

HEARING REPORT

Prepared Pursuant to 40 Code of Federal Regulations Section 51.102

Regarding Revision to State Implementation Plan Concerning Establishment of Early PM_{2.5} Transportation Conformity Emission Budgets for the Connecticut Portion of the New York-New Jersey-Long Island-Connecticut PM_{2.5} Nonattainment Area

Hearing Officer: Ariel Garcia

Date of Hearing: April 5, 2007

On February 9, 2007, the Commissioner of the Department of Environmental Protection (the Department) signed a notice of intent to revise the State Implementation Plan (SIP) for air quality concerning establishment of early fine particulate (PM_{2.5}) transportation conformity emission budgets for the Connecticut portion of the New York-New Jersey-Long Island-Connecticut PM_{2.5} Nonattainment Area (NY-NJ-CT PM_{2.5} Nonattainment Area). Pursuant to such notice, a public hearing was held on April 5, 2007. The public comment period for the proposed revision closed on April 5, 2007.

I. Overview

This report describes the SIP revision as proposed for hearing; the final requirements of the SIP revision; a statement of the principal reasons in support of the SIP revision; a statement regarding any principal considerations presented in oral and written comments in opposition to the SIP revision; and a summary of any and all comments and responses thereto.

II. Summary and Text of the Revision as Proposed

This SIP revision has been developed in accordance with the United States Environmental Protection Agency's (EPA's) transportation conformity rule (69 FR 40028; July 1, 2004), which allows states with PM_{2.5} nonattainment areas to adopt early motor vehicle emission budgets that address the annual PM_{2.5} National Ambient Air Quality Standards in advance of a complete SIP attainment demonstration. It proposes to establish early budgets to simplify the conformity process for Connecticut Metropolitan Planning Organizations (MPOs) while increasing the level of protection for Connecticut's citizens during this interim period before attainment plans are due in April 2008. These budgets will apply to MPOs in the Connecticut counties of Fairfield and New Haven, which currently must determine conformity

jointly with the New York MPOs included in the NY-NJ-CT PM_{2.5} Nonattainment Area.

Consistent with a supplemental EPA rulemaking on transportation conformity (70 FR 24280; May 6, 2005), this SIP revision proposes early motor vehicle budgets for direct PM_{2.5} emissions and for emissions of nitrogen oxides (NO_x), a PM_{2.5} precursor found to be significant at this time for onroad mobile sources. Once these early budgets take effect, Connecticut MPOs must demonstrate that all transportation plans result in emissions of PM_{2.5} and NO_x that do not exceed the annual budget levels. The text of the proposed revision is included as Attachment 1 to this report.

III. Principal Reasons in Support of the Proposed Revision

Through this revision, Connecticut establishes early motor vehicle emission budgets that simplify the conformity process for Connecticut MPOs. The proposed early budgets shall remain in place until EPA approves final budgets that will be developed as part of Connecticut's attainment planning efforts.

IV. Principal Considerations in Opposition to the Proposed Revision

No comments were submitted in opposition to the proposed revision.

V. Summary of Comments

Only one person submitted comments. Comments were submitted by David B. Conroy, Chief, Air Programs Branch, EPA Region 1, Boston, Massachusetts, on March 26, 2007, as follows:

Comment: EPA notes that they had the opportunity to review and comment on earlier drafts of the proposed SIP revision. EPA commented that the proposed SIP revision fully addressed EPA's comments on earlier drafts. EPA believes that the direction of this SIP revision is sound and that Connecticut should proceed with establishing early transportation conformity budgets for the Connecticut portion of the NY-NJ-CT PM_{2.5} Nonattainment Area.

Response: The Department notes EPA's belief that the SIP revision is directionally correct. No revision to the proposed SIP is necessary in response.

VI. Final Text of Proposed Revision

The recommended final text of the SIP revision, unchanged from the proposed revision, is included as Attachment 1 to this report.

VII. Conclusion

I recommend the final SIP revision, as incorporated herein as Attachment 1, be submitted to EPA as a revision to the SIP.



Ariel Garcia
Hearing Officer

4/17/07

Date

ATTACHMENT 1

SIP REVISION AS PROPOSED AT PUBLIC HEARING