

51.1010. Additional detail can be found within the TSD in the docket.

*C. Did Utah follow the proper procedures for adopting their action?*

Section 110(k) of the CAA addresses our actions on submissions of revisions to a SIP. The Act also requires states to observe procedural requirements in developing implementation plans and plan revisions for submission. Section 110(a)(2) of the Act provides that each implementation plan submitted by a state must be adopted after reasonable notice and public hearing. Section 110(l) of the Act similarly provides that each revision to an implementation plan submitted by a state under the Act must be adopted by the state after reasonable notice and public hearing.

We also must determine whether a submittal is complete and therefore warrants further review and action.<sup>23</sup> Our completeness criteria for SIP submittals is set out at 40 CFR part 51, appendix V. A submittal is deemed complete by operation of law under section 110(k)(1)(B) of the Act if a completeness determination is not made within six months after receipt of the submission.

On May 20, 2025, UDAQ submitted to the EPA for parallel processing a draft SIP revision based upon draft revisions to the Utah state SIP section IX.H.11. and 12., and R307–110–17. The comment period at the State level began March 1 and ended March 31, 2025, with a public hearing held online at 2:00 p.m. on March 13, 2025. UDAQ requested this parallel processing so as not to delay action on the 2006 24-hour PM<sub>2.5</sub> redesignations for the Salt Lake City and Provo NAAs. UDAQ is planning on submitting its final SIP revision early in July 2025. After the State formally submits these final revisions, the EPA will evaluate the final submittal for any changes between the proposed and final versions. As discussed above in section I.C., the EPA will determine if any changes to the draft submission would warrant another proposed rule, or if on the other hand the agency may proceed with a final action. This formal submission from the State of Utah will accompany either the final rule or the new proposed rule under this docket number.

### III. Proposed Action

As mentioned in the sections above, we are proposing to approve, through parallel processing, Utah's draft May 20, 2025 submission to revise the federally approved Utah SIP based upon revisions to the Utah state SIP sections IX.H.11.

and 12., and the accompanying R307–110–17. Additionally, the EPA is proposing to approve for incorporation into the federally approved Utah SIP the five major stationary sources BACM/ BACT analyses/updates for the Salt Lake City 2006 24-hour PM<sub>2.5</sub> NAA that were submitted as a draft on May 20, 2025.

### IV. Incorporation by Reference

In this document, the EPA is proposing to include regulatory text in an EPA final rule that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is proposing to incorporate by reference R307–110–17 and Utah state SIP section IX.H.11. and 12, as discussed in sections I. and II. of this preamble. The EPA has made, and will continue to make, these materials generally available through <https://www.regulations.gov> and at the EPA Region 8 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

### V. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because SIP actions are exempt from review under Executive Order 12866;
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);

- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);

- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a state program;
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA.

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction. In those areas of Indian country, the rule does not have Tribal implications and will not impose substantial direct costs on Tribal governments or preempt Tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Greenhouse gases, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

**Authority:** 42 U.S.C. 7401 *et seq.*

Dated: July 2, 2025.

**Cyrus M. Western,**

*Regional Administrator, Region 8.*

[FR Doc. 2025–13337 Filed 7–15–25; 8:45 am]

**BILLING CODE 6560–50–P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA–R09–OAR–2025–0292; FRL–12825–01–R9]

### Determination of Attainment by the Attainment Date and Clean Data Determination; California, San Joaquin Valley 1997 Annual PM<sub>2.5</sub> Fine Particulate Matter Nonattainment Area

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to determine that the San Joaquin Valley, California fine particulate matter (PM<sub>2.5</sub>) nonattainment area attained the 1997 annual PM<sub>2.5</sub> national ambient air

<sup>23</sup> CAA section 110(k)(1); 57 FR 13565.

quality standards (NAAQS) by the December 31, 2024 applicable attainment date. This proposed determination is based on ambient air quality monitoring data from 2022 through 2024. We are also proposing to make a clean data determination (CDD) based on the 2022 through 2024 data and our evaluation of preliminary air quality monitoring data from 2025. We are taking comments on this proposal and plan to follow with a final action.

**DATES:** Comments must be received on or before August 15, 2025.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA–R09–OAR–2025–0292 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:** Ashley Graham, Geographic Strategies and Modeling Section (AIR–2–2), EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105; telephone number: (415) 972–3877; email address: [graham.ashleyr@epa.gov](mailto:graham.ashleyr@epa.gov).

**SUPPLEMENTARY INFORMATION:** Throughout this document, “we,” “us,” and “our” refer to the EPA.

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## I. Background

### A. PM<sub>2.5</sub> NAAQS

The Clean Air Act (CAA) requires the EPA to establish primary and secondary NAAQS for certain pervasive pollutants that “may reasonably be anticipated to endanger public health and welfare.”<sup>1</sup> The primary NAAQS is designed to protect public health with an adequate margin of safety, and the secondary NAAQS is designed to protect public welfare and the environment. The EPA has set standards for six common air pollutants, referred to as criteria pollutants. These standards represent the air quality levels an area must meet to comply with the CAA.

PM<sub>2.5</sub> can be particles emitted by sources directly into the atmosphere as a solid or liquid particle (“primary PM<sub>2.5</sub>” or “direct PM<sub>2.5</sub>”) or can be particles that form in the atmosphere as a result of various chemical reactions from PM<sub>2.5</sub> precursor emissions emitted by sources (“secondary PM<sub>2.5</sub>”). The EPA established each of the PM<sub>2.5</sub> NAAQS after considering substantial evidence from numerous health studies demonstrating that serious health effects are associated with exposures to PM<sub>2.5</sub> concentrations above such levels. Epidemiological studies have shown statistically significant correlations between elevated PM<sub>2.5</sub> levels and premature mortality. Other important health effects associated with PM<sub>2.5</sub> exposure include aggravation of respiratory and cardiovascular disease (as indicated by increased hospital admissions, emergency room visits, absences from school or work, and restricted activity dates), changes in lung function and increased respiratory symptoms, and new evidence for more subtle indicators of cardiovascular health. Individuals particularly sensitive to PM<sub>2.5</sub> exposure include older adults, people with heart and lung disease, and children.<sup>2</sup>

On July 18, 1997, the EPA revised the NAAQS for particulate matter by

establishing new NAAQS for particles with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers (PM<sub>2.5</sub>).<sup>3</sup> The EPA established primary and secondary annual and 24-hour standards for PM<sub>2.5</sub>.<sup>4</sup> The EPA set the annual primary and secondary standards at 15.0 micrograms per cubic meter (µg/m<sup>3</sup>), based on a three-year average of annual mean PM<sub>2.5</sub> concentrations.<sup>5</sup> The EPA has since strengthened the primary annual PM<sub>2.5</sub> NAAQS;<sup>6</sup> however, the 1997 primary annual PM<sub>2.5</sub> NAAQS remains in effect in areas designated nonattainment for that NAAQS.<sup>7</sup>

### B. The San Joaquin Valley PM<sub>2.5</sub> Nonattainment Area

Following promulgation of a new or revised NAAQS, the EPA is required under CAA section 107(d) to designate areas throughout the nation as attainment, nonattainment, or unclassifiable for the NAAQS. Effective April 5, 2005, the EPA established the initial air quality designations for the 1997 annual PM<sub>2.5</sub> NAAQS, using air quality monitoring data for the three-year periods of 2001–2003 and 2002–2004.<sup>8</sup> The EPA designated the San Joaquin Valley as nonattainment for the 1997 annual PM<sub>2.5</sub> NAAQS.<sup>9</sup>

The San Joaquin Valley PM<sub>2.5</sub> nonattainment area encompasses over 23,000 square miles and includes all or part of eight counties: San Joaquin, Stanislaus, Merced, Madera, Fresno, Tulare, Kings, and the valley portion of Kern.<sup>10</sup> The area is home to four million people and is one of the nation’s leading agricultural regions. Stretching over 250 miles from north to south and averaging 80 miles wide, it is partially enclosed by the Coast Mountain range to the west, the Tehachapi Mountains to the south, and the Sierra Nevada range to the east.

The California Air Resources Board (CARB) is the state agency responsible for the adoption and submission to the EPA of California state implementation plan (SIP) submissions. Under

<sup>3</sup> 62 FR 38652.

<sup>4</sup> For a given air pollutant, “primary” NAAQS are those determined by the EPA as requisite to protect the public health, allowing an adequate margin of safety, and “secondary” standards are those determined by the EPA as requisite to protect the public welfare from any known or anticipated adverse effects associated with the presence of such air pollutant in the ambient air. See CAA section 109(b).

<sup>5</sup> 40 CFR 50.7.

<sup>6</sup> 78 FR 3086 (January 15, 2013) and 89 FR 16202 (February 7, 2024).

<sup>7</sup> 40 CFR 50.13(d).

<sup>8</sup> 70 FR 944 (January 5, 2005).

<sup>9</sup> 40 CFR 81.305.

<sup>10</sup> For a precise description of the geographic boundaries of the San Joaquin Valley nonattainment area, see 40 CFR 81.305.

<sup>1</sup> CAA section 108(a).

<sup>2</sup> EPA, Air Quality Criteria for Particulate Matter, No. EPA/600/P–99/002aF and EPA/600/P–99/002bF, October 2004.

California law, air districts in California are generally responsible for the development of regional air quality plans. For the San Joaquin Valley area, the San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD or “District”) develops and adopts air quality management plans to address CAA planning requirements applicable to the region. The District then submits such plans to CARB for adoption and submission to the EPA as proposed revisions to the California SIP.

The EPA approved most of the elements of the State’s attainment plan for the San Joaquin Valley for the 1997 annual PM<sub>2.5</sub> NAAQS on December 14, 2023, including the State’s demonstration that the area would attain the NAAQS by December 31, 2023.<sup>11</sup> On May 23, 2024, the State of California transmitted a letter to the EPA requesting that the EPA grant a one-year extension under CAA section 172(a)(2)(C) of the applicable “Serious” area attainment date for the San Joaquin Valley from December 31, 2023, to December 31, 2024.<sup>12</sup> In its request, the State certified that it has complied with all requirements and commitments pertaining to the area in the approved implementation plan and that certified monitoring data for the San Joaquin Valley for 2023 were below the level of the 1997 annual PM<sub>2.5</sub> NAAQS. On November 19, 2024, the EPA granted the State’s request and extended the applicable attainment date to December 31, 2024.<sup>13</sup>

### C. Clean Air Act Requirement for a Determination of Attainment

Sections 179(c) and 188(b)(2) of the CAA require that within six months following the applicable attainment date, the EPA shall determine whether a PM<sub>2.5</sub> nonattainment area attained the standard based on the area’s design

value<sup>14</sup> as of that date.<sup>15</sup> This determination, also referred to as a determination of attainment by the attainment date (DAAD), is based on certified data leading up to the attainment date, *i.e.*, in this case, data for 2022–2024. Section 179(c)(2) of the CAA requires the EPA to publish the determination in the **Federal Register**.

### D. The EPA’s Clean Data Policy

Under the EPA’s longstanding Clean Data Policy, which was reaffirmed in the PM<sub>2.5</sub> Implementation Rule at 40 CFR 51.1015, when an area has attained the relevant PM<sub>2.5</sub> standard(s), the EPA may issue a CDD (also sometimes referred to as a determination of attainment for the purposes of the Clean Data Policy) after notice and comment rulemaking determining that a specific area is attaining the relevant standard(s). 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 (*i.e.*, a DAAD). The effect of a CDD is to suspend the requirement for the area to submit an attainment demonstration, a reasonably available control measures demonstration, a reasonable further progress (RFP) plan, contingency measures, and any other planning requirements related to attainment for as long as the area continues to attain the standard.<sup>16</sup> A CDD does not suspend the requirements for an emissions inventory or for new source review.<sup>17</sup>

<sup>14</sup> A design value is the 3-year average NAAQS metric that is compared to the NAAQS level to determine when a monitoring site meets or does not meet the NAAQS. The specific methodologies for calculating whether the annual PM<sub>2.5</sub> NAAQS is met at each eligible monitoring site in an area is found in 40 CFR part 50, appendix N, section 4.1.

<sup>15</sup> A determination that an area has attained by the applicable attainment date does not constitute a redesignation to attainment.

<sup>16</sup> Because the EPA previously approved the State’s attainment plan for the San Joaquin Valley for the 1997 annual PM<sub>2.5</sub> NAAQS (see footnote 11 of this document), the State would not be required to submit any additional planning elements following a DAAD. However, in *Little Manila Rising, et al. v. EPA*, 9th Cir. Case No. 24–6990, the question regarding the extent of the EPA’s authority to grant a one-year extension of the applicable attainment date from December 31, 2023, to December 31, 2024, for the San Joaquin Valley for the 1997 annual PM<sub>2.5</sub> NAAQS is still pending before the court. In the event that the court finds that the EPA did not have the authority to grant the extension, the proposed CDD in this action would relieve the state of the requirement to adopt and submit a new plan for failing to attain by the applicable attainment date.

<sup>17</sup> 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

## II. Determination of Attainment by the Attainment Date

### A. Monitoring Network Review, Quality Assurance, and Data Completeness

A determination of whether an area is attaining the NAAQS is typically based upon complete, quality-assured data gathered at established State and Local Air Monitoring Stations (SLAMS) and entered into the EPA’s Air Quality System (AQS) database. Data from ambient air monitors operated by state/local agencies in compliance with the EPA monitoring requirements must be submitted to AQS. Monitoring agencies annually certify that these data are accurate to the best of their knowledge. Accordingly, the EPA relies primarily on data in AQS when determining compliance with the NAAQS.<sup>18</sup> The EPA reviews all data to determine the area’s air quality status in accordance with 40 CFR part 50, appendix N. Under EPA regulations in 40 CFR 50.7 and in accordance with appendix N, the 1997 annual PM<sub>2.5</sub> NAAQS are met when the annual arithmetic mean concentration, as determined in accordance with the rounding conventions in 40 CFR part 50, appendix N, is less than or equal to 15.0 µg/m<sup>3</sup> at each eligible monitoring site within the area.

For the annual PM<sub>2.5</sub> standard, eligible monitoring sites are those monitoring stations that meet the criteria specified in 40 CFR 58.11 and 58.30 and thus are approved for comparison to the annual PM<sub>2.5</sub> NAAQS.<sup>19</sup> Three years of valid annual means are required to produce a valid annual PM<sub>2.5</sub> NAAQS design value.<sup>20</sup> Data completeness requirements for a given year are met when at least 75 percent of the scheduled sampling days for each quarter have valid data.<sup>21</sup> We note that monitors with incomplete data in one or more quarters may still produce valid design values if the conditions for applying the EPA’s data substitution test are met.<sup>22</sup> In determining whether data are suitable for regulatory determinations, the EPA uses a “weight of evidence” approach, considering the requirements of 40 CFR

types of requirements, such as permitting requirements under the nonattainment new source review program, the emissions inventory requirement, and specific control requirements independent of those strictly needed to ensure timely attainment of the given NAAQS. 81 FR 58010, 58128.

<sup>18</sup> See 40 CFR 50.7; 40 CFR part 50, appendix L; 40 CFR part 53; 40 CFR part 58, and 40 CFR part 58, appendices A, C, D, and E.

<sup>19</sup> 40 CFR part 50, appendix N section 1.0(c).

<sup>20</sup> 40 CFR part 50, appendix N, section 4.1(b).

<sup>21</sup> *Id.*

<sup>22</sup> 40 CFR part 50, appendix N, section 4.1(b) and (c).

<sup>11</sup> 88 FR 86581. We approved the State’s best available control measures (BACM) demonstration, attainment demonstration, reasonable further progress (RFP) demonstration, quantitative milestone demonstration, five percent reduction in emissions per year demonstration, and motor vehicle emissions budgets as meeting the “Serious” area and CAA section 189(d) planning requirements. We also affirmed that the base year emissions inventories in the plan, which we had previously approved (86 FR 67329, November 26, 2021), provided an adequate basis for the BACM, RFP, five percent, and modeled attainment demonstration analyses. We deferred action on the requirement for contingency measures; however, we subsequently approved the area’s contingency measures submittal on October 4, 2024 (89 FR 80749).

<sup>12</sup> Letter dated May 23, 2024, from Steven S. Cliff, Executive Officer, CARB, to Martha Guzman, Regional Administrator, EPA Region 9.

<sup>13</sup> 89 FR 91263.

part 58, appendix A “in combination with other data quality information, reports, and similar documentation that demonstrate overall compliance with Part 58.”<sup>23</sup>

Section 110(a)(2)(B)(i) of the CAA requires states to establish and operate air monitoring networks to compile data on ambient air quality for all criteria pollutants. The monitoring requirements are specified in 40 CFR part 58. These requirements are applicable to state and, where delegated, local air monitoring agencies that operate criteria pollutant monitors. The regulations in 40 CFR part 58 establish specific requirements for operating air quality surveillance networks to measure ambient concentrations of PM<sub>2.5</sub>, including requirements for measurement methods, network design, quality assurance procedures, and, in the case of large urban areas, the minimum number of monitoring sites designated as SLAMS.

In section 4.7 of appendix D to 40 CFR part 58, the EPA specifies minimum monitoring requirements for PM<sub>2.5</sub> to operate at SLAMS. SLAMS produce data comparable to the NAAQS, and therefore, the monitor must be an approved federal reference method (FRM) or federal equivalent method (FEM). The minimum number of SLAMS required is described in section 4.7.1 and can be met by either filter-based or continuous FRMs or FEMs. The monitoring regulations also provide that each core-based statistical area must operate a minimum number of PM<sub>2.5</sub> continuous monitors;<sup>24</sup> however, this requirement can be met by either an FEM or a non-FEM continuous monitor, and the continuous monitors can be located with other SLAMS or at a different location. Consequently, the monitoring requirements for PM<sub>2.5</sub> can be met with filter-based FRMs/FEMs, continuous FEMs, continuous non-FEMs, or a combination of monitors at each required SLAMS.

Under 40 CFR 58.10, states are required to submit annual monitoring network plans to the EPA.<sup>25</sup> Within the San Joaquin Valley, CARB and the District are the agencies responsible for assuring that the area meets PM<sub>2.5</sub> air quality monitoring requirements. CARB and SJVUAPCD submit monitoring network plans to the EPA annually. These plans describe and discuss the status of the air monitoring network, as required under 40 CFR 58.10. Each year, the EPA reviews these annual network

plans for compliance with the applicable monitoring requirements in 40 CFR part 58. With respect to PM<sub>2.5</sub>, we have found that the CARB and SJVUAPCD annual network plans meet the applicable requirements under 40 CFR part 58.<sup>26</sup>

During the 2022–2024 period, ambient PM<sub>2.5</sub> concentration data that are eligible for use in determining whether an area has attained the PM<sub>2.5</sub> NAAQS were collected at a total of 18 sites within the San Joaquin Valley. The District operates 12 of these sites while CARB operates 6 of these sites. All of the sites are designated SLAMS for PM<sub>2.5</sub>.<sup>27</sup> Based on our review of the PM<sub>2.5</sub> monitoring network, we propose to find that the monitoring network in the San Joaquin Valley is adequate for the purpose of collecting ambient PM<sub>2.5</sub> concentration data for use in determining whether the San Joaquin Valley has attained the 1997 annual PM<sub>2.5</sub> NAAQS.

Under 40 CFR 58.15, monitoring agencies must submit a letter to the EPA each year to certify that all of the ambient concentration and quality assurance data for the previous year have been submitted to AQS and that the ambient concentration data are accurate to the best of their knowledge, taking into consideration the quality assurance findings. The letter must address data for all FRM and FEM monitors at SLAMS and special purpose monitoring stations that meet the criteria specified in 40 CFR part 58, appendix A. CARB annually certifies that the data the agency submits to AQS are quality assured, including the data collected at monitoring sites in the San Joaquin Valley.<sup>28</sup> SJVUAPCD does the same for data submitted to AQS from monitoring sites operated by the District.<sup>29</sup>

<sup>26</sup> Letter dated October 29, 2024, from Dena Vallano, Manager, Monitoring and Analysis Section, EPA Region IX, to Sylvia Vanderspek, Manager, Air Quality Planning Branch, CARB; and letter dated October 29, 2024, from Dena Vallano, Manager, Monitoring and Analysis Section, EPA Region IX, to Jon Klassen, Director, Air Quality Science, SJVUAPCD.

<sup>27</sup> There are a number of other PM<sub>2.5</sub> monitoring sites within the valley, including other sites operated by the District, the National Park Service, and certain Indian Tribes, but the data collected from these sites are non-regulatory and not eligible for comparison with the PM<sub>2.5</sub> NAAQS.

<sup>28</sup> For example, see letter dated April 18, 2025, from Jin Xu, Acting Chief, Air Quality Planning Branch, CARB, to Dena Vallano, Manager, Monitoring and Analysis Section, EPA Region 9, with enclosures, certifying calendar year 2024 ambient air quality data and quality assurance data.

<sup>29</sup> For example, see letter dated March 20, 2025, from Robert Gilles, Program Manager, SJVUAPCD, to Matt Lakin, Director, Air and Radiation Division, EPA Region IX, with attachments, certifying calendar year 2024 ambient air quality data and quality assurance data.

With respect to data completeness, we determined that the data collected by the CARB and the District met the quarterly completeness criterion for all 12 quarters of the three-year period at most of the PM<sub>2.5</sub> monitoring sites in the San Joaquin Valley. More specifically, among the 18 PM<sub>2.5</sub> monitoring sites from which regulatory data are available, the data from Merced-Vienna (AQS ID: 06–047–2024), Stockton–University (AQS ID: 06–077–1003), and Manteca (AQS ID: 06–077–2010) did not meet the 75 percent completeness criterion for one quarter;<sup>30</sup> however, the data from the sites are sufficient nonetheless to produce valid design values for the 1997 annual PM<sub>2.5</sub> NAAQS pursuant to the rules governing design value validity in 40 CFR part 50, appendix N, section 4.1.

Finally, the EPA conducts regular technical systems audits (TSAs) where we 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. For the purposes of this proposal, we reviewed the findings from the EPA’s most recent TSAs of CARB’s and the District’s ambient air monitoring programs.<sup>31</sup> The results of the TSAs do not preclude the EPA from determining that the San Joaquin Valley PM<sub>2.5</sub> nonattainment area has attained the 1997 annual PM<sub>2.5</sub> NAAQS.

In summary, based on the EPA’s reviews of the relevant annual network plans, certifications, quality assurance data, and TSAs, we propose to find that the PM<sub>2.5</sub> data collected at San Joaquin Valley monitoring sites are suitable for determining whether the San Joaquin Valley PM<sub>2.5</sub> nonattainment area has attained the 1997 annual PM<sub>2.5</sub> NAAQS.

#### *B. The EPA’s Evaluation of Attainment*

Table 1 of this document provides the PM<sub>2.5</sub> design values at each of the 18 monitoring sites within the San Joaquin Valley PM<sub>2.5</sub> nonattainment area, expressed as a single design value representing the 2022–2024 period and for each individual year. The PM<sub>2.5</sub> data show that the design values at the San Joaquin Valley monitoring sites were below the level of the 1997 annual PM<sub>2.5</sub> NAAQS of 15.0 µg/m<sup>3</sup>. Consequently,

<sup>30</sup> EPA, AQS Combined Site Sample Values (AMP355), Report Request ID: 2290307, May 7, 2025.

<sup>31</sup> Letter dated March 14, 2024, from Matthew Lakin, Director, Air and Radiation Division, EPA Region IX, to Edie Chang, Executive Officer, CARB, with enclosure titled “Technical Systems Audit of the Ambient Air Monitoring Program: California Air Resources Board December 2021–August 2022.”

<sup>23</sup> 40 CFR part 58, appendix A, section 1.2.3.

<sup>24</sup> 40 CFR part 58, appendix D, section 4.7.2.

<sup>25</sup> 40 CFR 58.10(a)(1).

the EPA is proposing to determine based upon three years of quality-assured and certified data from 2022 through 2024

that the San Joaquin Valley PM<sub>2.5</sub> nonattainment area attained the 1997

annual PM<sub>2.5</sub> NAAQS by the applicable December 31, 2024 attainment date.

TABLE 1—2022–2024 ANNUAL PM<sub>2.5</sub> DESIGN VALUES FOR THE SAN JOAQUIN VALLEY PM<sub>2.5</sub> NONATTAINMENT AREA

County	Site name (AQS ID)	Annual mean (µg/m <sup>3</sup> )			2022–2024 Annual design value (µg/m <sup>3</sup> )
		2022	2023	2024	
Fresno	Fresno-Garland (06–019–0011)	12.9	10.5	10.3	11.2
Fresno	Tranquillity (06–019–2009)	6.7	4.8	7.0	6.2
Fresno	Fresno-Founry (06–019–2016)	14.8	12.5	13.6	13.6
Fresno	Clovis-Villa (06–019–5001)	10.5	8.6	10.6	9.9
Fresno	Fresno-Pacific (06–019–5025)	13.5	12.6	12.7	12.9
Kern	Bakersfield-Golden/M-St (06–029–0010)	16.7	13.7	12.9	14.4
Kern	Bakersfield-California (06–029–0014)	15.8	12.0	12.7	13.5
Kern	Bakersfield-Airport (Planz) (06–029–0016)	16.1	12.5	15.6	14.7
Kings	Corcoran-Patterson (06–031–0004)	14.7	10.1	10.1	11.6
Kings	Hanford-Irwin (06–031–1004)	14.2	12.5	11.8	12.8
Madera	Madera-City (06–039–2010)	10.4	9.9	9.0	9.8
Merced	Merced-Vierra (06–047–2024)	9.8	8.4	7.2 (Inc)	8.4
Merced	Merced-M St (06–047–2510)	10.5	9.6	7.8	9.3
San Joaquin	Stockton-University Park (06–077–1003)	10.2	10.8 (Inc)	10.1	10.4
San Joaquin	Manteca (06–077–2010)	9.0 (Inc)	7.9	8.1	8.3
Stanislaus	Modesto-14th Street (06–099–0005)	13.4	10.5	9.0	11.0
Stanislaus	Turlock (06–099–0006)	10.8	10.1	9.3	10.1
Tulare	Visalia-W Ashland Avenue (06–107–2003)	15.0	11.7	13.0	13.2

Source: EPA, AQS Design Value Report (AMP480), Report Request ID: 2290291, May 7, 2025.

Notes: Inc = Incomplete Data.

### III. Clean Data Determination

As described in section I.D. of this document, when an area has attained the relevant PM<sub>2.5</sub> standard(s), the EPA may issue a CDD after notice and comment rulemaking determining that a specific area is attaining the relevant standard.<sup>32</sup> Based on quality-assured and certified data for 2022–2024, the San Joaquin Valley PM<sub>2.5</sub> nonattainment area meets the 1997 annual PM<sub>2.5</sub> NAAQS. Furthermore, preliminary data available in AQS for 2025 (January through March) indicate that the area continues to show concentrations consistent with attainment of the 1997 annual PM<sub>2.5</sub> NAAQS.<sup>33</sup> Consequently, the EPA is proposing to issue a CDD.

If we finalize this proposed CDD, the obligation to submit attainment planning provisions to meet the requirements for an attainment plan for the 1997 annual PM<sub>2.5</sub> NAAQS, including an RFP plan, quantitative milestones and quantitative milestone reports, contingency measures, and an attainment demonstration, are suspended until such time as: (1) the area is redesignated to attainment, after which such requirements are permanently discharged; or (2) the EPA determines that the area has re-violated

the PM<sub>2.5</sub> NAAQS, at which time the state shall submit such attainment plan elements for the nonattainment area by a future date to be determined by the EPA and announced through publication in the **Federal Register** at the time the EPA determines the area is violating the PM<sub>2.5</sub> NAAQS.

A CDD does not suspend the requirements for an emissions inventory or new source review (NSR). The EPA previously approved the base year emissions inventory element of the attainment plan for the 1997 annual PM<sub>2.5</sub> NAAQS as meeting the requirements of CAA section 172(c)(3) and 40 CFR 50.1008.<sup>34</sup> On January 21, 2025, the EPA proposed a limited approval and limited disapproval of nonattainment NSR SIP revisions submitted by California for the San Joaquin Valley.<sup>35</sup> We are not taking any further action on the submissions at this time.

### IV. The EPA's Proposed Action

For the reasons discussed in this document, the EPA is proposing to determine, based on the most recent three years (2022–2024) of complete (or otherwise validated), quality-assured, and certified data meeting the requirements of 40 CFR part 50, appendix N, that the San Joaquin Valley PM<sub>2.5</sub> nonattainment area attained the

1997 annual PM<sub>2.5</sub> NAAQS by its December 31, 2024 attainment date. This action, when finalized, will fulfill the EPA's statutory obligation to determine whether the San Joaquin Valley PM<sub>2.5</sub> nonattainment area attained the NAAQS by the attainment date.

In accordance with 40 CFR 51.1015, we are also proposing to issue a CDD for the San Joaquin Valley PM<sub>2.5</sub> nonattainment area for the 1997 annual PM<sub>2.5</sub> NAAQS. Accordingly, the EPA is proposing to determine that the obligation to submit any attainment-related SIP revisions is not applicable for so long as the area continues to attain those NAAQS. This CDD does not constitute a redesignation to attainment. The San Joaquin Valley PM<sub>2.5</sub> nonattainment area will remain designated nonattainment for the 1997 annual PM<sub>2.5</sub> NAAQS until such time as the EPA determines, pursuant to sections 107 and 175A of the CAA, that the San Joaquin Valley PM<sub>2.5</sub> nonattainment area meets the CAA requirements for redesignation to attainment, including an approved maintenance plan showing that the area will continue to meet the standard for 10 years.

The EPA is soliciting public comments on the issues discussed in this document. We will accept comments from the public on this proposal for the next 30 days. We will

<sup>32</sup> 40 CFR 51.1015.

<sup>33</sup> EPA, AQS Combined Site Sample Values (AMP355), Report Request ID: 2296369, June 2, 2025; AQS Combined Site Sample Values (AMP355), Report Request ID: 2296793, June 4, 2025.

<sup>34</sup> 86 FR 67329, 67341 (November 26, 2021).

<sup>35</sup> 90 FR 6928.

consider these 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.

*B. Executive Order 14192: Unleashing Prosperity Through Deregulation*

This action is not expected to be an Executive Order 14192 regulatory action because this action is not significant under Executive Order 12866.

*C. Paperwork Reduction Act (PRA)*

This action does not impose an information collection burden under the PRA because this proposed 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.

*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.

*G. Executive Order 13175: Coordination With Indian Tribal Governments*

This action does not have Tribal implications, as specified in Executive

Order 13175, because the SIP is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction, and it will not impose substantial direct costs on Tribal governments or preempt Tribal law. Thus, Executive Order 13175 does not apply to this action.

*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 EPA 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 DAAD and a CDD. 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, Ammonia, Incorporation by reference, Intergovernmental relations, Nitrogen oxides, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: July 7, 2025.

**Joshua F.W. Cook,**

*Regional Administrator, Region IX.*

[FR Doc. 2025–13339 Filed 7–15–25; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA–R08–OAR–2019–0418; FRL–12875–01–R8]

#### Air Quality State Implementation Plans; Approval and Promulgations: Montana: Infrastructure Requirements for the 2015 Ozone National Ambient Air Quality Standards

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to approve elements of a state implementation plan (SIP) submission from Montana regarding the infrastructure requirements of the Clean Air Act (CAA) for the 2015 ozone National Ambient Air Quality Standards (NAAQS). The infrastructure requirements are designed to ensure that the structural components of each state’s air quality management program are adequate to meet the state’s responsibilities under the CAA. Additionally, EPA is proposing to approve Montana’s request to update their SIP, to incorporate the most current version of the “Guideline on Air Quality Models.” The EPA is taking this action pursuant to the CAA.

**DATES:** Written comments must be received on or before August 15, 2025.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA–R08–OAR–2019–0418 to the Federal Rulemaking Portal: <https://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from <https://www.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, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit