

TIPINFO-1

Air Quality Conformity Summary Information

(Revised, January 2009)

Transportation conformity is a mechanism for ensuring that transportation activities – plans, programs and projects – are reviewed and evaluated for their impacts on air quality prior to funding or approval. The intent of transportation conformity is to ensure that new projects, programs and plans do not impede an area from meeting and/or maintaining air quality standards. Transportation activities that do not conform to the state air quality plans cannot be approved or funded.

Major portions of the central Puget Sound region are currently designated by the U.S. Environmental Protection Agency (EPA) as maintenance areas for carbon monoxide (CO) and particulate matter less than 10 microns in diameter (PM₁₀). A map showing the location of these boundaries is available at the Regional Council's web site (www.psrc.org/projects/airqual/resources/conformmap.pdf) or the Information Center at (206) 464-7532.

REGIONAL AIR QUALITY CONFORMITY ANALYSIS

(Analysis to be completed by the Puget Sound Regional Council)

Federal and state air quality acts require that the adoption of all long-range metropolitan transportation plans and Transportation Improvement Programs (TIPs) in maintenance and nonattainment areas conform to State Implementation Plans (SIPs). Required under the federal Clean Air Act, the SIP provides a blueprint of how maintenance and nonattainment areas such as the central Puget Sound region will meet or maintain the National Ambient Air Quality Standards (NAAQS). A positive finding of conformity for plans and TIPS is required by the federal Clean Air Act (CAA), the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), and the Clean Air Washington Act.

The TIP is a four-year document which contains all federally funded and other regionally significant projects. The conformity analysis for the TIP must show that the total regional emissions produced by projects in the TIP, plus activity on the existing travel network, do not exceed the motor vehicle emissions budget identified in the SIP for each criteria pollutant. The emissions budget is a ceiling of total emissions that cannot be exceeded. The conformity analysis of the TIP is completed by the Regional Council and is based on the U.S. EPA's approved vehicle emission modeling software.

PROJECT-LEVEL AIR QUALITY CONFORMITY ANALYSIS

(Analysis to be completed by the project sponsor)

Project-level conformity analyses must be conducted for all nonexempt transportation projects. Project-level conformity is performed by the project sponsor as part of the project's environmental review process. The *Guidebook for Conformity: Air Quality Analysis Assistance for Nonattainment Areas*¹ contains additional information on project-level conformity.

¹ *Guidebook for Conformity: Air Quality Analysis Assistance for Nonattainment Areas* was prepared in 1995 by the Puget Sound Regional Council in cooperation with other agencies to provide guidance to local, regional and state agencies involved in determining conformity of proposed projects. It provides a detailed explanation of practical, consistent, and professional methods for completing project-level analyses for conformity. It also includes EPA documentation on air quality models and project-level conformity methods. Copies of the *Guidebook* are available from the Regional Council's Information Center at (206) 464-7532.

EXEMPT PROJECTS

(Identified in the Federal Conformity Rule, 40 CFR Part 51 and 93)

Certain categories of projects will have a neutral impact on air quality and are therefore exempt from conformity requirements. Exempt projects generally fall under the categories of safety, mass transit, preservation and maintenance, or improvement of air quality. In addition, some projects cannot be evaluated in a regional emissions analysis due to technical limitations and are therefore exempt from regional air quality conformity requirements.

§ 93.126 Exempt Projects

Notwithstanding the other requirements of this subpart, highways and transit projects of the types listed in Table 2 of this section are exempt from the requirements to determine conformity. Such projects may proceed toward implementation even in the absence of a conforming transportation plan and TIP. A particular action of the type listed in Table 2 of this section is not exempt if the Metropolitan Planning Organization (MPO) in consultation with other agencies, the EPA, and the Federal Highway Administration (FHWA) or the Federal Transit Administration (FTA) concur that it has potentially adverse emissions impacts for any reason.

TABLE 2 – EXEMPT PROJECTS

<p>Safety</p> <ul style="list-style-type: none"> • Railroad/highway crossing • Projects that correct, improve or eliminate a hazardous location or feature • Safer non-Federal-aid system roads • Shoulder improvements • Increasing sight distance • Highway Safety Improvement Program implementation • Traffic control devices and operating assistance other than signalization projects • Railroad/highway crossing warning devices • Guardrails, median barriers, crash cushions • Pavement resurfacing and/or rehabilitation • Pavement marking • Emergency relief (23 U.S.C. 125) • Fencing • Skid treatments • Safety roadside rest areas • Adding medians • Truck climbing lanes outside the urbanized area • Lighting improvements • Widening narrow pavements or reconstructing bridges (no additional travel lanes) • Emergency truck pullovers
<p>Mass Transit</p> <ul style="list-style-type: none"> • Operating assistance to transit agencies • Purchase of support vehicles • Rehabilitation of transit vehicles* • Purchase of office, shop, and operating equipment for existing facilities • Purchase of operating equipment for vehicles (e.g., radios, fareboxes, lifts, etc.) • Construction or renovation of power, signal, and communication systems • Construction of small passenger shelters and information kiosks • Reconstruction or renovation of transit buildings and structures (e.g., rail or bus buildings, storage and maintenance facilities, stations, terminals, and ancillary structures) • Rehabilitation or reconstruction of track structures, track, and trackbed in existing rights-of-way • Purchase of new buses and rail cars to replace existing vehicles or for minor expansion of the fleet* • Construction of new bus or rail storage/maintenance facilities categorically excluded in 23 CFR Part 771 <p><i>* In PM₁₀ nonattainment and maintenance areas, such projects are exempt only if they are in compliance with control measures in the applicable implementation plan.</i></p>
<p>Air Quality</p> <ul style="list-style-type: none"> • Continuation of ridesharing and vanpooling promotion activities at current levels • Bicycle and pedestrian facilities
<p>Other -- Specific activities which do not involve or lead directly to construction, such as:</p> <ul style="list-style-type: none"> • Planning and technical studies • Grants for training and research programs • Planning activities conducted pursuant to Titles 23 and 49 U.S.C. • Federal-aid systems revisions • Engineering to assess social, economic, and environmental effects of the proposed action or alternatives to that action • Noise attenuation • Emergency or hardship advance land acquisition [23 CFR Part 712.204(d)] • Acquisition of scenic easements • Plantings, landscaping, etc. • Sign removal • Directional and informational signs • Transportation enhancement activities (except rehabilitation and operation of historic transportation buildings, structures or facilities) • Repair of damage caused by natural disasters, civil unrest, or terrorist acts, except projects involving substantial functional, locational or capacity changes

§ 93.127 Projects exempt from regional emissions analyses

Notwithstanding the other requirements of this subpart, highway and transit projects of the types listed in Table 3 of this section are exempt from regional emissions analysis requirements. The local effects of these projects with respect to CO or PM₁₀ concentrations must be considered to determine if a hot-spot analysis is required prior to making a project-level conformity determination. These projects may then proceed to the project development process even in the absence of a conforming transportation plan and TIP. A particular action of the type listed in Table 3 of this section is not exempt from regional emissions analysis if the MPO in consultation with other agencies, the EPA, and FHWA or the FTA concur that it has potential regional impacts for any reason.

TABLE 3 – PROJECTS EXEMPT FROM REGIONAL EMISSIONS ANALYSES

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| <ul style="list-style-type: none">• Intersection channelization projects• Intersection signalization projects at individual intersections• Interchange reconfiguration projects• Changes in vertical and horizontal alignment• Truck size and weight inspection stations• Bus terminals and transfer points |
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§ 93.1287 Traffic signal synchronization projects

Traffic signal synchronization projects may be approved, funded and implemented without satisfying the requirements of this subpart. However, all subsequent regional emissions analyses required by §§ 93.118 and 93.119 for transportation plans, TIPs, or projects not from a conforming plan and TIP must include such regionally significant traffic signal synchronization projects.