



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

July 27, 2009

Mr. Charles W. Bolinger
Division Administrator - Louisiana
Federal Highway Administration
5304 Flanders Drive, Suite A
Baton Rouge, LA 70808

Dear Mr. Bolinger:

This letter is in response to the Baton Rouge conformity documentation submitted by your office on behalf of the Capital Region Planning Commission. The U.S. Environmental Protection Agency (EPA), Region 6 Office received this package, addressed to Acting Regional Administrator Lawrence E. Starfield, on June 12, 2009. The Air Planning Section is responding on his behalf.

A 2009 conformity determination is necessary for the Baton Rouge 8-hour ozone National Ambient Air Quality Standard (NAAQS) nonattainment area due to the requirement specified in 40 CFR 93.104 that conformity of transportation plans with the Clean Air Act must be determined no less frequently than every four years.

Based on the information submitted to EPA and discussed during the interagency consultation process, the estimated emissions for the 2032 Metropolitan Transportation Plan and the corresponding 2009-2013 Transportation Improvement Program will be below the Motor Vehicle Emissions Budgets (MVEBs) established for volatile organic compounds and nitrogen oxides in the 1-hour ozone Attainment Demonstration State Implementation Plan for the Baton Rouge area. These budgets were found adequate by EPA on June 2, 2003 (68 FR 32748), and became effective June 17, 2003. As per 40 CFR 93.109(e)(2)(i), 8-hour ozone NAAQS nonattainment and maintenance areas with MVEBs for the 1-hour ozone NAAQS that cover all or a portion of the 8-hour nonattainment area should utilize those MVEBs for conformity determinations until new 8-hour budgets are found adequate by EPA. We have no further comments and are supportive of a positive conformity finding by the Federal Highway Administration for the Baton Rouge area.

The criteria for our review and the interagency consultation process have been established by 40 CFR Part 93, Subpart A and guidance memoranda issued by the FHWA and EPA for transportation conformity determinations.

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I appreciate your cooperation in consulting with us and ensuring all provisions of the transportation conformity rules have been properly addressed. If you have any questions, please feel free to contact me or Jeff Riley of my staff at (214) 665-8542.

Sincerely yours,

Guy R. Donaldson
for

Guy R. Donaldson
Chief
Air Planning Section

cc: Mr. Yasoob Zia, LDEQ
Dr. Eric Kalivoda, LDOTD
Mr. Don W. Neisler, CRPC