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# SIP Revision: El Paso Redesignation Request and Maintenance Plan for the One-Hour Ozone Standard, April 24, 2019

**On April 24, 2019, the Texas Commission on Environmental Quality (TCEQ) adopted the El Paso Redesignation Request and Maintenance Plan State Implementation Plan (SIP) revision for the One-Hour Ozone National Ambient Air Quality Standards (NAAQS).**

## Summary of the SIP Revision

**Adoption Date:** 04/24/2019

**Proposal Date:** 01/16/2019

**EPA Action:** Withdrawn from United States Environmental Protection Agency (EPA) consideration on 10/02/2020.

**Background:** Historically, the EPA has not formally redesignated areas for a revoked NAAQS. The one-hour ozone NAAQS was revoked on June 15, 2005. Although the El Paso area (El Paso County) had been attaining the standard of 0.12 parts per million (ppm) since 1998, the area was never formally redesignated to attainment prior to the revocation of the standard and was still subject to continuing serious nonattainment area anti-backsliding requirements.

Effective March 16, 2009, the EPA approved the [El Paso 1997 Eight-Hour Ozone Maintenance Plan SIP revision \(74 FR 2387\)](#). On October 20, 2010, the EPA published a final rule clarifying the EPA's approval of the 1997 eight-hour ozone maintenance plan regarding the lifting of one-hour ozone serious area anti-backsliding requirements for the El Paso area ([75 FR 64675](#)) and determined that the approval of the Federal Clean Air Act (FCAA), §110(a)(1) maintenance plan for the 1997 eight-hour ozone NAAQS removes the requirement for the continued application of one-hour anti-backsliding measures. Though the El Paso area was never formally redesignated to attainment for the revoked one-hour ozone NAAQS, the maintenance plan for the 1997 eight-hour ozone NAAQS effectively acted as a maintenance plan for the one-hour ozone NAAQS.

On February 16, 2018, the United States Court of Appeals for the District of Columbia Circuit issued an opinion in the case *South Coast Air Quality Management District v. EPA*, 882 F.3d 1138 (D.C. Cir. 2018). The case was a challenge to the EPA's final 2008 eight-hour ozone standard SIP requirements rule, which revoked the 1997 eight-hour ozone NAAQS as part of the implementation of the more stringent 2008 eight-hour ozone NAAQS. The court's decision vacated parts of the EPA's final 2008 eight-hour ozone standard SIP requirements rule, including the redesignation substitute, removal of anti-backsliding requirements for areas designated nonattainment under the 1997 eight-hour ozone NAAQS, waiving requirements for transportation conformity for maintenance areas under the 1997 eight-hour ozone NAAQS, and elimination of the requirement to submit a second 10-year maintenance plan.

To address the uncertainty created by the court's ruling, the TCEQ developed this formal redesignation request and maintenance plan SIP revision for the El Paso area for the one-hour ozone NAAQS for submittal to the EPA. On April 24, 2019, the commission adopted this redesignation request and maintenance plan SIP revision to meet FCAA, §107(d)(3)(E)



requirements for redesignation of the El Paso area to attainment for the one-hour ozone NAAQS. The TCEQ submitted this SIP revision to the EPA on May 10, 2019.

**Key Changes:** This SIP revision includes a request that the El Paso area be redesignated to attainment for the revoked one-hour ozone NAAQS. This SIP revision also includes a maintenance plan that would ensure the area remains in attainment of the standard through 2032. The maintenance plan uses a 2014 base year inventory and includes interim year inventories for 2020 and 2026, establishes motor vehicle emissions budgets for 2032, and includes a contingency plan.

## **SIP Narrative and Appendices**

Files linked from this page are in Portable Document Format ([PDF](#)).

### **El Paso Redesignation Request and Maintenance Plan SIP Revision for the One-Hour Ozone NAAQS (Non-Rule Project No. 2018-029-SIP-NR)**

- **El Paso One-Hour Ozone Redesignation Request and Maintenance Plan SIP Revision**
- Appendices
  - **Appendix A: Growth Factors for Area and Point Sources**
  - **Appendix B: Industrial, Commercial, and Institutional Fuel Use Study**
  - **Appendix C: El Paso Redesignation and Maintenance On-Road Mobile Emissions Inventories**
  - **Appendix D: Aircraft Emissions Inventory for Texas Statewide 2014 AERR Inventory and 2008 Through 2040 Trend Analysis Years**
  - **Appendix E: 2014 Texas Statewide Locomotive Emissions Inventory and 2008 Through 2040 Trend Inventories**