UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103

JUN 22 2000

Ms. Ann Marie DeBiase, Director
Air & Radiation Management Administration
Maryland Department of the Environment
2500 Broening Highway
Baltimore, Maryland 21224

Dear Ms. DeBiase:

On March 2, 1999, the United States Court of Appeals for the District of Columbia Circuit issued its opinion in Environmental Defense Fund (EDF) v. Environmental Protection Agency (EPA), No. 97-1637, that the EPA must make an affirmative determination that the submitted Motor Vehicle Emission Budgets (the budgets) contained in State Implementation Plans (SIPs) are consistent with applicable requirements for attainment of the National Ambient Air Quality Standards (NAAQS) before they are used to test the conformity of Transportation Improvement Programs (TIPs) or Long Range Transportation Plans. In addition, EPA agreed to make these submitted budgets available for public comment and to respond to those comments when announcing our determination of the adequacy of those budgets.

By transmittal letters dated as shown in the table below, the District of Columbia, State of Maryland and Commonwealth of Virginia each formally submitted a SIP revision consisting revisions to the attainment demonstration (attainment plan) for the Metropolitan Washington D.C. Ozone Nonattainment Area (the Washington, D.C. area) to establish revised out-year budgets for 2015 and 2020.

State	Submittal Date
District of Columbia	**March 22, 2000**
Maryland	**March 31, 2000**
Virginia	**March 31, 2000**

On April 24, 2000, a notice was posted on EPA's website at http://www.epa.gov/oms/traq, for the purpose of opening EPA's 30-day public comment period on the adequacy of the budgets in your revised attainment plan. That notice also provided a link to and the address for a website where interested members of the public could access the revised attainment plan. EPA's public comment period closed on May 24, 2000. Enclosed please find the Technical Support Document (TSD) prepared in support of our findings regarding the adequacy of your revised budgets. Please see Section II of the TSD regarding the comments received.

We have reviewed the revised budgets in the attainment plan in accordance with the procedures and criteria for review in the following sections of the Conformity Rule: 40 CFR Part 93, Sections 93.118(e)(4)(i) through (e)(4)(vi) and Section 93.118(e)(5). The enclosed TSD details our review of the revised budgets. Based upon that review and after consideration of the comments received, EPA finds the budgets in the attainment plan for the Metropolitan Washington, D.C. Ozone Nonattainment Area adequate for transportation conformity purposes.

We will be posting today's finding on EPA's website at, http://www.epa.gov/oms/traq and we will also announce today's finding on the budgets in the Federal Register. That announcement will be published in approximately one week. The finding of adequacy of the budgets contained in revised attainment plan will be effective 15 days after publication of the announcement in the Federal Register.

If you or your staff have any questions please feel free to contact Marcia L. Spink, Associate Director for Air Programs at (215) 814-2104 or Robert Kramer, Chief, Energy, Radiation and Indoor Environment Branch at (215) 814-2704.

Sincerely,

Marcia L. Spink for

Judith M. Katz, Director
Air Protection Division

Enclosure

cc: Dianne Franks (MDE)
Tad Aburn (MDE)
Marsha Kaiser (MDOT)
Howard Simons (MDOT)
Steve Rapley (FHWA, MD)
Joan Rohlfs (WASCOG)