UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

March 29, 2000

Nancy Wrona,
Director, Air Quality Division
Arizona Department of Environmental Quality
3033 North Central Avenue
Phoenix, AZ 85012

James Bourey
Executive Director
Maricopa Association of Governments
302 North 1st Avenue, Ste. 300
Phoenix, Arizona 85003

Dear Ms. Wrona and Mr. Bourey:

We have found adequate for transportation conformity purposes the motor vehicle emission budget in the Revised MAG 1999 Serious Area Particulate Plan for PM-10 for the Maricopa County Nonattainment Area (February 2000). As a result of our adequacy finding, the Maricopa Association of Governments and the Federal Highway Administration must use this budget in future conformity analyses. This adequacy finding replaces the inadequacy finding we made on December 1, 1999.

On March 2, 1999 the United States Court of Appeals for the District of Columbia Circuit issued a decision on *Environmental Defense Fund vs. the Environmental Protection Agency*, No. 97-1637, that we must make an affirmative determination that the submitted motor vehicle emission budgets contained in State Implementation Plans are adequate before they are used to determine the conformity of Transportation Improvement Programs or Long Range Transportation Plans. In response to the court decision, we are making any submitted SIP revision containing a control strategy plan available for public comment and responding to these comments before announcing our adequacy determination.

On December 28, 1999, ADEQ submitted as a SIP revision the draft revised MAG Serious Area PM-10 plan for the Maricopa County nonattainment area. The draft plan identifies a regional motor vehicle emission budget of 58.6 metric tons of directly-emitted PM-10 per day for annual PM-10 standard. The plan does not contain a budget for the 24-hour PM-10 standard. We announced receipt of the draft plan on the Internet and requested public comment by February 25, 2000. On February 16, 2000, we received the final revised MAG Serious Area PM-10 plan. The conformity budget, as well as the technical supporting documentation, in the final plan is unchanged from the draft plan. The comment period on the draft plan was extended to March 1, 2000 due to a temporary shutdown of Internet access to the public near the end of the comment period. We received no comments on the plan.

This letter transmits our decision that the final revised MAG PM-10 Plan is adequate for transportation conformity decisions for the annual standard. After reviewing the plan, we have preliminarily determined that it will provide for expeditious attainment of the annual PM-10 standard in the greater Phoenix area. We have detailed our adequacy determination in the enclosure and will soon post this information on the Internet at: www.epa.gov/oms/transp/conformi/ pastsips.htm. We will also announce this adequacy determination in the Federal Register. This determination will become effective 15 days after the Federal Register announcement.

If you have any questions regarding this decision, please contact Karina O'Connor at 415-744-1247 or Colleen McKaughan at (520) 498-0118.

Sincerely,

David P. Howekamp
Director, Air Division

Enclosure

cc: Bob O'Loughlin, FHWA
Dennis Middelstedt, FHWA
Leslie Rogers, FTA
Pat Cupell, ADOT
Lindy Bauer, MAG

Enclosure

Transportation Conformity Adequacy Review

Control Strategy SIP under Review: MAG Serious Area PM-10			Date of SIP Revision Receipt by EPA: 2/16/00
Reviewer: Frances Wicher		Date: 2/00	
Transportation Review Criteria		Is Criterion Satisfied? Y/N	Reference in SIP Document / Comments
Sec. 93.118(e)(4)(i)	The plan was endorsed by the Governor (or designee) and was subject to a public hearing.	Y	The February 16, 2000 transmittal letter from ADEQ to Felicia Marcus references ARS § 49-404 and § 49-406 which delegates authority to ADEQ from the governor to adopt and submit plans. Appendix D, Exhibit 1: (Volume 4) contains documentation of a public hearing on the plan on Monday, January 31, 2000.
Sec. 93.118(e)(4)(ii)	The plan was developed through consultation with federal, state and local agencies; full implementation plan documentation was provided and EPA's stated concerns, if any, were addressed.	Y	The process used for consultation with federal, state and local agencies and the public is described and documented in Chapter 11, Public Participation, of the plan. Appendix D, Exhibit 1: (Volume 4) contains the actual public comments received on the plan and responses to those comments. The responses adequately address all comments received.

Control Strategy SIP under Review: MAG Serious Area PM-10 Plan			Date of SIP Revision Receipt by EPA: 2/16/00
Reviewer: Frances Wicher		Date: 2/00	
Transportation Review Criteria		Is Criterion Satisfied? Y/N	Reference in SIP Document / Comments
Sec. 93.118(e)(4)(iii)	The motor vehicle emission budget(s) is clearly identified and precisely quantified.	Y	The motor vehicle budget is clearly identified and precisely quantified on page 8-13 of the plan. Budget is for directly-emitted PM-10. No budget is established for PM-10 precursors.
Sec. 93.118(e)(4)(iv)	The motor vehicle emissions budget(s), when considered together with all other emission sources, is consistent with applicable requirements for reasonable further progress, attainment, or maintenance (whichever is relevant to the given plan).	Y	Chapter 8, Demonstration of attainment status, describes how the level of emissions contained in the motor vehicle budget, with all other emission sources, will show attainment of the standards by December 31, 2006 with a peak annual concentration of 49.8 $\mu g/m^3$ and a peak 24-hour concentration of 149.3 $\mu g/m^3$. Attainment is based on reductions from Maricopa County's Rule 310 and Rule 310.01, paving of unpaved roads, and sweeping of paved roads and controls and commitments to adopt controls on agricultural emissions..

Control Strategy SIP under Review: MAG Serious Area PM-10 Plan			Date of SIP Revision Receipt by EPA: 2/16/00
Reviewer: Frances Wicher		Date: 2/00	
Transportation Review Criteria		Is Criterion Satisfied? Y/N	Reference in SIP Document / Comments
Sec. 93.118(e)(4)(v)	The plan shows a clear relationship between the emissions budget(s), control measures and the total emissions inventory.	Y	The emission inventory for all point, area and motor vehicle, and their relation to control measures, is described on pages 8-12 though 8-20.
Sec. 93.118(e)(4)(vi)	Revisions to previously submitted control strategy or maintenance plans explain and document any changes to any previous submitted budgets and control measures; impacts on point and area source emissions; any changes to established safety margins (see 93.101 for definition), and reasons for the changes (including the basis for any changes to emission factors or estimates of vehicle miles traveled).	N/A	The previously submitted budget was found inadequate on 12/1/99. The emission inventory and motor vehicle budgets in this revised PM-10 Plan have been modified to reflect changes to assumptions in rule effectiveness and additional controls to unpaved and paved roads.