

**FRANKLIN COUNTY METROPOLITAN PLANNING ORGANIZATION
2022 Air Quality Conformity Resolution**

Conformity of the 2023-2026 Franklin County Metropolitan Planning Organization (FCMPO) Transportation Improvement Program (TIP) and the 2018-2043 Long Range Transportation Plan (LRTP) in accordance with the Clean Air Act Amendments of 1990.

WHEREAS, the Congress of the United States enacted the Clean Air Act Amendments of 1990 which was signed into law and became effective on November 15, 1990, hereafter referred to as “the CAAA”; and,

WHEREAS, the United States Environmental Protection Agency (EPA), under the authority of the CAAA, has defined the geographic boundaries for areas that have been found to be in nonattainment with the National Ambient Air Quality Standards (NAAQS) for ozone, carbon monoxide and particulate matter; and,

WHEREAS effective July 15, 2004, Franklin County was designated by EPA as a nonattainment area under the 1997 8-hour ozone NAAQS; and,

WHEREAS, on July 25, 2007, Franklin County was re-designated under the 1997 8-hour ozone NAAQS as an attainment (maintenance) area by EPA with motor vehicle emissions budgets (MVEBs) established in the State Implementation Plan (SIP) maintenance plan; and,

WHEREAS, on April 6, 2015, EPA revoked the 1997 8-hour ozone NAAQS for all purposes and established anti-backsliding requirements; and,

WHEREAS, the U.S. Court of Appeals for the D.C. Eighth Circuit issued a decision in *South Coast Air Quality Management District v. EPA* on February 16, 2018 addressing air quality requirements for former 1997 ozone maintenance areas that are in attainment of all subsequent ozone NAAQS for which Franklin County satisfies the criteria; and,

WHEREAS, the EPA issued the Transportation Conformity Guidance for the South Coast II Court Decision on November 29, 2018 to address how transportation conformity determinations can be made for the 1997 ozone NAAQS; and

WHEREAS, the transportation plans and programs are required to conform to the purposes of the State Implementation Plan and Sections 174 and 176 (c and d) of the CAAA (42 U.S.C. 7504, 7506 (c and d)); and,

WHEREAS, the FCMPO, the Metropolitan Planning Organization for Franklin County, Pennsylvania, is responsible for the development of transportation plans and programs in accordance with Section 134 of Title 23, which requires coordination and public participation with the State DOT; and,

WHEREAS, the Final Conformity Rule (and subsequent amendments) requires the FCMPO to determine that its transportation plans and programs conform with the CAAA requirements by meeting the Final Rule on Transportation Conformity; and

WHEREAS, an air quality analysis and conformity determination has been prepared for the Franklin County LRTP 2044 (2019 Update) for the 1997 ozone standard;

NOW, THEREFORE BE IT RESOLVED, that FCMPO has found the 2023-2026 TIP contribute to the achievement and maintenance of the 1997 8-hour ozone NAAQS and is consistent with the final conformity rule issued on November 24, 1993 and subsequent amendments; and that this conformity determination demonstrates that the requirements of 40 CFR Part 93 regarding conformity to the State Implementation Plan are met.

I hereby certify that this Resolution was adopted by the Policy Board on May 12, 2022.

ATTEST:

MPO Director
Steve Thomas

MPO Chairperson
Sam Cressler