

U.S. Environmental Protection Agency
Region 7

May 27, 1999

John Young, Director
Division of Environmental Quality
Missouri Department of
Natural Resources
Jefferson State Office Building
P.O. Box 176
Jefferson City, MO 65102

Dear Mr. Young:

On March 2, 1999, the United States Court of Appeals for the District of Columbia Circuit issued a decision on the 1997 transportation conformity amendments (62 FR 43780). According to the court decision and recent Department of Transportation and the Environmental Protection Agency (EPA) guidance describing how to implement it, the EPA must determine whether the emissions budgets in submitted state implementation plans (SIP) are adequate or inadequate for transportation conformity purposes.

In response to the court decision, the EPA has committed to determine the adequacy or inadequacy of previously submitted SIPs containing emission budgets by May 31, 1999. The purpose of this letter is to provide the EPA's decision regarding the emission budgets for the St. Louis area contained in the 15% plan and attainment demonstration submitted to the EPA and found complete on July 13, 1995, and April 22, 1996, respectively.

Since the St. Louis area has not achieved the reductions called for by the 15% plan and attainment demonstration, we have determined that the budgets are inadequate for use in conformity determinations. These budgets may not be used in future conformity determinations.

Nevertheless, the conformity determination for the existing transportation improvement program (TIP) and long-range transportation plan (LRTP) remains valid, because the conformity determination contains the action/baseline and less than 1990 emissions analyses (please see the enclosure for an explanation of these terms). As a result, Region VII emphasizes there should be no short-term consequences or "lapse" in the St. Louis area. In other words, all transportation-related projects contained in the conforming TIP and LRTP may proceed as scheduled.

As the MDNR prepares the attainment demonstration due by November 15, 1999, please ensure that the submittal addresses all of the adequacy criteria outlined in Section 93.118(e)(4) of the Transportation Conformity Rule. It is the EPA's responsibility

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to determine the adequacy of the budgets that will be contained in that referenced attainment demonstration expeditiously after receipt.

On a final note, Region VII is required to publish an announcement in the Federal Register describing this finding of inadequacy. This announcement will be published in the very near future but, again, this action does not affect the currently conforming projects in the TIP or LRTP.

Any questions about this matter may be directed to Christopher Hess, conformity coordinator, at (913) 551-7213.

Sincerely,

William A. Spratlin
Director
Air, RCRA, and Toxics Division

Enclosure

cc: Mr. Bharat Mathur
Illinois Environmental Protection Agency
Ms. Jan Skouby
Missouri Department of Transportation
Mr. Steve Baker
Illinois Department of Transportation
Mr. Dan Wheeler
Federal Highway Administration
Ms. Joni Roeseler
Federal Transit Administration
Mr. Mike Coulson
East-West Gateway Coordinating Council