

SECTION 9 - TRANSPORTATION AIR QUALITY CONFORMITY

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SECTION 9 - TRANSPORTATION AIR QUALITY CONFORMITY

This section describes the requirements for conformity of transportation plans, programs, and projects developed, funded, and approved by Metropolitan Planning Organizations (MPO) as outlined in CFR Title 40 Part 93 (Updated March 2010) implemented by section 176(c) of the Clean Air Act. Transportation Conformity Regulation addresses air pollution from on-road mobile emissions created by cars, trucks, motorcycles, and transit vehicles. The regulation also applies to Volatile Organic Compounds (VOC), sometimes referred to as Hydrocarbons (HC), and Nitrogen Oxides (NO_x) emissions in non-attainment or maintenance (non-attainment areas re-designated as attainment) Ozone (O₃) areas. Conformity also applies to areas designated as non-attainment or maintenance for U.S. Environmental Protection Agency (US EPA) air quality standards set for Nitrogen Dioxide (NO₂), Carbon Monoxide (CO), Particulate Matter with an aerodynamic diameter less than 10 microns (PM₁₀), and Particulate Matter with an aerodynamic diameter less than 2.5 microns (PM_{2.5}). The US EPA has designated the Steubenville, OH and Weirton, WV, Metropolitan Area as "attainment" for both the 1997 PM_{2.5} Annual and the 2006 24-Hour PM_{2.5} standards. The US EPA has made a finding of insignificance for Ohio and West Virginia's motor vehicle emissions. By action taken on February 13, 2015, the US EPA has revoked the 1997 National Ambient Air Quality 8-Hour Ozone Standard effective 30-days after publication in the Federal Register.

TRANSPORTATION CONFORMITY DOCUMENTATION

The transportation conformity rule, as established under section 176(c) of the Clean Air Act, ensures that the U.S. Department of Transportation, Metropolitan Planning Organizations (MPO), and other recipients of federal funds under Title 23 U.S.C. or the Federal Transit Laws (49 U.S.C. Chapter 53) approve transportation activities that are consistent with air quality goals. Transportation conformity addresses air pollution from on-road mobile emissions created by cars, trucks, motorcycles, and transit vehicles. It ensures that these transportation activities do not worsen air quality or interfere with the "purpose" of the air quality State Implementation Plan (SIP), which is to meet the National Ambient Air Quality Standards (NAAQS). According to the Clean Air Act, transportation plans, programs, and projects cannot:

1. Create new NAAQS violations;
2. Increase the frequency or severity of existing NAAQS violations; or
3. Delay attainment of the NAAQS.

AIR QUALITY DESIGNATIONS

The federal requirements apply to areas designated as nonattainment for one or more NAAQS established pursuant to section 109 of the Clean Air Act (CAA), and nonattainment areas that the US EPA may subsequently re-designate to attainment with federally approved air quality maintenance plans. Conformity applies to both pollutants and specific *precursors*,

compounds that react in the atmosphere to form pollutants. The current US EPA NAAQS designations for the whole of all three counties (Jefferson, OH; Brooke-Hancock, WV) within the Steubenville-Weirton, OH-WV area are:

- 1997 PM_{2.5} Standard 40 CFR 93.109(f) - attainment; area with insignificant motor vehicle emissions
- 2006 PM_{2.5} Standard 40 CFR 93.109(f) - attainment; area with insignificant motor vehicle emissions
- 1997 8-Hour Ozone Standard - revoked

The federal requirements areas designated as attainment with insignificant motor vehicle emissions are not required to satisfy a regional emissions analysis for §93.118 and/or §93.119 for a given pollutant/precursor and NAAQS. On September 18, 2013 and on March 18, 2014 the US EPA issued an insignificant finding for the Ohio and West Virginia portion of the BHJ Study Area respectively for both the 1997 Annual PM_{2.5} Standard and the 2006 24-Hour PM_{2.5} Standard.

On February 13, 2015, the US EPA signed issued a pre-proposal version of the final 2008 ozone NAAQS SIP requirements rule. The final rule includes revocation of the 1997 ozone NAAQS for all purposes. As this rule, revokes the 1997 Ozone NAAQS for all purposes, the BHJ Transportation Plan and TIP will no longer need to demonstrate transportation conformity for this NAAQS. The Plan and TIP will continue to demonstrate transportation conformity for the PM_{2.5} NAAQS.

BHJ Resolution 2016-9, scheduled for adoption May 17, 2016 will approve the updated BHJ 2040 Transportation Plan and make a qualitative transportation conformity determination for the Plan and current 2016 – 2019 BHJ Transportation Improvement Program.

Figure 1
BHJ GEOGRAPHY
AIR QUALITY CONFORMITY MAINTENANCE AREA



