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560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R09-OAR-2026-4885; FRL-13450-01-R9]

Clean Data Determination; 1997 8-hour Ozone Standards; California; Sacramento Metro Area

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed determination.

SUMMARY: The U.S. Environmental Protection Agency (EPA or "Agency") is proposing to issue a clean data determination (CDD) for the Sacramento Metro, California nonattainment area to reflect our finding that the area is attaining the 1997 8-hour ozone national ambient air quality standards (NAAQS or "standards"). This finding is based on quality-assured and certified ambient air quality monitoring data from 2023 through 2025. If we finalize this CDD, certain Clean Air Act (CAA) requirements that apply to the Sacramento Metro area will be suspended for so long as the area continues to attain the 1997 8-hour ozone NAAQS. We are taking comments on this proposal and plan to follow with a final action.

DATES: Comments must be received on or before [**INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER***].

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-R09-OAR-2026-4885 at *https://www.regulations.gov.* For comments submitted at *Regulations.gov*, follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied

by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *https://www.epa.gov/dockets/commenting-epa-dockets*. If you need assistance in a language other than English or if you are a person with a disability who needs a reasonable accommodation at no cost to you, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: Nicole Law, EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105; telephone number: (415) 947-4126; email: *law.nicole@epa.gov*.

SUPPLEMENTARY INFORMATION: Throughout this proposed rule, the use of "we," "us," or "our" is intended to refer to the EPA. We use multiple abbreviations and terms in this proposed rule. While this list may not be exhaustive, for ease of reading and for reference purposes, the EPA defines the following terms and acronyms here:

AQS – Air Quality System
CAA – Clean Air Act
CARB – California Air Resources Board
CBI – confidential business information
CDD – clean data determination
CFR – Code of Federal Regulations
EDCAQMD – El Dorado County Air Quality Management District
EPA – Environmental Protection Agency
FR – *Federal Register*
FRAQMD – Feather River Air Quality Management District
NAAQS – national ambient air quality standards
NO_X – nitrogen oxides
NSR – New Source Review
NTTA – National Technology Transfer and Advancement Act
OMB – Office of Management and Budget

PCAPCD – Placer County Air Pollution Control District
ppm – parts per million
PRA – Paperwork Reduction Act
RACM – reasonably available control measures
RFP – reasonable further progress
RFA – Regulatory Flexibility Act
SIP – state implementation plan
SLAMS – State and local air monitoring stations
SMAQMD – Sacramento Metropolitan Air Quality Management District
SRR – SIP Requirements Rule
TSA – technical systems audit
UMRA – Unfunded Mandates Reform Act
U.S.C. – United States Code
VOC – volatile organic compounds
YSAQMD – Yolo-Solano Air Quality Management District

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I. Executive Summary

A. What Action is the EPA Proposing to Take?

The EPA is proposing to issue a CDD for the Sacramento Metro, California nonattainment area to reflect our finding that the area is attaining the 1997 8-hour ozone NAAQS. This finding is based on quality-assured and certified ambient air quality monitoring data from 2023 through 2025.

B. What is the Legal Authority and What are the Requirements?

Under the EPA's longstanding Clean Data Policy,[1] which is reaffirmed for the 1997 ozone NAAQS at 40 CFR 51.918, when an area has attained the relevant 8-hour ozone standards, the Agency may issue a CDD after notice and comment rulemaking determining that a specific area is attaining the relevant standards. Under EPA regulations at 40 CFR 50.10, an area attains the 1997 ozone NAAQS when the 3-year average of the annual fourth-highest daily maximum 8-hour average ozone concentration is less than or equal to 0.08 parts per million (ppm) at each eligible monitoring site within the area.

II. Background

A. Ozone NAAQS

Ground-level ozone is formed when nitrogen oxides (NO_X) and volatile organic compounds (VOC) react in the presence of sunlight.[2] These two pollutants, referred to as ozone precursors, are emitted by many types of pollution sources, including on- and off-road motor vehicles and engines, power plants and industrial facilities, and smaller area sources such as lawn and garden equipment and paints.

Health effects associated with exposure to ground-level ozone include reduced lung function; reduced ability to breathe as deeply and vigorously as normal; irritated airways, coughing, or a sore or scratchy throat; pain when taking a deep breath and shortness of breath; increased frequency of asthma attacks; inflammation of and damage to the lining of the lung; increased susceptibility to respiratory infection; and aggravation of chronic lung diseases such as asthma, emphysema, and bronchitis. Ozone may continue to cause lung damage even when the symptoms have disappeared, and breathing

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[1] Memorandum dated May 10, 1995, from John S. Seitz, Director, Office of Air Quality Planning and Standards, to Regional Office Air Division Directors, Regions 1–10, Subject: "Reasonable Further Progress, Attainment Demonstration, and Related Requirements for Ozone Nonattainment areas Meeting the Ozone National Ambient Air Quality Standard" ("1995 Seitz Memo").

[2] The State of California uses the term Reactive Organic Gases (ROG) rather than VOC in some of its ozone-related SIP submissions. As a practical matter, ROG and VOC refer to the same set of chemical constituents and for simplicity, we refer to this set of gases as VOC.

ozone may contribute to premature death, especially in people with heart and lung disease.[3]

Under CAA section 109, the EPA promulgates NAAQS for pervasive air pollutants, such as ozone. The NAAQS establish concentration levels whose attainment and maintenance the EPA has determined to be requisite to protect public health and welfare. In 1979, the EPA established primary (public health-based) and secondary (welfare-based) NAAQS for ozone at 0.12 ppm averaged over a 1-hour timeframe ("1-hour ozone NAAQS").[4] In 1997, the EPA revised the primary and secondary ozone NAAQS to set the acceptable level of ozone in the ambient air at 0.08 ppm averaged over an 8-hour timeframe ("1997 ozone NAAQS").[5]

The EPA further tightened the 8-hour ozone NAAQS to 0.075 ppm in 2008 ("2008 ozone NAAQS"),[6] and to 0.070 ppm in 2015 ("2015 ozone NAAQS"), however, this determination pertains to the 1997 ozone NAAQS.[7] The EPA subsequently revoked the 1-hour ozone NAAQS[8] and the 1997 ozone NAAQS,[9] but has retained applicable requirements for anti-backsliding purposes for areas that remained designated as nonattainment for those standards at the time of revocation.[10]

B. Sacramento Ozone Designations, Classifications, and SIP Revisions

The Sacramento Metro area consists of Sacramento and Yolo counties and portions of El Dorado, Placer, Solano, and Sutter counties, and is under the jurisdiction of the California Air Resources Board (CARB) and the following regional air pollution control districts: the El Dorado County Air Quality Management District (EDCAQMD), the Feather River Air Quality Management District (FRAQMD), the Placer County Air

[3] EPA, "Fact Sheet, Final Revisions to the National Ambient Air Quality Standards for Ozone," Mar. 2008.
[4] 44 FR 8202 (Feb. 8, 1979).
[5] 62 FR 38856 (July 18, 1997).
[6] 73 FR 16436 (Mar. 27, 2008).
[7] 80 FR 65292 (Oct. 26, 2015).
[8] 70 FR 44470 (Aug. 3, 2005).
[9] 80 FR 12264 (Mar. 6, 2015).
[10] 40 CFR 51.1100(o).

Pollution Control District (PCAPCD), the Sacramento Metropolitan Air Quality Management District (SMAQMD), and the Yolo-Solano Air Quality Management District (YSAQMD) (collectively, "Districts").[11] The area also includes Tribal lands under the jurisdiction of the Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria (Verona Track), California; the United Auburn Indian Community of the Auburn Rancheria of California; and the Yocha Dehe Wintun Nation, California.

CARB is the State agency responsible for the adoption and submission to the EPA of California state implementation plan (SIP) submissions. Under California law, air districts in California are generally responsible for the development of regional air quality plans and related rules. For the Sacramento Metro area, the Districts develop and adopt air quality management plans and rules to address CAA requirements applicable to the region. The Districts then submit such plans and rules to CARB for adoption and submission to the EPA as proposed revisions to the California SIP. In general, Tribes are not required to submit tribal implementation plans.[12]

Following promulgation of a new or revised NAAQS, the EPA is required by CAA section 107(d) to designate areas throughout the nation as attaining or not attaining the NAAQS. The EPA designated the Sacramento Metro area as nonattainment for the 1997 ozone NAAQS on April 30, 2004, and classified the area as "Serious," effective June 15, 2004.[13] On May 5, 2010, the EPA reclassified the area from Serious to "Severe-15," effective June 4, 2010.[14] The area's applicable attainment date for the 1997 ozone NAAQS is June 15, 2019.[15]

On January 29, 2015, the EPA approved the planning elements required as a

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[11] For a precise description of the geographic boundaries of the Sacramento Metro area for the 1997 ozone NAAQS, refer to 40 CFR 81.305. Specifically included portions are the eastern portion of Solano County, the western portions of Placer and El Dorado counties outside of the Lake Tahoe Basin, and the southern portion of Sutter County.
[12] See 40 CFR 49.4(a) (specifying that Tribes are not subject to implementation plan submittal deadlines).
[13] 69 FR 23858 (Apr. 30, 2004).
[14] 75 FR 24409 (May 5, 2010).
[15] 74 FR 43654 (Aug. 27, 2009).

result of a reclassification to Severe-15, including the reasonable further progress (RFP) demonstration, the attainment demonstration, and transportation control measures.[16] As a consequence of the reclassification to Severe-15, California was also required to submit nonattainment new source review (NSR) program revisions[17] and CAA section 185 fee rules.[18] At the time of reclassification from Serious to Severe-15, the EPA had approved NSR program revisions for YSAQMD and EDCAQMD into the California SIP,[19] and our reclassification notice established a deadline for California to submit the SMAQMD, PCAPCD, and FRAQMD NSR program revisions.[20] CARB submitted, and the EPA subsequently approved, revisions to the SMAQMD, PCAPCD, and FRAQMD NSR programs.[21] CARB submitted, and the EPA approved, the SMAQMD submittal for the CAA section 185 fee rule requirement in 2024.[22] In the 2010 reclassification notice, the EPA deferred the deadline for submittal of EDCAQMD, PCAPCD, FRAQMD, and YSAQMD section 185 fee rules.[23] However, FRAQMD submitted Rule 7.15 to meet the CAA section 185 fee rule requirement for the Severe-15 ozone classification on July 5, 2022, and the EPA approved Rule 7.15 into the SIP on December 31, 2024.[24] EDCAQMD submitted Rule 611 on March 13, 2024, and the EPA has not yet acted on

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[16] 80 FR 4795 (Jan. 29, 2015). The submittals included: Sacramento Regional Nonattainment Area 8-Hour Ozone Reasonable Further Progress Plan 2002–2008, Feb. 2006; Sacramento Regional 8-Hour Ozone Attainment Plan and Reasonable Further Progress Plan, Mar. 26, 2009; Elements of CARB's State Strategy, adopted by CARB on Sep. 27, 2007; Elements of the Status Report on the State Strategy for California's 2007 State Implementation Plan and Proposed Revision to the SIP Reflecting Implementation of the 2007 State Strategy, Mar. 24, 2009; and Sacramento Regional 8-Hour Ozone Attainment Plan and Reasonable Further Progress Plan, 2013 SIP Revisions, Sep. 26, 2013.

[17] Nonattainment NSR program revisions are needed to redefine the major source threshold and offset ratios when an area is reclassified. A reclassification from Serious to Severe-15 changes the major source threshold from 50 tons per year (tpy) VOC to 25 tpy VOC.

[18] CAA section 185 requires each State with an ozone nonattainment area classified as "Severe" or "Extreme" to develop, as a SIP revision, a fee collection rule to be implemented in the event that an area fails to attain the ozone standards by the required attainment date.

[19] EDCAPCD Rule 523.1 was submitted to the EPA on Mar. 9, 2022, and SIP approved on Sep. 14, 2023 (88 FR 63031) and YSAQMD Rule 3.4 was submitted to the EPA on Mar. 26, 1997, and SIP approved on July 7, 1997 (62 FR 36214).

[20] 75 FR 24409 (May 5, 2010).

[21] SMAQMD Rule 214 was SIP approved on Aug. 29, 2013 (78 FR 53270), PCAPCD Rule 502 was SIP approved on Jan. 6, 2026 (91 FR 337), and FRAQMD Rule 10.1 was SIP approved on Oct. 5, 2015 (80 FR 60047).

[22] 89 FR 15962 (Mar. 6, 2024).

[23] 75 FR 24415 (May 5, 2010).

[24] 89 FR 107012 (Dec. 31, 2024).

this rule. PCAPCD and YSAQMD have not submitted section 185 fee rules for the 1997 ozone NAAQS.

C. The EPA's Clean Data Policy

Under the EPA's longstanding Clean Data Policy,[25] which is reaffirmed for the 1997 ozone NAAQS at 40 CFR 51.918, when an area has attained the relevant 8-hour ozone standards, the Agency may issue a CDD after notice and comment rulemaking determining that a specific area is attaining the relevant standards. A CDD is not linked to any particular attainment deadline and is not necessarily equivalent to a determination that an area has attained the standard by its applicable attainment deadline.[26]

The effect of a CDD is to suspend the requirement for an area to submit an attainment demonstration, a reasonably available control measures (RACM) analysis, an RFP plan, contingency measures, and any other planning requirements related to attainment for as long as the area continues to attain the standard.[27] With respect to the attainment demonstration requirements of CAA section 182(c)(2)(A), under the Clean Data Policy, if an area already has air quality monitoring data demonstrating attainment of the standard, there is no need for the area to make a further submittal containing additional measures to achieve attainment, nor is there a need for the area to perform future modeling to show how the area will achieve attainment.[28] Similarly, the EPA interprets the CAA as not requiring the submittal of RFP and associated quantitative milestones for areas that are already attaining the NAAQS. For areas that are attaining the NAAQS, showing that the State will make RFP towards attainment has no meaning.

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[25] 1995 Seitz Memo.
[26] The Clean Data Policy does not use the term "clean data determination," but generally describes conditions for the EPA to determine that an area has attained air quality standards based on monitoring data. 1995 Seitz Memo.
[27] In the context of CDDs, the EPA distinguishes between attainment planning requirements of the CAA, which relate to the attainment demonstration for an area and related control measures designed to bring an area into attainment for the given NAAQS as expeditiously as practicable, and other types of requirements, such as permitting requirements under the nonattainment new source review program, emissions inventory requirement, and specific control requirements independent of those strictly needed to ensure timely attainment of the given NAAQS. 40 CFR 51.918.
[28] Id.

Similar reasoning applies to other SIP submittal requirements that are linked with attainment demonstration and RFP requirements. The EPA interprets the obligation to submit contingency measures as suspended when the area has attained the standard because those contingency measures are directed at ensuring RFP and attainment by the applicable date. A CDD does not suspend the requirements for an emissions inventory, for NSR, or for a section 185 fee program.[29]

III. The EPA's Analysis

A. Applicable Statutory and Regulatory Provisions

A CDD is typically based on three years of complete, quality-assured, and certified air quality monitoring data gathered at established State and local air monitoring stations (SLAMS) and entered into the EPA's Air Quality System (AQS) database.[30] Data from ambient air monitors operated by State/local agencies in compliance with EPA monitoring requirements must be submitted to the AQS database. Monitoring agencies annually certify that these data are accurate to the best of their knowledge. Accordingly, the EPA relies primarily on data in its AQS database when determining compliance with the NAAQS.[31] With respect to the 1997 ozone NAAQS, the EPA reviews data to determine the area's air quality status in accordance with 40 CFR part 50, appendix I.

Under EPA regulations at 40 CFR 50.10, an area attains the 1997 ozone NAAQS when the 3-year average of the annual fourth-highest daily maximum 8-hour average ozone concentration is less than or equal to 0.08 ppm at each eligible monitoring site

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[29] 40 CFR 51.918 lists attainment related planning requirements that are suspended upon determination of attainment. NSR requirements, emissions inventory requirements, and fee program requirements for Severe and Extreme nonattainment areas are not included in the list of suspended requirements.

[30] The AQS contains ambient air pollution data collected by the EPA, State, local, and Tribal air pollution control agencies. The AQS also contains meteorological data, descriptive information about each monitoring station (including its geographic location and its operator) and data quality assurance/quality control information. The AQS data is used to (1) assess air quality, (2) assist in attainment/non-attainment designations, (3) evaluate SIPs for nonattainment areas, (4) perform modeling for permit review analysis, and (5) prepare reports for Congress as mandated by the CAA. The AQS is available at *https://www.epa.gov/aqs*.

[31] See 40 CFR 50.10; 40 CFR part 50, appendix I; 40 CFR part 53; 40 CFR part 58, and 40 CFR part 58, appendices A, C, D, and E.

within the area. This 3-year average is referred to as the "design value." When the design value is greater than 0.08 ppm at any monitor within the area, then the area is violating the NAAQS.[32] The data completeness requirement is met when the average percent of days with valid ambient monitoring data is greater than or equal to 90 percent and no single year has less than 75 percent data completeness, as determined under appendix I of 40 CFR part 50.[33]

B. Clean Data Determination

The EPA is proposing to determine that the Sacramento Metro area attained the 1997 ozone NAAQS and to issue a CDD for the area. Our proposed determination is based on three years of quality-assured and certified ambient air quality monitoring data collected in accordance with 40 CFR part 58 and recorded in the EPA's AQS database for the 2023–2025 monitoring period. Preliminary data available in EPA's AQS database for 2026 (January – March) indicate that the area continues to show concentrations consistent with attainment of the 1997 ozone NAAQS.[34]. The average of the annual fourth-highest daily maximum 8-hour average ozone concentrations at each eligible monitoring site within the area was below 0.08 ppm in these three years. As discussed in Section II.D of this document, ambient air quality monitoring data for the most recent 3-year period (*i.e.*, 2023–2025) for the 1997 ozone NAAQS for the Sacramento Metro area meet the data completeness requirements in 40 CFR part 50, appendix I.

C. Monitoring Network Considerations

CAA section 110(a)(2)(B)(i) requires States to establish and operate air monitoring networks to compile data on ambient air quality for all criteria pollutants. The

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[32] The data handling convention in 40 CFR part 50, appendix I dictates that 8-hour average concentrations shall be reported in ppm to the third decimal place, with additional digits to the right being truncated. The third decimal place of the computed value is rounded, with values equal to or greater than 5 rounding up. Thus, a computed 3-year average ozone concentration of 0.085 ppm is the smallest value that is greater than 0.08 ppm.

[33] 40 CFR part 50, appendix I, section 2.3(b).

[34] Preliminary data for the first quarter of 2026 are posted in AQS and are provided in the docket for this action. Preliminary Design Value Report, AMP480, Report Request ID: 2403122, Aug. 19, 2026.

ambient air monitoring network in the Sacramento Metro area includes air monitoring stations that are managed and operated by CARB, PCAPCD, SMAQMD, and YSAQMD. Although both EDCAQMD and FRAQMD have jurisdiction in portions of the Sacramento Metro area, neither district operates SLAMS ozone monitors in the area. CARB operates SLAMS ozone monitors within the portion of the area under EDCAQMD jurisdiction, and there are no ozone monitors within the portion of the area under FRAQMD jurisdiction.[35] CARB and SMAQMD submit annual network plans to the EPA,[36] which document the status of CARB and the Districts' air monitoring networks, as required under 40 CFR 58.10. The EPA reviews these annual network plans for compliance with the specific requirements in 40 CFR part 58. With respect to ozone, we have found that the annual network plans submitted by CARB and SMAQMD meet the minimum monitoring requirements of 40 CFR part 58.[37]

Finally, the EPA conducts regular technical systems audits (TSAs) to review and inspect State and local ambient air monitoring programs to assess compliance with applicable regulations concerning the collection, analysis, validation, and reporting of ambient air quality data. CARB is the primary quality assurance organization in California that is responsible for overseeing the quality of data collected by local air monitoring organizations, which includes the Districts. For the purposes of this determination, we reviewed the findings from the EPA's 2022 TSA of CARB's ambient air monitoring program.[38] The results of the TSA do not preclude the EPA from determining that the Sacramento Metro area has attained the 1997 ozone NAAQS.

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[35] The FRAQMD maintains jurisdiction in both Sutter County and Yuba County. A portion of Sutter County is included in the Sacramento Metro area, and none of Yuba County is included in the area.
[36] CARB's annual network plan includes the PCAPCD and YSAQMD ambient air monitoring networks. SMAQMD submits its own annual network plan.
[37] We have included copies of CARB's and SMAQMD's annual network plans for 2023–2025 in the docket for this action, along with our reviews of these plans and our associated transmittal correspondence.
[38] See letter dated Mar. 14, 2024, from Matthew Lakin, Director, Air and Radiation Division, EPA Region IX, to Edie Chang, Deputy Executive Officer, CARB, and enclosure titled "Technical Systems Audit of the Ambient Air Monitoring Program: CARB, Dec. 2021–Aug. 2022."

D. Data Considerations

In accordance with 40 CFR 58.15, SMAQMD and CARB certify annually that the previous year's ambient concentration and quality assurance data are completely submitted to AQS and that the ambient concentration data are accurate, taking into consideration the quality assurance findings.[39] SMAQMD certifies data from its monitoring network, and CARB certifies data for the CARB network as well as the PCAPCD and YSAQMD networks. There were 16 ozone monitoring sites located throughout the Sacramento Metro area in calendar years 2023 through 2025: three within El Dorado County, four within Placer County, six within Sacramento County, one within Solano County, and two within Yolo County.[40] Table 1 of this document summarizes the ozone monitoring data from the various monitoring sites in the Sacramento Metro area by showing the annual fourth-highest daily maximum concentrations and design values over the 2023–2025 period. The data summarized in Table 1 of this document are considered complete for the purposes of determining if the standard is met.[41] The ozone data show that the design values at the Sacramento Metro area monitoring sites were below the 1997 ozone NAAQS of 0.08 ppm.

Table 1–Sacramento Metro Area Fourth High 8-Hour Ozone Average Concentrations and Design Values (ppm) for 2023–2025

		4th Highest Daily Maximum			Design Value (2023–2025)
AQS Site ID	**Site Name**	**2023**	**2024**	**2025**	
El DORADO COUNTY					
06-017-0012	Echo Summit	0.065	Inc	Inc	Invalid[a]
06-017-0011	South Lake Tahoe– Sandy Way	Inc	Inc	Inc	Invalid[b]
06-017-0020	Cool	0.072	0.072	0.065	0.069
06-017-2004	Placerville – Canal Street	0.067	0.067	0.063	0.065
PLACER COUNTY					

[39] We have included SMAQMD's and CARB's annual data certifications for 2023, 2024, and 2025 in the docket for this action.
[40] *See* p. 9 of SMAQMD's *2025 Annual Network Plan* (May 28, 2025) for a map illustrating the locations of the air monitoring sites in the SMAQMD.
[41] The criteria for data completeness are met at most of the ozone monitors over the 2023–2025 period but were not met for the ozone monitors at the Echo Summit, North Highlands – Blackfoot Way, Elk Grove – Bruceville, and Sloughhouse monitoring sites.

06-061-0003	Auburn – Atwood	0.064	0.079	0.067	0.070
06-061-0004	Colfax – City Hall	0.067	0.067	0.063	0.065
06-061-0006	Roseville – N Sunrise Ave	0.077	0.077	0.067	0.073
06-061-2003	Lincoln – 2885 Moore Road	0.060	0.063	0.054	0.059
SACRAMENTO COUNTY					
06-067-0002	North Highlands – Blackfoot Way	Inc	Inc	Inc	Invalid[c]
06-067-0006	Sacramento – Del Paso Manor	0.077	0.080	0.070	0.075[d]
06-067-0010	Sacramento – T Street	0.066	0.069	0.065	0.066
06-067-0011	Elk Grove – Bruceville	0.050	0.048	0.059	Invalid[e]
06-067-0012	Folsom	0.071	0.065	0.068	0.068[f]
06-067-5003	Sloughhouse	Inc	Inc	0.069	Invalid[g]
SOLANO COUNTY					
06-095-3003	Vacaville	0.061	0.058	0.054	0.057
YOLO COUNTY					
06-113-0004	Davis – UCD Campus	0.065	0.063	0.056	0.061
06-113-1003	Woodland – Gibson Road	0.062	0.064	0.062	0.062

Inc = Incomplete data. The required annual 75 percent completeness criterion was not met, therefore the annual 4th highest daily maximum values are not provided.

[a] EPA approved the closure of the ozone monitor at the Echo Summit site on April 15, 2025, therefore the site did not meet the 3-year data completeness criterion for 2023–2025. Additionally, the Echo Summit site had incomplete annual ozone data due to accessibility challenges during the winter months.

[b] The South Lake Tahoe – Sandy Way ozone monitor did not begin operation until April 15, 2025; therefore this site will not have a valid 3-year design value for 2025.

[c] SMAQMD lost the lease to the North Highlands – Blackfoot Way monitoring site and were forced to shut down the ozone monitor on August 1, 2022. SMAQMD is looking to secure a new location for the site.

[d]Per 40 CFR part 50, appendix I, section 2.3(b) SMAQMD submitted a request to the Regional Administrator to count 32 missing days between January 11, 2022, and December 31, 2024, and 44 missing days between January 1, 2025, and October 2, 2025, towards the minimum data completeness requirements. This request was approved and results in data completeness of at least 90 percent on average over the three-year period of 2023–2025 for the site; therefore, this design value is considered valid. For more information regarding the Sacramento – Del Paso monitor data certification and the State's request, see the SMQMD ozone data substitution analysis, EPA approval letter, and data certification letters included in the docket for this action.

[e] The required 3-year average completeness criterion was not met due to instrument downtime, therefore the 2023–2025 design value is invalid.

[f] Per 40 CFR part 50, appendix I, section 2.3(b) SMAQMD submitted a request to the Regional Administrator to count 22 missing days between October 16, 2023, and December 19, 2024, towards the minimum data completeness requirements. This request was approved and results in data completeness of at least 90 percent on average over the three-year period of 2023–2025 for the site; therefore, this design value is considered valid. For more information regarding the Folsom monitor data certification and the State's request, see the SMAQMD ozone data substitution analysis, EPA approval letter, and data certification letters included in the docket for this action.

[g] The Sloughhouse design value is invalid due to null coded data in AQS with poor quality assurance results from July 2023 through April 2024.

Source: EPA, AQS Design Value (AMP480), Report Request ID: 2390187, June 18, 2026.

Consistent with the requirements in 40 CFR part 50, the EPA has reviewed the quality-assured and certified ozone ambient air monitoring data for completeness. The EPA reviewed the data as recorded in AQS for the applicable monitoring period, collected at the monitoring sites in the Sacramento Metro area, and has determined that the data are generally complete, with the exceptions of the Echo Summit, North Highlands – Blackfoot Way, Elk Grove – Bruceville, and Sloughhouse monitoring sites. These exceptions are described here:

- The Echo Summit monitoring site typically operates seasonally from April through October, but it could not operate during the month of April in 2019 to 2024 because persistent weather conditions made the access roads to the sites impassible.[42] Due to safety and accessibility issues, CARB submitted a site closure request for the Echo Summit ozone monitor on February 10, 2025 as well as a separate request to open a new ozone monitor at the South Lake Tahoe – Sandy Way monitoring site with a proposed start date of April 1, 2025.[43] The EPA approved CARB's closure request for the Echo Summit monitoring site on April 15, 2025 and new monitor request for the South Lake Tahoe – Sandy Way monitoring site on April 14, 2025.[44] The South Lake Tahoe – Sandy Way ozone monitor began operation on April 1, 2025. Due to the accessibility challenges and site location change, Echo Summit did not meet the 3-year completeness criterion of 90 percent for the 2025 design value period. While Echo Summit did not have a valid design value for the previous five years, for the five most recent valid design value years (2010–2014), Echo Summit was not among the top 50 percent

[42] *See* 2024 CARB Annual Network Plan, Appendix B. While the 2024 Annual Network plan only mentions 2019 through 2023, the same weather conditions affected the 2024 data.
[43] *See* letters dated Feb. 10, 2025, from Michael Miguel, CARB, to Dena Vallano, EPA Region IX (conveying requests for Echo Summit Ozone monitor closure and South Lake Tahoe – Sandy Way ozone monitor start-up).
[44] *See* letters dated Apr. 14, 2025, and Apr. 15, 2025, from Dena Vallano, EPA Region IX, to Michael Miguel, CARB.

of design values for the Sacramento Metro area, was 0.016–0.031 ppm lower than the highest design value site, and was below the 1997 ozone NAAQS.[45]

- The North Highlands – Blackfoot Way monitoring site was shut down on August 1, 2022, due to sudden loss of the lease providing access to the monitor following the property's sale to another owner. SMAQMD notified the EPA of this abrupt closure via letter on July 28, 2022,[46] and documentation within the 2023 annual network plan.[47] The North Highlands – Blackfoot Way monitoring site had design values that were 0.006–0.012 ppm lower than the highest design value site for the five previous valid design value years of its operation (2016–2020), did not have the highest fourth-highest daily maximum 8-hour ozone concentration in the Sacramento Metro area in the last five years of operations (2018–2022), and were below the 1997 ozone NAAQS.[48]
- The Elk Grove – Bruceville site had several hours of nullified data throughout 2023–2025 that resulted in a 3-year completeness of 88 percent which did not meet the 90 percent 3-year completeness criterion. While Elk Grove – Bruceville did not have a valid 2025 design value, for the previous five valid design values (2020–2024), Elk Grove – Bruceville was not among the top 50 percent of design values for the Sacramento Metro area, was 0.012–0.021 ppm lower than the highest design value site in the nonattainment area, and was below the 1997 ozone NAAQS.[49]
- The Sloughhouse monitoring site failed an annual performance evaluation due to an incorrectly installed ozone calibrator, which resulted in data invalidation from

[45] EPA AQS Design Value Report, AMP480, accessed June 18, 2026 (User ID: SHONG, Report Request ID: 2390187).
[46] *See* letter dated July 28, 2022, from Janice Lam Snyder, Program Manager, SMAQMD, to Gwen Yoshimura, Air Quality Analysis Office, EPA Region IX.
[47] *See* 2023 SMAQMD Annual Network Plan, Appendix E.
[48] EPA AQS Design Value Report, AMP480, accessed June 18, 2026 (User ID: SHONG, Report Request ID: 2193813).
[49] Id.

July 2023 through April 2024.[50] As a result, the site did not meet the 3-year completeness criterion of 90 percent and the 2023 and 2024 calendar years did not meet the annual completeness criterion of 75 percent. While Sloughhouse did not have valid design values for the most recent three design value years (2023–2025), the Sloughhouse monitoring site was 0.008–0.014 ppm lower than the highest design value site, below the 1997 ozone NAAQS, and did not have the highest fourth-highest daily maximum 8-hour ozone concentration in the Sacramento Metro area for the five previous valid design value years (2018–2022).[51] Additionally, the fourth-highest daily maximum 8-hour ozone concentration measured in 2025 was valid at 0.069 ppm, which is well below the 1997 ozone NAAQS.

Historically, the design values for the Echo Summit, North Highlands – Blackfoot Way, Elk Grove – Bruceville, and Sloughhouse monitoring sites have consistently measured 0.005–0.015 ppm lower than the highest design value site for the Sacramento Metro area.[52] Therefore, we find that the invalid design values at the Echo Summit, North Highland – Blackfoot Way, Elk Grove – Bruceville, and Sloughhouse monitoring sites do not preclude an attainment determination for the Sacramento Metro area. The remaining ozone monitoring sites meet the data completeness requirements of 40 CFR part 50, appendix I.[53]

Per 40 CFR part 50, appendix I, section 2.3(b), "[w]hen computing whether the minimum data completeness requirements have been met, meteorological or ambient data may be sufficient to demonstrate that meteorological conditions on missing days were not conducive to concentrations above the level of the standard. Missing days assumed less

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[50] *See* Data Certification Letter dated Jan. 15, 2025, from Mark Loutzenhiser, SMAQMD, to Martha Guzman, EPA.
[51] EPA AQS Design Value Report, AMP480, accessed June 18, 2026 (User ID: SHONG, Report Request ID: 2390187).
[52] Id.
[53] Id.

than the level of the standard are counted for the purpose of meeting the data completeness requirement, subject to the approval of the appropriate Regional Administrator." Both the Sacramento – Del Paso Manor and Folsom monitoring sites did not meet the data completeness criterion of at least 90 percent on average over the three-year period for the 2025 design value. However, SMAQMD submitted requests for the EPA Region 9 Regional Administrator to approve inclusion of missing days at the Sacramento – Del Paso Manor and Folsom monitors towards the minimum data completeness requirements.[54] These requests were approved by the EPA and resulted in data completeness at or above 90 percent on average over the three-year period of 2023–2025 for the Sacramento – Del Paso Manor and Folsom sites; therefore, these 2025 design values are considered valid.[55]

Preliminary, not yet certified data available in the EPA AQS database for 2026,[56] indicate that the area continues to attain the 1997 ozone NAAQS. Prior to finalizing this action, we will examine all preliminary and certified ozone monitoring data available to ensure this trend persists. The AQS data reports for the Sacramento Metro area for the three years 2023 through 2025 are included in the docket for this rulemaking. Taking into account the extent and reliability of the applicable ozone monitoring network, and the data collected therefrom and summarized in Table 1 of this document, we are proposing to determine that the Sacramento Metro area attained the 1997 ozone NAAQS (as defined in 40 CFR part 50, appendix I) and on this basis to issue a CDD for the area.

E. Effects of this Proposed Determination

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[54] *See* SMAQMD 2022–2024 Ozone Data Substitution Analysis – Del Paso Manor and Folsom Monitoring Sites and SMAQMD 2025 Ozone Data Substitution Analysis – Del Paso Manor. For the Sacramento – Del Paso Manor monitor, SMAQMD requested that the EPA include 32 missing days between Jan. 11, 2022, and Dec. 31, 2024, and 44 missing days between Jan. 1, 2025, and Oct. 2, 2025; for the Folsom monitor, the District requested that the EPA include 22 missing days between Oct. 16, 2023, and Dec. 19, 2024.

[55] *See* letter dated Apr. 30, 2026, from Michael Martucci, EPA Region IX, to Mark Loutzenhiser, SMAQMD, and letter dated June 16, 2026 from Michael Martucci, EPA Region IX, to Mark Loutzenhiser, SMAQMD.

[56] Preliminary data for the first quarter of 2026 are posted in AQS and are provided in the docket for this action. Preliminary Design Value Report, AMP480, Report Request ID: 2403122, Aug. 19, 2026.

As discussed in Section II.C of this document, a CDD has the effect of suspending certain planning requirements, including an attainment demonstration, a reasonably available control measures (RACM) analysis, an RFP plan, contingency measures, and any other planning requirements related to attainment. The EPA approved these planning elements for the Sacramento Metro area[57] for the 1997 ozone standards on January 29, 2015, as discussed in Section II.B of this document.

A CDD does not suspend the CAA requirements to submit an emissions inventory, revisions to nonattainment NSR programs, or rules for section 185 fee programs. Of these three remaining requirements, the Sacramento Metro area has fulfilled the emissions inventory requirement and nonattainment NSR program revisions requirement, as discussed in Section II.B of this document. Section II.B also notes that SMAQMD and FRAQMD have met the CAA section 185 fee rule requirement. We will work with the remaining districts to ensure the CAA section 185 fee rule requirement is met throughout the area.

A CDD does not have the effect of redesignating an area to attainment. Redesignation of an area to attainment requires that an area has met all applicable requirements of CAA section 110 and part D, and that the area has submitted, and the EPA has approved, a redesignation request and maintenance plan.[58] Therefore, if we finalize this determination as proposed, the Sacramento Metro area will remain subject to the requirements for an area that has been designated nonattainment for the 1997 ozone NAAQS with a classification of Severe-15. This proposed CDD, if finalized, will apply throughout the nonattainment area, including to lands under the jurisdiction of CARB and the Districts, and to lands under Tribal jurisdiction.

IV. The EPA's Proposed Action

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[57] 80 FR 4795 (Jan. 29, 2015).

[58] Memorandum dated Sep. 4, 1992, from John Calcagni, Director, EPA Air Quality Management Division, to Regional Air Directors, titled "Procedures for Processing Requests to Redesignate Areas to Attainment."

The EPA is proposing to determine, based on the most recent three years (2023–2025) of complete or otherwise validated, quality-assured, and certified data meeting the requirements of 40 CFR part 50, appendix I, that the Sacramento Metro area has attained the 1997 ozone NAAQS.

In conjunction with and based on our proposed determination that the Sacramento Metro area has attained and is currently attaining the 1997 ozone NAAQS, in accordance with 40 CFR 51.918, the EPA is proposing to issue a CDD for the Sacramento Metro area for the 1997 ozone NAAQS.

The Sacramento Metro area will remain subject to the requirements for an area that has been designated nonattainment for the 1997 ozone NAAQS until such time as the EPA determines, consistent with CAA sections 107 and 175A, that the Sacramento Metro area meets the CAA requirements for redesignation to attainment, including an approved maintenance plan showing that the area will continue to attain the standard for 10 years.

The EPA is soliciting public comments on the proposed action, our rationale for the proposed action, and any issues discussed in this document. We will accept comments from the public on this proposal for the next 30 days and will consider comments before taking final action.

V. Statutory and Executive Order Reviews

Additional information about these statutes and Executive Orders can be found at *https://www.epa.gov/laws-regulations/laws-and-executive-orders*.

A. Executive Order 12866: Regulatory Planning and Review and Executive Order 13563: Improving Regulation and Regulatory Review

This action is not a significant regulatory action and was therefore not submitted to the Office of Management and Budget (OMB) for review. This action proposes to issue a CDD for the Sacramento Metro area and imposes no new requirements.

B. Executive Order 14192: Unleashing Prosperity Through Deregulation

Executive Order 14192 does not apply because actions that make attainment determinations under Clean Air Act section 181(b)(2) are exempted from review under Executive Order 12866.

C. Paperwork Reduction Act (PRA)

This action does not impose an information collection burden under the PRA because this action does not impose additional requirements beyond those imposed by State law.

D. Regulatory Flexibility Act (RFA)

I certify that this action will not have a significant economic impact on a substantial number of small entities under the RFA. This action will not impose any requirements on small entities beyond those imposed by State law. The proposed CDD does not create any new requirements and does not directly regulate any entities.

E. Unfunded Mandates Reform Act (UMRA)

This action does not contain any unfunded mandate as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments. This action does not impose additional requirements beyond those imposed by State law. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, will result from this action.

F. Executive Order 13132: Federalism

This action does not have federalism implications. It will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Pursuant to the CAA, this action proposes a CDD.

G. Executive Order 13175: Coordination with Indian Tribal Governments

Executive Order 13175 (65 FR 67249, Nov. 9, 2000), requires EPA to develop an accountable process to ensure “meaningful and timely input by Tribal officials in the

development of regulatory policies that have Tribal implications." This action does not have Tribal implications, as specified in Executive Order 13175, because this determination will not impose substantial direct costs on Tribal governments or preempt Tribal law. The EPA has identified Tribal areas within the Sacramento Metro area. We note that this determination, if finalized, would apply throughout the area, including on Tribal lands.

The EPA plans to notify the Tribes located within the boundaries of the Sacramento Metro area of this proposed determination. Because a final determination of attainment would not change the Tribe's existing nonattainment designation or classification, the EPA does not plan to offer government-to-government consultation on this proposed determination, however, it is our practice to initiate government-to-government consultation at the request of any Tribe.

H. Executive Order 13045: Protection of Children from Environmental Health Risks and Safety Risks

The EPA interprets Executive Order 13045 as applying only to those regulatory actions that concern environmental health or safety risks that the Agency has reason to believe may disproportionately affect children, per the definition of "covered regulatory action" in section 2-202 of the Executive Order. Therefore, this action is not subject to Executive Order 13045 because it merely proposes a CDD meets Federal requirements. Furthermore, the EPA's Policy on Children's Health does not apply to this action.

I. Executive Order 13211: Actions that Significantly Affect Energy Supply, Distribution, or Use

This action is not subject to Executive Order 13211, because it is not a significant regulatory action under Executive Order 12866.

J. National Technology Transfer and Advancement Act (NTTAA)

Section 12(d) of the NTTAA directs the EPA to use voluntary consensus

standards in its regulatory activities unless to do so would be inconsistent with applicable law or otherwise impractical. The EPA believes that this action is not subject to the requirements of section 12(d) of the NTTAA because application of those requirements would be inconsistent with the CAA.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Nitrogen oxides, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: September 3, 2026.

Michael Martucci,
Acting Regional Administrator, Region IX.

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