to attain the standards.
- EPA regularly reclassifies areas to higher classifications, either because they failed to attain by the lower classification's attainment date, or because the air agency voluntarily requested reclassification. These reclassifications necessitate the establishment of deadlines for the new requirements.

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/ozone-implementation-regulatory-actions>.
- The final action and other background information are also available electronically at <http://www.regulations.gov>, EPA's electronic public docket and comment system.
- For further technical information about the rule, please contact Erin Lowder with EPA's Office of Air Quality Planning and Standards, at (919) 541-5421 or lowder.erin@epa.gov.