

Transportation Staff Meeting

February 1, 2012

2:00 PM

Room 601

AGENDA

1. **Proposed Ozone Non-Attainment Boundary** (Haynes & Rhodes)

Description: The EPA is requiring implementation of the 2008 ozone standard of 75 ppb. The implementation process includes designating areas as non-attainment (i.e. violating the standard.). NCDAQ is soliciting comments on either of the following:

- maintaining the current non-attainment boundary for the new standard; or
- reducing the size of the current non-attainment area.

Under the boundary reduction option, five Union County townships would be removed from the non-attainment area: New Salem, Marshville, Lanes Creek, Buford, and Jackson. No changes have been considered for Mecklenburg County would not be affected. The attached maps show the area being considered for removal from the non-attainment area.

This item is on the February 2 TCC meeting agenda as an action item to endorse a letter to be sent to DAQ. A draft letter is attached.

Attachments: Draft letter and maps.

2. **Mobility Fund Candidate Projects** (Polimeni)

Description: Mobility Fund candidate projects will be reviewed. Candidate project endorsement is an action item on February's TCC agenda.

3. **I-5405, I-77 HOT Lanes Request for Comments** (Cook)

Description: NCDOT is starting the project development, environmental and engineering studies for this project, and has requested that MUMPO provide comments by March 5.

The complexity and scope of this project warrants a thorough examination of the issues in order to provide adequate comments. The purpose of this discussion will be to develop a plan for preparing MUMPO's response.

[Click here](#) for project scoping information.

Access number: 704-432-5485

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January 30, 2012

Laura Boothe, Attainment Planning Branch Supervisor
1641 Mail Service Center
Raleigh, NC 27699-1641

Subject: “Comments on ozone boundary recommendations”

Dear Ms. Boothe:

On behalf of The Mecklenburg-Union Metropolitan Planning Organization (MUMPO) I want to thank the Division of Air Quality for allowing this opportunity to comment on the ozone nonattainment boundary options presented in Charlotte and Cornelius on January 18, 2012.

The effectiveness of the boundary for the 1997 standard.

The current nonattainment boundary, established for the 1997 standard, includes the North Carolina counties of: Mecklenburg, Union, Cabarrus, Rowan, Gaston, Lincoln, and the southern portion of Iredell. Ozone air quality has improved much in the Metrolina nonattainment region since implementation of the 1997 air quality standard of (effectively) 84 ppb.

The ozone air quality, and the emissions of anthropogenic precursors to ozone, have all trended downward since 2000. MUMPO believes the mechanism has been – and should remain -- in place to continue those trends. Of particular note, decreasing emissions of NO_x from the transportation sector have been the result of technological advances mandated on the federal level. NO_x and VOC emissions have been projected to decrease in every county in the region, including Mecklenburg County, in spite of projected increases in population and vehicle miles traveled (VMT). Furthermore, the air quality data over the past three years shows the 1997 standard is being met. NCDQAQ documented all the required information and submitted it to U.S. EPA in November, 2011. The Metrolina nonattainment region is now waiting for the U.S. EPA to publish its finding of “attainment” of the 1997 standard in the Federal Register.

Comments on the boundary for the 2008 standard.

Now the U.S. EPA is requiring the states to implement the 2008 ozone air quality standard of 75 ppb. That NCDQAQ is seriously discussing shrinking that boundary at all for the new air quality standard is a testament to the success of the regional approach to air quality. Industries, municipalities, and regional planning organizations worked toward a common goal of cleaner air based on the SIP.

MUMPO believes the process and data analyses NCDQAQ used to develop a list of candidate Townships to exclude from the nonattainment boundary for the 75ppb was reasonable.

However justifiable the removal of certain townships from the proposed nonattainment area may be, MUMPO has reservations concerning the value added by removing those Townships at this time. Those reservations are due to:

1. Likelihood of a revision to ozone standard in 2013-14
2. Fate of the 1997 standard
3. Conformity

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Another revision to ozone standard likely in 2013-14

The U.S. EPA headquarters released a memo dated September 22, 2011, announcing its intention to fully implement the 2008 ozone standard. That announcement put in motion a process which has resulted in NCDAQ proposing to shrink the nonattainment boundary. That memo also clearly states, “EPA will propose any appropriate revisions in the fall of 2013 and finalize any revisions to the standard in 2014.” By law, EPA is required to re-assess air quality standards every five years, and 2013 would be the fifth year. The implication is that EPA anticipates proposing a new ozone air quality standard in the 2013-14 timeframe which will be more strict than the 2008 standard, probably somewhere between 60-70 ppb. The resulting nonattainment boundary for a 2013-14 standard could be expanded back to the 1997 boundary, or perhaps made even larger. For that reason it may be very confusing and non-productive to shrink the boundary at this time.

Fate of the 1997 standard

In the public meetings, NCDAQ had expressed some reasons to exclude certain Townships from the nonattainment boundary. One was that if EPA revokes the 1997 ozone air quality standard, those Townships would become unencumbered by nonattainment restrictions. As a result, those Townships would be more attractive to industries since new source review on new major industrial sources and major modification on existing sources would no longer be required. However, to date, revocation of the 1997 standard in the next couple of years appears to be very speculative.

Conformity

Townships within the existing nonattainment boundary, but excluded from the boundary for the 2008 standard, will be in “attainment” of the 1997 standard. However, those Townships will also have to show continued maintenance of the 1997 standard. Thus, those townships would still be subject to Transportation Conformity analysis when there is a change in the LRTP or TIP, whether they remain inside the nonattainment area or not.

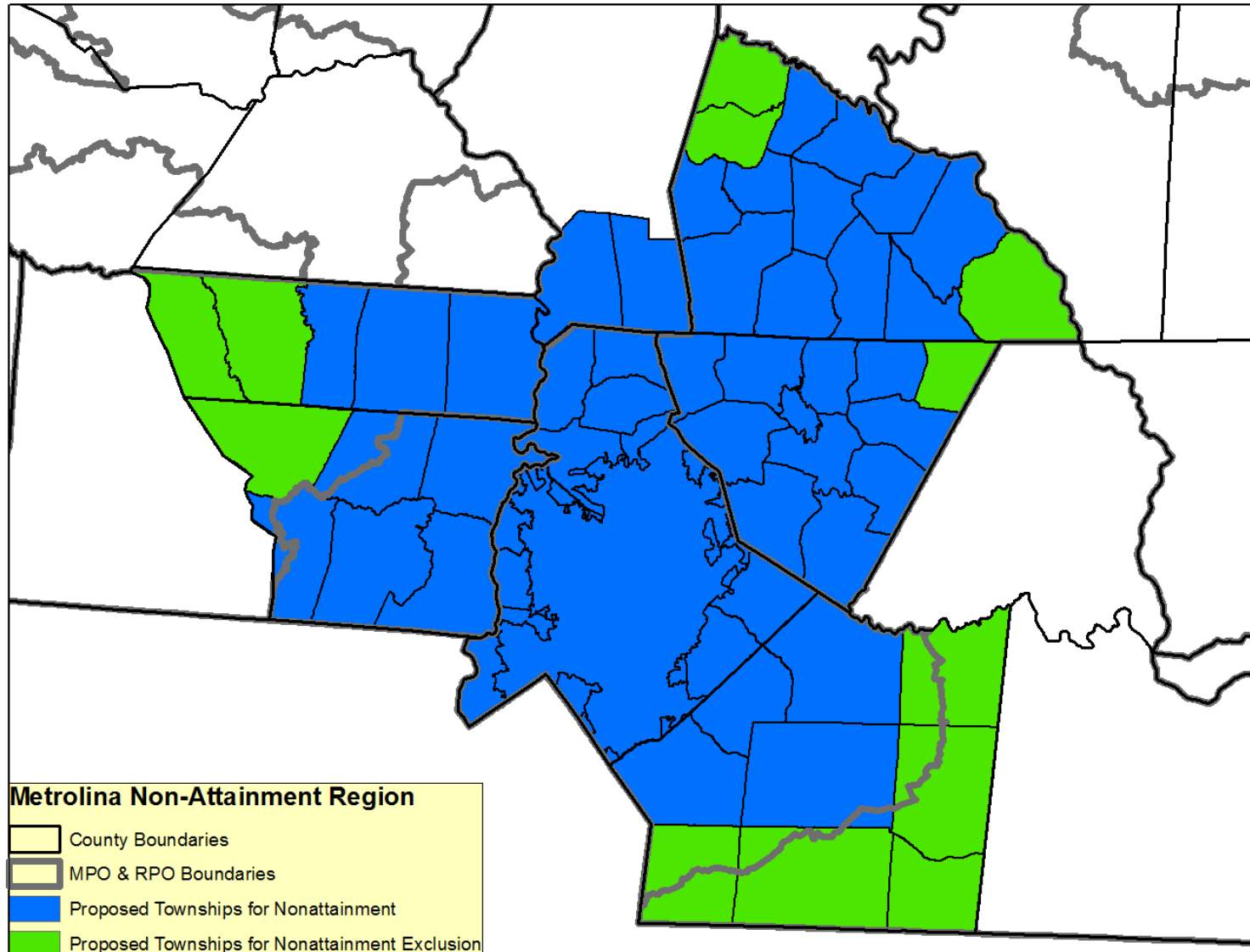
Concluding remarks.

MUMPO applauds NCDAQ for considering the possibility of reducing the size of the Metrolina nonattainment area boundary for the 2008 ozone air quality standard. MUMPO has no reason to doubt the validity of the analyses which led to NCDAQ recommending certain Townships could be excluded from the new nonattainment boundary. MUMPO believes the timing of this boundary reduction is premature, for reasons expressed above.

However, we believe that the Metrolina region is on the right track because we have all but officially met the 1997 standard. If we can continue on this track, we will also see timely attainment of the 2008 standard of 75 ppb, and any other ozone standard which may be promulgated in the future.

Yours truly,

Townships Considered for NAA Exclusion



Union County

- New Salem, Marshville, Lanes Creek, Buford, and Jackson townships

