

EPA PROPOSAL – DEFAULT DEADLINES & Implementation requirements FOR RECLASSIFIED OZONE AREAS

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Proposals

- On September 20, 2024, EPA proposed actions to streamline state planning and air quality protection requirements under the current and any future ozone standard.
- Two proposals:
 - To establish universal default deadlines for submission of SIP revisions and for implementation of relevant control requirements that will apply for reclassified Moderate, Serious, and Severe nonattainment areas.
 - 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.

Deadlines

- Proposed default deadlines would 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 would 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.
- Proposed default SIP submission and RACT implementation 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, and can be adjusted, if necessary and appropriate, through separate notice-and-comment actions.
- Deadline for submitting the first transportation control demonstration for reclassified Serious areas, as required by CAA section 182(c)(5), would be 2 years after the attainment demonstration due date.

Control Measures Implementation

- Reclassified ozone areas would no longer be required to submit SIP revisions addressing the following requirements for the prior classification:
 - attainment demonstrations and 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 proposal would require that:
 - 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