

EPA FINALIZES RULE TO ADDRESS  
TRANSPORTATION CONFORMITY REQUIREMENTS FOR THE  
NEW 8-HOUR OZONE AND PM<sub>2.5</sub> AIR QUALITY STANDARDS

*Press Advisory*

The U.S. Environmental Protection Agency (EPA) recently designated a number of new areas as nonattainment for the 8-hour ozone standard and plans to designate nonattainment areas for the fine particulate standard (PM<sub>2.5</sub>) by the end of the year. EPA is today issuing a rule that complements those designations. The final transportation conformity rule issued today: 1) provides transportation conformity regulations for the new 8-hour ozone and fine particulate matter (PM<sub>2.5</sub>) national ambient air quality standards (NAAQS); 2) incorporates existing federal guidance that is consistent with a previous U.S. Court of Appeals decision issued; and 3) streamlines and improves EPA's existing transportation conformity rule. Transportation conformity is required by the Clean Air Act to ensure that federally supported highway and transit project activities do not cause new air quality violations, worsen existing violations, or delay timely attainment of an air quality standard.

The final rule provides guidance for when conformity first applies in new ozone and PM<sub>2.5</sub> nonattainment areas. It also describes the general requirements for doing conformity under the new standards, such as what conformity emissions test(s) would apply before and after a state air quality implementation plan (SIP) is established for the new standards. The rule provides flexibility for implementing these tests in areas with less severe air quality problems. This final rule also revises the transportation conformity regulations to incorporate current guidance issued by EPA and DOT to implement a previous U.S. Court of Appeals decision. This final rule provides clear guidance and rules that will assist all nonattainment and maintenance areas in implementing conformity consistent with the court's ruling. State and local governments have been successfully implementing this guidance since the court decision. EPA is making other rule changes to clarify and improve the existing conformity regulations in existing and new areas. Of particular interest are final rule amendments for streamlining when a conformity determination is needed and using latest planning assumptions in a more practicable manner.

EPA, along with the Department of Transportation, will provide several training workshops around the country this summer to implement the final rule.

For additional information, visit EPA's website at: <http://www.epa.gov/otaq/transp/traqconf.htm>.