



# At a Glance

## Why We Did This Evaluation

We conducted this evaluation to determine the (1) number of Clean Air Act State Implementation Plans awaiting U.S. Environmental Protection Agency approval, (2) factors causing delays in plan approvals, (3) extent to which states have not submitted required plans to the EPA, (4) potential impact of delays in plan processing on achieving air quality standards, and (5) steps that the EPA is taking to address delays in plan processing.

The Clean Air Act requires each state to submit State Implementation Plans that demonstrate that it has an air quality management program in place to implement National Ambient Air Quality Standards and to identify emission-control requirements to attain or maintain the standards. The Act provides statutory deadlines for when states must submit and the EPA must approve or disapprove the plans.

### This evaluation addresses the following:

- *Improving air quality.*

### This evaluation addresses these top EPA [management challenges](#):

- *Complying with key internal control requirements (policies and procedures).*
- *Overseeing states implementing EPA programs.*

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List of [OIG reports](#).

## ***EPA Has Reduced Its Backlog of State Implementation Plans Submitted Prior to 2013 but Continues to Face Challenges in Taking Timely Final Actions on Submitted Plans***

### What We Found

Since 2015, the EPA has reduced the number of State Implementation Plan submittals awaiting EPA action, including the portion of these submittals that have been backlogged at the EPA. A SIP submittal is considered **backlogged** when it is not acted upon by the EPA within 12 months from the date of the completeness determination. The Agency has reduced its backlog by taking final actions on SIPs backlogged prior to 2013, encouraging states to withdraw some SIP submittals, and conducting early engagement with state agencies prior to SIP submittal. We found that, from 2013 through 2020, states were often late submitting SIPs to the EPA, submitting 51 percent of required SIP elements six months or more after the statutory deadline.

**Delays in EPA SIP actions increase the risk that state or local air agencies are not implementing plans sufficient to achieve or maintain the NAAQS.**

Despite this progress, the EPA has still not taken timely action on a significant number of SIP submittals. As of January 1, 2021, approximately 39 percent of the 903 active SIP submittals awaiting EPA action were considered backlogged. Several factors can negatively impact the Agency's ability to take timely action: the number of SIP submittals received in a given year, the complexity of certain types of SIP submittals, limited regional resources, and unresolved litigation and legal and policy issues that would set national precedents. For example, as of February 2021, approximately 46 percent of backlogged SIP elements at the EPA were under further review due to ongoing national precedent or litigation concerns.

The impact of EPA delays in taking SIP actions varies. In circumstances where air quality is not meeting National Ambient Air Quality Standards, delayed EPA actions increase the risk that state or local air agencies are not implementing plans sufficient to achieve the NAAQS. In other cases, delayed action can result in a lack of regulatory certainty and different enforceable requirements for regulated entities.

### Recommendations and Planned Agency Corrective Actions

We recommend that the EPA (1) develop and implement a process to identify which SIP elements are not submitted by statutory deadlines; (2) develop and implement a plan to address regional workload disparities to ensure timely SIP actions; (3) reassess certain decisions affecting the suspension of SIP requirements in Yuma, Arizona, and Mariposa, California; and (4) issue findings of failure to submit or take disapproval actions for areas without an EPA-approved SIP in place that continue to exceed the NAAQS beyond their required attainment dates. The EPA agreed with our recommendations. Recommendations 1 and 3 are completed, and Recommendation 4 is resolved with corrective actions pending. Recommendation 2 is unresolved pending additional information on future years' plans.