

September 2, 2004

To: Metropolitan Policy Committee

From: Susan Payne

Subject: Item 4.a. Revision of State Implementation Plan for Carbon Monoxide.

**Action Recommended:** Approve the development of a limited maintenance plan for carbon monoxide in the Eugene-Springfield Air Quality Maintenance Area.

### **Issue Summary:**

Following EPA and USDOT recommendations, the MPO is proposing that a limited maintenance plan be prepared for the second 10-year maintenance plan required by the CAA.

#### Background

Under the Clean Air Act (CAA), expenditure of US Department of Transportation (USDOT) funds within the MPO area can only occur if it can be demonstrated that the proposed transportation programs do not cause violations of air quality standards. This pollutant-specific "conformity" determination is made under both State and Federal rules by the MPO in a regional, area-wide analysis and, for certain projects, by the project sponsor (e.g. LTD) in a site-specific analysis. EPA and USDOT review and certify these analyses before Federal funds are released. Federal and State requirements pertaining to a given pollutant in a given area are set out in the State Implementation Plan, a collection of individual plans to attain and then maintain the standards in each air quality management area within Oregon.

The Eugene-Springfield area was designated by EPA as a nonattainment area for carbon monoxide (CO) in 1978. Subsequently in 1994, based on the consistent reduction in CO levels and the lack of violations, the area was determined to be in attainment of the standards and was redesignated by EPA as a maintenance area for CO. The first ten-year maintenance plan expired in 2004, and under CAA rules, a second 10-year plan must be prepared. The MPO is the lead agency in the development of this plan based on pollutant inventories showing that transportation sources are the major contributors to CO levels in this area.

Data monitored and analyzed by the Lane Regional Air Pollution Authority show that CO levels are now substantially below the standard: the highest CO reading in 2003 was

only 3.4 ppm. This compares very favorably with the national standard of 9 ppm. This substantial reduction in CO levels has been accomplished mainly through two programs: Federally-mandated improvements in cars and truck emissions, and home wood heating emissions management by LRAPA. Further, growth management and promotion of alternative transportation modes have limited growth in vehicle miles traveled (VMT) within the region and thus have limited the increase in emissions despite substantial population increases over the past 30 years.

Since 1995, EPA has recognized that areas with pollutant levels solidly below the national standards (85% of the national standard, i.e., 7.65 ppm for CO) are very unlikely to experience so rapid a growth as to cause area-wide exceedance of these standards. "Limited maintenance plans" (LMPs) have been approved in such areas, including Tucson, Yakima, Hartford, and New Haven. LRAPA is submitting an LMP for the PM<sub>10</sub> (particulate matter of 10 microns or less) non-attainment area of Lane County. The Salem-Keizer MPO is also preparing an LMP for CO.

#### How an LMP differs from a standard maintenance plan

A region with a *standard maintenance plan* in place must compute an area-wide emissions load which, for conformity to be determined, must be found to be less than the approved CO "budget" published in the SIP. With an approved *LMP*, the emissions load in the area does not have to be estimated. Conformity in this case relies on continuous ongoing monitoring to alert the MPO to any incipient problem of compliance with the CAA, as described in the next paragraph.

#### Safeguarding air quality

Checks and balances are built into an LMP (identical to a standard maintenance plan) to ensure that the region does not slip back into non-compliance of air quality standards. Continuous CO monitoring is required for the duration of the plan (a commitment from LRAPA will be required). If the CO measurements show that the area is no longer eligible for an LMP based on readings above the threshold (7.65 ppm, a more stringent standard than the NAAQS), the MPO must submit a full maintenance plan. The LMP must contain a contingency plan which will identify measures to be adopted if a specified trigger event occurs. Typically, this trigger is a measured CO level that is either the CAA standard or preferably, a lower threshold level.

#### Benefits of adopting an LMP

Development and approval of an LMP is an expedited process and thus saves time and resources for staff of both the MPO and other partners. The greatest benefit is gained in the reduction of time spent by transportation modeling staff involved in conformity determinations which are made every time the RTP and TIP are amended or updated.

In all other respects, an area with an LMP has to meet all other conformity requirements, including inter-agency consultation, public involvement and demonstration of fiscal constraint. Project-level ("hot spot") analysis must still be performed.

Development of the plan will be conducted by the MPO in collaboration with LRAPA and EPA, and in consultation with TPC, DEQ and USDOT. EPA requires a work plan with four phases each of which are described below with the anticipated timeline:

<b>Phase 1 – SIP Project Plan</b>	
July, 2004	<ul style="list-style-type: none"> <li>Complete Preliminary SIP Development Plan -- identify the task components, the participants, and the timeline.</li> </ul>
	<ul style="list-style-type: none"> <li>Develop the plan more fully. Characterize the air quality problem. Define the analysis protocol; demonstrate the adequacy of the emissions control strategy; review prior contingency process.</li> </ul>
Sept 9, 2004	<ul style="list-style-type: none"> <li>MPO Policy Board (MPC) briefed</li> </ul>
Sept 14, 2004	<ul style="list-style-type: none"> <li>LRAPA Board briefed</li> </ul>
Late Sept, 2004	<ul style="list-style-type: none"> <li>Interagency discussion -- EPA, DEQ, ODOT, USDOT</li> </ul>

<b>Phase 2 – SIP Development</b>	
	<ul style="list-style-type: none"> <li>Gather and discuss data, review existing control strategies, develop contingency process and alternatives</li> </ul>
Oct 28, 2004	<ul style="list-style-type: none"> <li>TPC review and approval</li> </ul>
Nov 9, 2004	<ul style="list-style-type: none"> <li>LRAPA Board review of draft SIP</li> </ul>
Nov 18, 2004	<ul style="list-style-type: none"> <li>MPC review of draft SIP</li> </ul>
Late Nov. 2004	<ul style="list-style-type: none"> <li>SIP document finalized and sent to EPA, DEQ for review.</li> </ul>
Early Jan. 2005	<ul style="list-style-type: none"> <li>Comments received from EPA, DEQ. Request pre-approval from DEQ of March hearing as acceptable as EQC hearing.</li> </ul>
Jan 11, 2005	<ul style="list-style-type: none"> <li>SIP finalized; LRAPA Board updated. Request public hearing in March.</li> </ul>
Jan 13, 2005	<ul style="list-style-type: none"> <li>MPC updated on SIP. Public Comment period opens. Public hearing scheduled for March.</li> </ul>

<b>Phase 3 – Public Involvement and Adoption</b>	
	<ul style="list-style-type: none"> <li>Public comment period of at least 45 days</li> </ul>
March 8 & 10, 2005	<ul style="list-style-type: none"> <li>Public hearing before LRAPA and MPO boards</li> <li>Submitted to MPC for adoption</li> </ul>
April 12, 2005	<ul style="list-style-type: none"> <li>Submitted to LRAPA Board for adoption</li> </ul>
April/June, 2005	<ul style="list-style-type: none"> <li>Submitted to EQC for approval</li> </ul>
June 28, 2005	<ul style="list-style-type: none"> <li>SIP submittal package to EPA from DEQ</li> </ul>

<b>Phase 4 – EPA review and approval</b>	
	<ul style="list-style-type: none"> <li>EPA completeness check, technical and legal review.</li> </ul>
Dec 31, 2005	<ul style="list-style-type: none"> <li>EPA approval and notice in Federal Register</li> </ul>