



U.S. Department of Transportation

Federal Highway Administration
Kentucky Division
330 W. Broadway
Frankfort, KY 40601

Federal Transit Administration
Region IV
61 Forsyth St., SW, Suite 17T50
Atlanta, GA 30303

June 11, 2009

Ms. Sherry McDavid, Executive Director
Ashland Area Metropolitan Planning Organization
c/o FIVCO Area Development District
32 FIVCO Court
Grayson, KY 41143

Ms. Michelle Craig, Director
KYOVA Interstate Planning Commission
720 Fourth Avenue
Huntington, WV 25701

Dear Madams:

The Kentucky Division of the Federal Highway Administration (FHWA), and Region 4 of the Federal Transit Administration (FTA), in consultation with the Ohio and West Virginia Divisions of FHWA, Regions 3 and 5 of FTA, and Regions 3, 4, and 5 of the United States Environmental Protection Agency (EPA), have reviewed the following documents for air quality conformity to the *8-hr Ozone standard*.

**2009 - 2013 Transportation Improvement Program (TIP) and the
2009 - 2035 Metropolitan Transportation Plan (MTP) for the
Ashland Area Metropolitan Planning Organization
(MPO Policy Board Resolution approval date of March 19, 2009)**

The following documents were also reviewed for air quality conformity to the *PM_{2.5} standard*.

**2009 - 2013 Transportation Improvement Program (TIP) and the
2009 - 2035 Metropolitan Transportation Plan (MTP) for the
Ashland Area Metropolitan Planning Organization
(MPO Policy Board Resolution approval date of March 19, 2009)**

and

**2010 - 2013 Transportation Improvement Program (TIP) and the
2010 - 2035 Metropolitan Transportation Plan (MTP) for the
KYOVA Interstate Planning Commission
(MPO Policy Board Resolution approval date of March 6, 2009)**



The Kentucky Environmental and Public Protection Cabinet's Division for Air Quality, the West Virginia Department of Environmental Protection, the Ohio EPA, the Kentucky Transportation Cabinet's Division of Planning, the West Virginia Department of Transportation, the Ohio Department of Transportation, the Kentucky Transportation Cabinet's Office of Transportation Delivery, the West Virginia Division of Public Transit, the Ohio Office of Transit, the Ashland Bus System, and the TriState Transit Authority also had an opportunity to review and comment on the above-mentioned documents.

We found that these documents met the primary criteria of the Transportation Conformity Rule (40 CFR 93 / 62 FR 43779, August 15, 1997)

- use of the latest planning assumptions,
- use of the latest emissions estimation model,
- use of appropriate consultation procedures,
- consistent with the mobile vehicle emission budgets in the State Implementation Plan (SIP), and
- provisions for timely implementation of transportation control measures in the SIP.

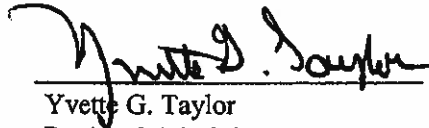
We also found that these documents met the criteria outlined in the

- Transportation Conformity Rule Revision for the 8-hour Ozone and PM_{2.5} Standards (69 FR 40004, July 1, 2004) and
- Transportation Conformity Rule Revision for PM_{2.5} (70 FR 24280, May 6, 2005).

We find that the aforementioned documents conform to NAAQS standards as described and therefore make a positive conformity determination.



José M. Sepúlveda
Division Administrator
Federal Highway Administration



Yvette G. Taylor
Regional Administrator
Federal Transit Administration

c: Terri Sicking, Ashland Area MPO
Saleem Salameh, KYOVA

Patrick Bauer, FHWA-OH
Thomas Smith, FHWA-WV
Joe Prather, KYTC-Administration
Ron Rigney, KYTC-Program Management
Keith Damron, KYTC-Planning
James Beasley, ODOT
Paul Mattox, WVDOT

Richard Schutt, EPA-R4
Jay Bortzer, EPA-R5
Judith Katz, EPA-R3
John Lyons, KYDAQ
Robert Hodanbosi, OHEPA
W. Fred Durham, WVDEP

Marisol Simon, FTA-R5
Letitia Thompson, FTA-R3
Vickie Bourne, KY Office of Transportation Delivery
Juana Hostin, OH Office of Transit
Susan O'Connell, WV Division of Public Transit
Michael Rogers, ABS
Paul Davis, TTA



U.S. Department
of Transportation
**Federal Highway
Administration**

Ohio Division Office
200 North High Street
Columbus, Ohio 43215

June 28, 2007

Director James Beasley, P.E., P.S.,
Ohio Department of Transportation
1980 West Broad Street
Columbus, OH 43223

In Reply Refer To:
HPD-OH

Dear Director Beasley:

On May 15, 2005 you requested we make a conformity determination for the Cincinnati 8-hour ozone and PM 2.5 nonattainment area. Your request included documentation of the appropriate public involvement activities, the air quality conformity analyses for State Fiscal Year (SFY) 2008-2011 TIP, the amended 2030 Transportation Plan, and the appropriate MPO Board conformity determination resolution.

The Cincinnati area includes the Ohio-Kentucky-Indiana Regional Council of Governments (OKI) which is the MPO for this ozone nonattainment area. On April 15, 2004 the Ohio counties of Butler, Warren, Clinton, Hamilton, and Clermont, the Kentucky counties of Boone, Campbell, and Kenton, and a portion of Dearborn County in Indiana were designated as a basic ozone nonattainment area under the 8-hour national ambient air quality standard. On January 5, 2005 Butler, Clermont, Clinton, Hamilton and Warren Counties in Ohio; Boone, Campbell, and Kenton Counties in Kentucky; and a portion of Dearborn County in Indiana were designated a PM 2.5 nonattainment area.

There are five primary criteria of the conformity rule (62 FR 43779) and the Transportation Conformity Rule Amendments (69 FR 40004), which must be met. These criteria include: use of the latest planning assumptions, use of the latest emissions model, use of appropriate consultation procedures, consistency with the mobile source emissions budget in the State Implementation Plan (SIP), and provisions for timely implementation of transportation control measures in the SIP.

We have reviewed the Air Quality Conformity documentation and coordinated with the US Environmental Protection. Please reference your copy of USEPA's March 8, 2006 comment letter. The review was consistent with the August 15, 1997 rule and subsequent July 1, 2004 conformity rule revision entitled, "Transportation Conformity Rule Amendments: Conformity Amendments for New 8-hour Ozone and PM2.5 National Ambient Air Quality Standards,

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Response to March 1999, Court Decision and Additional Rule Changes," (69 FR 40004) and the May 6, 2005, final PM2.5 precursor rule (70 FR 24280). Accordingly, FHWA and FTA find that the Cincinnati nonattainment area's SFY 2008-2011 TIP and amended 2030 TP conform to the 1990 Clean Air Act and the current State Implementation Plan for PM 2.5, oxides of nitrogen as a precursor to PM 2.5 and the 8-hour ozone as required by the conformity rule, effective July 1, 2007.

In June of 2004 FTA Region V and FHWA-OH signed a Memorandum of Agreement (MOA) covering each agency's roles and responsibilities concerning transportation conformity findings. In accordance with that MOA, FHWA-OH has conferred with FTA-V with regard to the conformity determination for the Cincinnati 8-hour ozone and PM2.5 nonattainment area and is issuing this finding on behalf of both Agencies.

If you have any questions or comments, please contact Mr. Frank Burkett, Air Quality Specialist, at (614) 280-6838, or frank.burkett@fhwa.dot.gov.

Sincerely,



For: Dennis A. Decker
Division Administrator

cc: Jennifer Townley, ODOT
Dave Moore, ODOT
David Werner, FTA
Patricia Morris, USEPA

File: 8-G-1



U.S. Department
of Transportation

Federal Highway Administration
Tennessee Division Office
640 Grassmere Park, Suite 112
Nashville, TN 37211

Federal Transit Administration
Region 4
61 Forsyth Street, S.W., Suite 17T50
Atlanta, GA 30303

February 04, 2008

Mr. Gerald Nicely, Commissioner
Tennessee Department of Transportation
Suite 700, James K. Polk Building
Nashville, Tennessee 37243-0349

Honorable John E. Piper
City of Clarksville
One Public Square
Clarksville, TN 37364

Dear Messers. Nicely, and Piper:

The Tennessee Division of the Federal Highway Administration (FHWA) and Region 4 of the Federal Transit Administration (FTA) in coordination with Region 4 of the Environmental Protection Agency (EPA), have reviewed the amended Conformity Determination and the Fiscal Year (FY) 2008-2011 Transportation Improvement Program (TIP), and Long Range Transportation Plan amendment adopted on January 09, 2008. The Tennessee Department of Environment and Conservation, the Tennessee Department of Transportation, and the Metro Transit System, also had an opportunity to review and comment on the above-mentioned documents.

The Conformity Determination must be based on a Long Range Transportation Plan that meets the Federal Planning Regulations listed under 23 CFR 450.322. FHWA and FTA have reviewed the Clarksville Area MPO's 2030 LRTP for consistency with the Federal requirements, and have determined consistency.

FHWA and FTA found that the Conformity Document for the Clarksville Area MPO meets the five primary criteria of the Transportation Conformity Rule (69 FR 40004, July 1, 2004):

- use of the latest planning assumptions;
- use of the latest emissions model;
- use of appropriate consultation procedures;
- consistency with the mobile source emission budgets in the State Implementation Plan (SIP); and
- provisions for timely implementation of transportation control measures in the SIP.

We also found that these documents met the criteria outlined in the Transportation Conformity Rule for the 8-hour ozone standard.



Therefore, the FHWA and the FTA approve the Conformity Determination for the 8-hour ozone standard for the adopted Clarksville Area 2030 Long Range Transportation Plan.

If you have any questions regarding this approval, please contact Tameka Macon at 615-781-5767 or Tony Dittmeier (FTA) at 440-865-5612.

Sincerely,



Bobby W. Blackmon
Division Administrator
Federal Highway Administration, Tennessee Division

cc: Ed Cole, TDOT - Planning
Angie Midgett, TDOT - Planning
Stan Williams, MPO
Tony Dittmeier, FTA Region 4
Tameka Macon, FHWA
Bernadette Dupont, FHWA-KY
Lynorae Benjamin, EPA Region 4



U.S. Department
of Transportation
**Federal Highway
Administration**

Indiana Division

575 North Pennsylvania Street, Room 254
Indianapolis, Indiana 46204

March 09, 2010

In Reply Refer To:
HDA-IN

Mr. Joseph Gustin
Deputy Commissioner of Planning
Office of Commissioner
Indiana Department of Transportation
IGCN 758
100 N. Senate Ave.
Indianapolis, IN 46204

Dear Mr. Gustin:

The Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA) have completed our review of the Evansville Metropolitan Planning Organization (EMPO) 2010-2013 Transportation Improvement Program and their associated conformity analysis adopted by EMPO on February 4, 2010. Our review has concluded that the criteria of the conformity rule have been met. The review was completed based on the July 1, 2004 conformity rule revision, (69 FR 40004). The EMPO certified that the 2010-2013 Transportation Improvement Program are in conformance with the Vanderburgh/Warrick County 8-hour ozone maintenance area and with the annual PM_{2.5} standard for the Southwest Indiana nonattainment area and has completed the Clean Air Act Amendments (CAAA) requirements as they pertain to the development and conformity of the Transportation Plan.

The Indiana Department of Environmental Management, the Indiana Department of Transportation, and the US Environmental Protection Agency have completed their reviews and recommended that we find that the 2010-2013 Transportation Improvement Program for Evansville, IN, 8-hour ozone maintenance area and the annual PM_{2.5} standard for the Southwest Indiana nonattainment area conforms to the applicable requirements. Appropriate consultation and public involvement on the conformity analyses was completed.

Therefore we find that the fiscal year 2010-2013 Transportation Improvement Program is a subset of and consistent with the 2035 Transportation Plan and demonstrates conformity for volatile organic compounds and oxides of nitrogen as well as PM_{2.5}. If you have any questions regarding this, please contact Janice Osadczuk at 317 226-7486 or by e-mail at Janice.osadczuk@dot.gov.



Sincerely,



Robert F. Tally, Jr., P.E.
Division Administrator

Cc: transmitted by e-mail
Pat Morris, EPA
John Mooney, EPA
Steve Smith, INDOT
Jay Mitchell, INDOT
Lawrence Brown, INDOT
Pam Drach, INDOT
Emmanuel Nsonwu, INDOT
Gale Ferris, IDEM
Shawn Seals, IDEM
Marisol Simon, FTA
Andy Minyo, FTA
Reginald Arkell, FTA
Craig Luebke, EMPO
Brad Mills, EMPO
Seyed Shokouhzadeh, EMPO
Bernadette Dupont, FHWA
Larry Heil, FHWA
Jay DuMontelle, FHWA
Edward Merryman, KYTC, District 2



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Kentucky Division
330 W. Broadway
Frankfort, KY 40601

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Federal Transit Administration	Region IV
HDA	61 Forsyth St., SW, Suite 17150
ADA	Atlanta, GA 30303
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HTS	

June 4, 2007

Mr. Jack L. Scriber, Executive Director
Kentuckiana Regional Planning and Development Agency
11520 Commonwealth Drive
Louisville, KY 40299

Dear Mr. Scriber:

The Kentucky Division Office of the Federal Highway Administration (FHWA), and Region 4 of the Federal Transit Administration (FTA), in consultation with the Indiana Division Office of the Federal Highway Administration and Regions 4 and 5 of the United States Environmental Protection Agency (EPA), have reviewed the following documents:

**2007-2011 Transportation Improvement Program (TIP) and
Amendment 9 to the 2030 Transportation Plan (LRTP)
for the Louisville Area Metropolitan Planning Organization (MPO)
(MPO resolution approval date of April 26, 2007)**

The Kentucky Environmental and Public Protection Cabinet's Division for Air Quality, the Kentucky Transportation Cabinet's Division of Planning, the Kentucky Transportation Cabinet's Office of Transportation Delivery, the Louisville Metro Air Pollution Control District, and the Transit Authority of River City also had an opportunity to review and comment on the above-mentioned documents.

We found that these documents met the five primary criteria of the Transportation Conformity Rule (62 FR 43779, August 15, 1997):

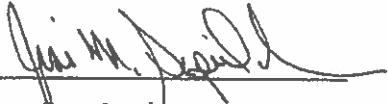
- use of the latest planning assumptions,
- use of the latest emissions model,
- use of appropriate consultation procedures,
- consistency with the mobile source emission budgets in the State Implementation Plan (SIP), and
- provisions for timely implementation of transportation control measures in the SIP.

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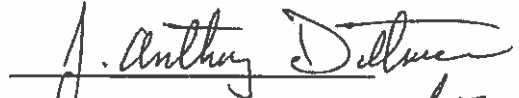


We also found that these documents met the criteria outlined in the Transportation Conformity Rule Revision for the 8-hour Ozone and PM_{2.5} Standards (69 FR 40004, July 1, 2004) and the Transportation Conformity Rule Revision for PM_{2.5} (70 FR 24280, May 6, 2005).

We therefore find that the aforementioned documents conform to the 8-hour Ozone and PM_{2.5} standards.



Jose Sepulveda
Division Administrator
Federal Highway Administration



Yvette Taylor
Regional Administrator
Federal Transit Administration

c: Robert Talley, FHWA-IN
Kay Prince, EPA-R4
John Lyons, DAQ
Art Williams, Louisville APCD
Barry Barker, TARC
William Nighbert, KYTC--Administration
Ray Polly, KYTC-Administration
Ron Rigney, KYTC-Program Management
Daryl Greer, KYTC-Planning

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