

Air Quality and Transportation Conformity Highlights

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*Prepared by the Office of Natural Environment
Federal Highway Administration*

Announcements and Recent Events

FHWA Clarifies Eligibility Issues Related to CMAQ Funds and Alternative Fuel Vehicles. FHWA recently clarified an issue related to the application of Federal, government-wide cost principles and the obligation and expenditure of Congestion Mitigation and Air Quality Improvement (CMAQ) funds for alternative fuel vehicles (AFVs). The applicable principles (2 CFR 225) require that costs be equitably allocated to benefiting cost objectives.

Title 23 funds cannot be used to fund general government operations, including the acquisition of vehicles that perform such general functions, e.g. police and firefighting. Cost allocation is required between the environmental elements in which we can participate and costs of state and local governments that are not eligible for Federal-aid Highway Program funding. While FHWA supports the use of alternative fuels and vehicles, we can only participate in the pro-rata share that benefits air quality. See 2 CFR 225 App. B. Selected Item of Cost, 19a(5), relating to General Government Expenses. Police and fire equipment are called out as explicit examples in this provision.

To accommodate States and other sponsors intending to avail themselves of CMAQ funds for alternative fuel efforts consistent with the Federal cost principles, FHWA may participate in the eligible portion of such vehicle purchases, limited to the marginal emissions-reducing elements of the project, e.g. the incremental cost difference between standard and AFV, the expected emissions reduction projected from AFV use, or other methodology for allocating costs to CMAQ eligible portions of the purchase.

For public fleet AFVs that provide a dominant transportation function, the full vehicle is eligible for participation. These types include transit buses, paratransit, freeway courtesy vans/tow trucks, incident management patrol vehicles, and others. While these types of acquisitions could be eligible for full participation, the 100 percent CMAQ cost sharing under the Energy Act is optional at the discretion of the State DOT.

Questions related to this clarification should be directed to [Michael Koontz](#), CMAQ program Manager, or [David Bruce](#) in the Office of the Chief Financial Officer.

FHWA Releases Transportation and General Conformity FAQs. FHWA recently released a set of frequently asked questions (FAQs) related to the transportation and general conformity requirements. Transportation conformity applies to federal highway and transit projects, while general conformity applies to all other federal actions. However, certain transportation projects can involve federal actions that necessitate the evaluation of both transportation conformity and general conformity requirements. The FAQs provide responses to common questions and scenarios where these two sets of regulations may intersect and to clarify how the requirements should be met. The document is available on [FHWA's Air Quality website](#).

EPA Awards Four Major Air Pollution Research Grants to Universities. EPA recently announced the award of \$32 million to four new Clean Air Research Centers. The Centers are at Emory University/ Georgia Institute of Technology, Harvard University, Michigan State University, and University of Washington. The four research projects will extend through 2015 and are focused on multi-pollutant air quality research. The University of Washington project will focus on exposure to blends of chemicals near roadways. The Emory/Georgia Tech project will track effects of pollution mixtures on commuters. Michigan State will focus on impacts of mixtures of particulate matter and ozone; and the Harvard project will track effects of mixtures of pollution through stages of life. For more information, see: [EPA Research](#).

Transportation Planning, Land Use, and Air Quality Conference. The annual Transportation Planning, Land Use and Air Quality Conference will be held in San Antonio, TX on May 9-10, 2011. The agenda is packed full of sessions on air quality, modeling, sustainability, and other timely topics. Sponsors include FHWA, TRB and associated committees, Transportation Development Institute and Institute for Transportation at Iowa State. The agenda and information are available at: [TPLUAQ Conference](#).

EPA Releases Updated National Air Toxics Assessment. EPA recently released its fourth update to the National Air Toxics Assessment (NATA) which shows that between 1990 and 2005 industrial and mobile sources of airborne toxics declined 42 percent. The purpose of NATA is to identify and prioritize air toxics, emission source type, and locations that are of greatest potential concern in terms of contributing to population risk. The NATA computer tool is designed for use in modeling local exposure to air toxics, and specifically to identify geographic problem areas for air toxics. For more information, see: [EPA Air Toxics Assessment](#).

EPA extends Public Comment Period on “First External Review Draft Integrated Science Assessment for Ozone and Related Photochemical Oxidants”. This document was prepared by EPA’s National Center for Environmental Assessment within EPA’s Research and Development office as part of EPA’s regular review of the ozone standard. The ISA is intended to provide information useful in forming judgments about air quality indicator(s), form(s), averaging time(s) and level(s) for the NAAQS. This document is part of a regular ozone NAAQS review, separate from EPA’s concurrent reconsideration of the 2008 ozone standard. Comments are now due by May 5, 2011. For more information, see [Draft Assessment](#).

Advisory Council on Clean Air Compliance Holds Public Meeting on Draft EPA Report to Congress on Black Carbon. EPA recently announced a public meeting to be held in Washington, D.C. on April 18-19, 2011 to review the Draft Black Carbon Report to Congress prepared by EPA. The report, prepared at Congressional direction, is intended to evaluate and synthesize available information on sources of black carbon, impacts of black carbon on global and regional climate, and potential mitigation options for reducing climate and health impacts. For more information, see: [Black Carbon Report](#).

Reminders

EPA Announces Information Collection Request (ICR) on Transportation Conformity Determinations. On February 10, EPA posted an announcement in the Federal Register seeking comments by April 11, 2011 on the burden associated with meeting the requirements of the conformity rule. EPA considered the following in reviewing the existing ICR: the start-up burden associated with the new quantitative hot-spot analysis requirements for PM, the burden associated with using the new MOVES model for conformity analysis, efficiencies in areas doing conformity for multiple NAAQS, and differences in conformity resource needs in large and small metropolitan areas and isolated rural areas. For more information, see: [EPA Information Request](#).

EPA Proposed to Retain Carbon Monoxide NAAQS. EPA recently completed a court-ordered review of the carbon monoxide (CO) standards and has concluded current standards are strong enough to protect public health. On January 28, EPA proposed to keep the current standard for CO while modifying the monitor network design requirements to include near-road CO monitors at a subset of forthcoming near road monitor locations sited for NO₂, specifically requiring a near-road CO monitor in CBSAs with populations greater than 1,000,000. The current CO standard is 9 parts per million (ppm) measured over 8 hours and 35 ppm measured over 1 hour. Comments on EPA’s proposal are due by April 12, 2011. For more information, see: [Proposed CO NAAQS](#).

Continuation of the CMAQ 100 percent Federal Share Flexibility and FY 2010 Supplementary Tables are Available. The Energy Independence & Security Act of 2007 amended Title 23 to provide a temporary full Federal share (at 100 percent) for CMAQ projects obligated in Fiscal Years 2008 and 2009. This increased Federal share will continue to apply to CMAQ projects during the most recent SAFETEA-LU extension. In practice, the Federal share flexibility is continued as it was on September 30, 2009,

when SAFETEA-LU expired. Any questions related to the CMAQ program should be directed to [Mike Koontz](#) at (202)366-2076.

MOVES/EMFAC Grace Period for Hot-Spot Analyses Started December 20, 2010. On December 20, 2010, EPA announced in the Federal Register its approvals for using MOVES for PM and CO hot-spot analyses (and EMFAC for PM hot-spot analyses in California) and started a 24-month conformity grace period. EPA released final guidance documents for conducting quantitative analyses using the MOVES model in PM_{2.5}, PM₁₀ and CO nonattainment and maintenance areas and in California, the EMFAC model in PM_{2.5} and PM₁₀ nonattainment and maintenance areas. To access the Federal Register notice, guidance documents, and fact sheets, go to: [EPA's Project Level Conformity](#).

MOVES2010's 24-Month Grace Period for Regional Conformity Analysis Started on March 2, 2010. The [Federal Register](#) notice includes EPA's announcement of the approval and availability of MOVES2010 for SIPs and regional emissions analyses in all states except California. The notice also starts the two-year transportation conformity grace period that ends on March 2, 2012, after which MOVES2010 is required to be used for new regional emissions analysis for transportation conformity. Guidance on implementing MOVES2010 for SIP development and conformity purposes can be found at [EPA's website](#). The MOVES2010 model and supporting materials can be found on the [MOVES website](#).

Training Opportunities

National Transit Institute Introduction to Transportation Conformity Course. This two and one half day course will be held in Salt Lake City, UT on May 3-5. The course location is very close to the airport. For more information and to register, go to: [NTI on-line](#).

Transportation Conformity Training Courses. FHWA is sponsoring a two-day Introduction to Transportation Conformity training course in response to requests from various states. The course was recently offered in Carson City, NV and Springfield, MO. A session will be held in Charleston, WV on June 6 and 7. For more information or if you are interested in hosting a training session, please contact Sarah Siwek, FHWA's contractor for these courses at ssiwek@aol.com.

Conformity 101 Training Available On-Line. FHWA has made a short course titled "What is Conformity" available on-line. This course is intended for transportation and air quality practitioners who are new to transportation conformity, those looking for a refresher, or others who only need a brief overview of the rule. The session is approximately 27 minutes long. Handouts are available for download at the same site. This course can be accessed on [FHWA's website](#).

FHWA Resource Center Training Activities. FHWA's Resource Center Air Quality Technical Services Team is available to offer air quality-related training opportunities and information is available at the [Resource Center website](#). For further information, contact: [Mike Roberts](#) at 404-562-3928.



EPA and FHWA Offer Two-Day MOVES2010 Training Course. EPA and FHWA have jointly developed a two-day training course on the MOVES2010 model that will be taught at various locations over the coming months. This is a detailed, two-day, hands-on course geared toward state and local agency staff that will use MOVES2010 for developing SIPs and conformity analyses. For additional information on the two-day training sessions, visit [EPA's MOVES training website](#). The materials needed for the course are posted on the [MOVES training site](#).

EPA and DOT Develop a Multi-day Hot-spot Analysis Training Course. This training course will be developed in accordance with EPA's ["Transportation Conformity Guidance for Quantitative Hot-spot Analyses in PM_{2.5} and PM₁₀ Nonattainment and Maintenance Areas"](#). This technical, hands-on course is

geared toward state and local agency staff and will focus on using emission models (including EPA's MOVES model) and air quality models (AERMOD and CAL3QHCR) for quantitative PM hot-spot analyses. Additional information with dates and locations for the in-person model training will be provided as they become available, as well as any additional EPA webinars that are scheduled for implementing the guidance. Please contact conformity-hotspot@epa.gov to suggest a location or express interest in hosting the hands-on modeling course. For additional information, visit [EPA's Project Level Conformity website](#).

Contacts

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[FHWA Resource Center Air Quality Technical Services Team](#).

Past issues are available at [FHWA's website](#). If you have any suggestions for future issues, please email: Sarah Siwek at ssiwek@aol.com.