

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

EPA Updates

Houston-Galveston-Brazoria Nonattainment Area

Air Quality Technical Information Meeting

July 28, 2022

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EPA Updates – HGB Air Quality Technical Information Meeting July 28, 2022

2008 & 2015 Ozone National Ambient Air Quality Standards (NAAQS) Determinations of Attainment

On April 13, 2022, EPA proposed determinations of whether nonattainment areas under the 2008 and 2015 8-hour ozone NAAQS had attained those standards by the applicable attainment dates.

The areas addressed in the [2008 ozone NAAQS proposal](#) are currently classified as “Serious” nonattainment and were required to attain the standards by July 20, 2021. EPA based these determinations on the most recent publicly available and certified ozone monitoring data, from the years 2018-2020. Summary of 2008 ozone NAAQS proposal, relevant to Houston:

- Deny 1-year extension for Houston attainment date
- Find Houston did not attain by attainment date, reclassify to Severe, SIP revisions due to EPA no later than 18 months after effective date of reclassification to Severe

The areas addressed in the [2015 ozone NAAQS proposal](#) are currently classified as “Marginal” nonattainment and were required to attain the standards by August 3, 2021. EPA based these determinations on the most recent publicly available and certified ozone monitoring data, from the years 2018-2020. Summary of 2015 ozone NAAQS proposal, relevant to Houston:

- Find Houston did not attain by attainment date, reclassify to Moderate, SIP revisions due to EPA no later than January 1, 2023

The comment period for each proposal closed on June 13, 2022. EPA received relevant adverse comments on each proposed action & is currently working to respond to comments and take final action.

Reconsideration of EPA’s December 2020 Decision to Retain 2012 Particulate Matter (PM) NAAQS

On April 14, 2022, EPA announced the availability of the [“Supplement to the 2019 Integrated Science Assessment for Particulate Matter \(Final\)”](#). On May 26, 2022, EPA announced the availability of the [“Policy Assessment for the Reconsideration of the National Ambient Air Quality Standards for Particulate Matter \(Final\)”](#). The final Policy Assessment (PA) concludes that:

- The scientific evidence and information support revising the level of the annual standard for the PM_{2.5} NAAQS to below the current level of 12 ug/m³ (to as low as 8 ug/m³) while retaining the 24-hour standard
- The scientific evidence and information does not call into question the adequacy of the current Primary PM₁₀ Standard or PM Secondary Standards

EPA is on-target to propose its decision on review of the PM NAAQS by Summer 2022 and issue a final decision by Spring 2023. For more information on EPA’s reconsideration of the Decision to Retain the 2012 PM NAAQS, please visit <https://casac.epa.gov>.

Reconsideration of EPA’s December 2020 Decision to Retain 2015 Ground-level Ozone NAAQS

On October 29, 2021, EPA announced it will reconsider the 2020 decision to retain the 2015 ozone NAAQS. EPA is targeting December 2023 to complete the reconsideration.

On May 13, 2022, the Clean Air Science Advisory Committee (CASAC) Ozone Panel (panel) elected to pause the review of the Draft PA and used virtual public meetings on 6/8 & 6/10 originally intended to peer review EPA's Draft PA for the reconsideration to instead determine that a fuller discussion on the science is needed before reviewing the Draft PA and moving forward on reconsideration.

To support this discussion on the science, two additional public meetings of the panel have been announced:

- On August 29, 2022, the panel will receive a briefing from EPA on the 2020 Ozone Integrated Science Assessment (ISA) and to hear public comments
- On September 12, 2022, the panel will discuss scientific issues related to the 2020 Ozone ISA

Please refer to the CASAC website at <https://casac.epa.gov> for details on how to access the meetings. For more information regarding these meetings, please refer to the July 12, 2022 Federal Register announcement: <https://www.govinfo.gov/content/pkg/FR-2022-07-12/pdf/2022-14812.pdf>

Regulations for Emissions from Vehicles and Engines

Consistent with President Biden's [Executive Order 14037](#), "Strengthening American Leadership in Clean Cars and Trucks", EPA has undertaken the following recent regulatory actions:

[Final Rule to Revise Existing National GHG Emissions Standards for Passenger Cars and Light Trucks Through Model Year 2026](#) – This rulemaking establishes final federal greenhouse gas (GHG) emissions standards for passenger cars and light trucks for Model Years (MY) 2023 through 2026. The updated standards will result in:

- Avoiding more than 3 billion tons of GHG emissions through 2050
- Stringency increases between 5 to 10% each year from 2023 through 2026 – under the previous SAFE rule standards, stringency increased at a rate of roughly 1.5% per year
- Average fuel economy label values of 40 mpg in MY2026 – SAFE rule standards would achieve only 32 mpg

[Control of Air Pollution from New Motor Vehicles: Heavy-Duty Engine and Vehicle Standards \(Proposed Rule\)](#) – This rulemaking proposes stronger nitrogen oxide (NOx) and GHG standards to reduce pollution from heavy-duty vehicles and engines starting in MY 2027. The proposed standards would significantly reduce emissions of NOx from heavy-duty gasoline and diesel engines and tightens the "Phase 2" GHG standards for certain heavy-duty vehicle categories for MY 2027 and beyond

EPA last revised the NOx standards for on-highway heavy-duty trucks and engines in 2001 – more than 20 years ago. Although those standards achieved important NOx reductions, this proposed rule would ensure heavy-duty vehicles and engines are as clean as possible while helping jump-start the transition to zero-emission vehicles in the heavy-duty fleet. EPA intends to finalize this proposal before the end of 2022.

This proposal is the first rulemaking of EPA's Clean Trucks Plan. EPA is also developing two other commercial vehicle actions following President Biden's Executive Order 14037:

- Setting stronger multi-pollutant (including GHG) emissions standards for MY2027 and later medium-duty commercial pickup trucks and vans. These revised standards will be proposed in combination with new standards for MY2027 and later light-duty vehicles.
- Setting “Phase 3” GHG standards for MY2030 and later heavy-duty engines and vehicles, significantly stronger than the MY 2027 GHG standards. Proposal anticipated Spring 2023.

EPA Legal Tools to Advance Environmental Justice (EJ Legal Tools)

EPA has released an updated and expanded compilation of legal authorities available to EPA for identifying and addressing the disproportionate impact of pollution on underserved and overburdened communities, including communities of color, Indigenous people, and low-income communities. [EJ Legal Tools](#) is intended to help EPA decisionmakers and partners understand their authorities to consider and address environmental justice and equity in decision-making, and to promote meaningful engagement. EPA Legal Tools builds on an earlier version, Plan EJ 2014: Legal Tools, which was released in 2011.

EPA proposed disapproval of 2015 Ozone NAAQS Good Neighbor Plans and Proposed Interstate Transport FIP

EPA proposed disapproval of Oklahoma, Texas, Louisiana, and Arkansas 2015 Ozone NAAQS Interstate Transport SIPs (also known as Good Neighbor SIPs) in Federal Register published February 22, 2022. Comment period closed on April 25, 2022. This proposed disapproval was published with other proposed disapprovals of other states in other EPA regions in separate notices on February 22, 2022. EPA is reviewing comments currently.

EPA also proposed a national rulemaking FIP for Interstate Transport for the 2015 Ozone NAAQS for the 26 states, including the states that EPA proposed to disapprove their 2015 Ozone NAAQS Interstate Transport SIP in the February 22, 2022 proposal notices. [Good Neighbor Plan for 2015 Ozone NAAQS | US EPA](#) This notice was published in the Federal Register April 6, 2022. The comment period was extended to June 21, 2022. EPA is currently reviewing comments received and working to update the EPA modeling platform based on comments and new emissions information.