



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

JAN 28 2009

Jeffrey W. Kolb, P.E.
Division Administrator
Federal Highway Administration
Leo W. O'Brien Federal Building, 7th Floor
Clinton Avenue and North Pearl Street
Albany, NY 11101

Dear Mr. Kolb:

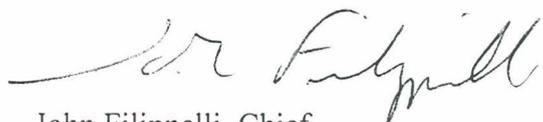
The Environmental Protection Agency (EPA) has reviewed the Federal Highway Administration/New York State Department of Transportation's (NYSDOT) final environmental impact statement (FEIS) to evaluate the rehabilitation or replacement of the Kosciuszko Bridge (CEQ# 20080517). The bridge carries a 1.1-mile segment of the Brooklyn-Queens Expressway over Newtown Creek, which forms the border between Kings and Queens Counties in New York. This review was conducted in accordance with Section 309 of the Clean Air Act, as amended (42 U.S.C. 7609, PL 91-604 12(a), 84 Stat. 1709), and the National Environmental Policy Act.

The stated purpose of the project is to address safety, capacity, operational, and structural deficiencies experienced within the project limits that, if not addressed, will continue to worsen. The existing highway within the project limits has an elevated accident rate, insufficient road shoulders, narrow travel lanes, insufficient acceleration/deceleration lanes, and non-standard stopping sight distances. The Kosciuszko Bridge is over 65 years old, has been subjected to significantly higher traffic volumes than it was designed to carry, and requires considerable rehabilitation. In addition to the no action alternative, two alternatives would rehabilitate the existing bridge and construct a new parallel bridge, and three alternatives would replace the existing bridge. The FEIS identified Alternative BR-5 as the project's preferred alternative.

In my June 13, 2007 letter on the draft EIS, EPA presented comments regarding air quality and the air impact analyses. The final EIS adequately addresses all the comments raised. We would like to reiterate our continued encouragement of NYSDOT's use of Environmental Performance Commitments for the utilization of materials, energy, emissions, and waste, as well as the adoption of "clean diesel" practices as air quality mitigation measures during construction, such as requiring the cleanest engines on non-road construction equipment (for example, Tier 4 engines will be available during the project's construction phase) or best available retrofit technology for older engines.

Based on our review and in accordance with EPA policy, we have rated this final EIS, LO, indicating that the concerns raised on the draft have all been adequately addressed such that EPA Lacks Objection to the project. If you have any questions concerning our comments, please contact Charles Harewood of my staff at (212) 637-3573.

Sincerely yours,

A handwritten signature in black ink, appearing to read "John Filippelli". The signature is fluid and cursive, with a long horizontal stroke at the beginning.

John Filippelli, Chief
Strategic Planning and Multi-Media Programs Branch

cc: Norik Taevossian, P.E., NYSDOT