

US EPA ARCHIVE DOCUMENT

## FACT SHEET

### **Final Rule - Implementation of the 2008 National Ambient Air Quality Standards for Ozone: Nonattainment Area Classifications Approach, Attainment Deadlines and Revocation of the 1997 Ozone Standards for Transportation Conformity Purposes**

#### **Action**

- On April 30, 2012, the U.S. Environmental Protection Agency (EPA) issued a final rule that directs key aspects of the implementation of the 2008 National Ambient Air Quality Standards (NAAQS) for ground-level ozone. The EPA set those final standards at 0.075 ppm on March 12, 2008.
- Implementation of the ozone standards is the shared responsibility of the EPA and the governments of states, tribes, and communities. This final rule includes measures that provide the EPA's partners with the flexibility allowed by the Clean Air Act (CAA) to minimize administrative burdens while still ensuring the public health protection achieved by meeting the revised ozone standards. The EPA works closely with states, tribes and communities to provide assistance in implementing the 2008 ozone standards.
- This final action specifically:
  - Establishes air quality thresholds that define each of the five CAA nonattainment classifications;
  - Establishes December 31 of each relevant calendar year as the attainment date for each classification;
  - Grants voluntary reclassifications under the 2008 ozone NAAQS to the six California nonattainment areas that requested a bump-up to a higher classification under the 1997 ozone NAAQS; and
  - Revokes the 1997 ozone NAAQS for purposes of transportation conformity.
- The EPA classifies nonattainment areas based on the severity of their ozone problem. Under this graduated system, nonattainment areas with the worst air quality will have both the longest time to meet the NAAQS and the largest set of mandatory planning and emissions control requirements. Classified nonattainment areas fall into five categories: Marginal, Moderate, Serious, Severe, or Extreme.
- The EPA will use a "percent-above-the-standard" approach to calculate the thresholds for these nonattainment classifications. Under this approach, the Agency will apply the percentages that Congress laid out in the CAA for the 1-hour ozone NAAQS to develop classification levels for the 2008 ozone standards.
  - The EPA used the same methodology to set classifications for the 1997 8-hour ozone NAAQS.

- The final rule also sets the deadlines for areas in each classification to meet the NAAQS. Based on its classification, a nonattainment area has a certain number of years to attain the 2008 ozone NAAQS. The attainment date will be December 31 of the calendar year associated with that classification.
- This is the first of two rules that will guide implementation of the 2008 ozone standards. An upcoming proposed rule will address other implementation issues such as anti-backsliding, State Implementation Plan deadlines, policies on Reasonably Available Control Technology and Reasonably Available Control Measures, and contingency measures.
- For more information about the 2008 ozone standard, go to <http://www.epa.gov/air/ozonepollution/actions.html>

**For Further Information:**

- To download a copy of the notice, go to EPA's Worldwide Web site at: <http://www.epa.gov/air/ozonepollution/actions.html#impl>.
- Today's final rule and other background information are also available either electronically at <http://www.regulations.gov>, 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 EPA Headquarters, room number 3334 in the EPA West Building, 1301 Constitution Avenue, NW, Washington, DC. 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 this proposed action can be accessed using Docket ID No. EPA-HQ-OAR-2010-0885.
- For more information on the proposed rule, contact either Dr. Karl Pepple at (919)-541-2683 or e-mail at [pepple.karl@epa.gov](mailto:pepple.karl@epa.gov) or Mr. Butch Stackhouse at (919)-541-5208 or e-mail at [stackhouse.butch@epa.gov](mailto:stackhouse.butch@epa.gov).