



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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AUG - 9 2011

Ref: 8P-AR

Christopher E. Urbina, M.D., MPH
Executive Director/Chief Medical Officer
Colorado Department of Public Health and Environment
4300 Cherry Creek Drive South
Denver, Colorado 80246

Re: Fort Collins Carbon Monoxide Second 10-year Limited Maintenance Plan; Transportation
Conformity Adequacy

Dear Dr. Urbina:

The EPA has reviewed the Fort Collins carbon monoxide (CO) Clean Air Act section 175A(b) second 10-year Limited Maintenance Plan (hereafter CO LMP) State Implementation Plan (SIP) revision that was submitted to the EPA by a letter dated May 25, 2011 from the Colorado Department of Public Health and Environment, on behalf of the Governor.

We have found the Fort Collins CO LMP adequate for transportation conformity purposes. Our finding is based primarily on the Fort Collins CO maintenance area as meeting the criteria for a LMP and as meeting the applicable procedures and criteria for adequacy, pursuant to 40 CFR§93.118. We will announce this adequacy finding by publishing a Notice in the Federal Register. This adequacy finding will then become Federally-effective 15 days after the publication of the Notice.

As part of our adequacy review, we announced receipt of the Fort Collins CO LMP and posted an announcement of availability on EPA's Office of Transportation and Air Quality website at: <http://www.epa.gov/otaq/stateresources/transconf/currrips.htm>. We requested public comments no later than December 10, 2010. We did not receive any comments. In addition, and as part of our review summarized in the enclosure, we reviewed the Governor's SIP revision submittal for any comments about the maintenance plan that may have been submitted during the Colorado Air Quality Control Commission public hearing process. There were no adverse comments from the public.

The EPA notes that for the Fort Collins CO maintenance area, the prior EPA-approved motor vehicle emission budgets (MVEB) were 98 tons of CO per day for 2010 through 2014 and 94 tons per day of CO for 2015 (see 68 FR 43316, July 22, 2003). With respect to these prior EPA-approved MVEBs, the CO LMP SIP submittal will not replace the current full maintenance plan and its MVEBs for the time period covered by those prior EPA-approved SIP MVEBs. Pursuant to 40 CFR§ 93.118(d), consistency to the MVEBs from the first maintenance plan must continue to be demonstrated for as long as any of the MVEBs are within the timeframe of the transportation plans (i.e., until calendar year 2016).

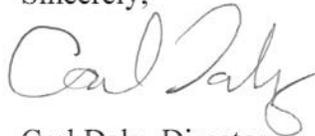
Once our transportation conformity adequacy finding is published in the Federal Register and becomes effective for the Fort Collins CO LMP, beginning in 2016 no regional emissions analyses would be required from the North Front Range Metropolitan Planning Organization (NFRMPO) for the regional transportation plan (RTP) or the transportation improvement program (TIP) transportation plan. This reflects the provisions in our CO LMP policy, 40 CFR§ 93.109(f) and 40 CFR§ 93.118(d).

This adequacy finding affects future CO RTP and TIP conformity determinations as prepared and approved by the NFRMPO, the Colorado Department of Transportation, the Federal Highway Administration and Federal Transit Administration.

Please note that this adequacy finding is separate from EPA's subsequent rulemaking action on the Fort Collins CO LMP SIP revision and should not be used to prejudge EPA's approval or disapproval of the SIP revision.

If there are any questions, please contact Tim Russ of my staff at (303) 312-6479.

Sincerely,

A handwritten signature in cursive script that reads "Carl Daly".

Carl Daly, Director
Air Program

Enclosure

cc: Cliff Davidson, Executive Director, NFRMPO
Garrison Kaufman, Acting Director, Air Pollution Control Division
Donald Hunt, Executive Director, CDOT
William Haas, Colorado Division, FHWA
Kistin Kenyon, Region 8, FTA

Enclosure

Fort Collins Carbon Monoxide Limited Maintenance Plan (CO LMP) Adequacy Evaluation

Transportation Review Criteria		Is Criterion Satisfied?	Reference in SIP Document / Comments
Sec. 93.118(e)(4)(i)	The plan was endorsed by the Governor (or designee) and was subject to a public hearing.	Yes	<p>May 25, 2011 Letter from Christopher E. Urbina, Exec. Director of the Colorado Dept. of Public Health and Environment (CDPHE) and on behalf of the Governor.</p> <p>The submittal includes evidence of a public hearing that occurred on December 16, 2010.</p> <p>Public Hearing Notice: The Fort Collins Carbon Monoxide Limited Maintenance Plan (CO LMP); Public Hearing notice dated September 17, 2010, signed by Douglas Lempke, Administrator, Colorado Air Quality Control Commission (AQCC). Affidavit of publication: The Public Hearing notice was published in the Denver Post on 10/9/10 and on the AQCC Commission website. Note: In a letter dated October 2, 2002, Casey Shpall, Colorado Attorney General's office stated there is no State Requirement to publish a notice in a newspaper for a Notice of AQCC rulemaking.</p>
Sec. 93.118(e)(4)(ii)	The plan was developed through consultation with federal, state and local agencies; full implementation plan documentation was provided and EPA's stated concerns, if any, were addressed.	Yes	<p>The submittal includes parties that were involved with the development of the maintenance plan: North Front Range Metropolitan Planning Organization (NFRMPO) and the City of Fort Collins. Submitted public comments included local governments and entities. The NFRMPO submitted an 8/5/10 letter, Larimer County Dept. of Health and Environment submitted</p>

Transportation Review Criteria		Is Criterion Satisfied?	Reference in SIP Document / Comments
			a 6/11/10 letter, and the City of Fort Collins submitted Resolution No. 2010-043 dated 7/20/10; all in support of the maintenance plan. EPA was consulted many times during the development of the Fort Collins CO LMP and submitted comments on draft versions.
Sec. 93.118(e)(4)(iii)	The MVEBs are clearly identified and precisely quantified.	Yes	Table 2, page 5, of the document shows emissions for 2008, but does not project future emissions. Area qualified for and State used EPA's CO Limited Maintenance Plan policy which only requires a base year of emissions and no projections.
Sec. 93.118(e)(4)(iv)	The motor vehicle emissions budget(s), when considered together with all other emission sources, is consistent with applicable requirements for reasonable further progress, attainment, or maintenance (whichever is relevant to the given plan).	Yes	EPA has reviewed the 2008 emissions inventory on page 5 of the LMP and considered the data as meeting the requirements of EPA's CO LMP policy.
Sec. 93.118(e)(4)(v)	The plan shows a clear relationship between the emissions budget(s), control measures and the total emissions inventory.	Yes	The Fort Collins CO LMP discusses emissions on page 5 in the section entitled "Emission Inventories" and discusses the relevant control measures on page 6 in the section entitled "Enforceable Control Measures for the Maintenance Period".
Sec. 93.118(e)(4)(vi)	Revisions to previously submitted control strategy or maintenance plans	Yes	Mobile source emissions and motor vehicle emissions budgets (MVEBs) were originally documented in the Fort Collins CO maintenance plan that was

Transportation Review Criteria		Is Criterion Satisfied?	Reference in SIP Document / Comments
	explain and document any changes to any previous submitted budgets and control measures; impacts on point and area source emissions; any changes to established safety margins (see 93.101 for definition), and reasons for the changes (including the basis for any changes to emission factors or estimates of vehicle miles traveled).		approved by EPA on 7/22/03 (68 FR 43316). EPA has reviewed these previously approved MVEBs, and the language and how these prior-approved MVEBs are addressed, on pages 6 and 7 of the currently-submitted LMP in the section entitled "Transportation Conformity". We agree with the language and the analysis.
Sec. 93.118(e)(5)	EPA has reviewed the State's compilation of public comments and response to comments that are required to be submitted with any implementation plan.	Yes	The Governor's submittal indicates there were public comments submitted by the NFRMPO in an 8/5/10 letter, Larimer County Dept. of Health and Environment submitted a 6/11/10 letter, and the City of Fort Collins submitted Resolution No. 2010-043 dated 7/20/10; all in support of the maintenance plan
Reviewers: Tim Russ, USEPA, Region 8			Date of Review: June 16, 2011



