



## **EPA Delays 2015 Ozone National Ambient Air Quality Standards Area Designations**

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On June 28, 2017, EPA extended the deadline for 2015 Ozone National Ambient Air Quality Standards (NAAQS) area designations, citing insufficient information to complete the designations by the October 1, 2017 deadline. The new deadline for area designations is October 1, 2018. EPA explained that it is currently evaluating a host of complex issues regarding the 2015 ozone NAAQS and its implementation including the role of background ozone levels and accounting for international transport. In addition, the Administrator is forming an Ozone Cooperative Compliance Task Force to develop additional flexibilities for states to comply with the ozone standard which may impact the designation process.

On July 12, 2017, the American Lung Association, environmental groups, and others filed a lawsuit seeking to vacate or stay EPA's extension and challenging the validity of EPA's insufficient information determination. Specifically, the petitioners argue that EPA's reasons for the delay are extraneous to the statutory designation criterion (*i.e.*, air quality monitoring data and information about what areas affect air quality in nearby areas with air monitors that violate the standards) and that EPA failed to provide a basis for delaying designations on a nationwide basis. Briefing is expected to continue into August and the petitioners requested expedited judicial review.

For more information regarding EPA's extension, please contact [Jim Martin](#) or [Nicole Blevins](#).