

SOUTHWESTERN PENNSYLVANIA COMMISSION

RESOLUTION NO. 10-05

A RESOLUTION OF THE SOUTHWESTERN PENNSYLVANIA COMMISSION to make a finding of conformity that the 2005-2008 Transportation Improvement Program (TIP) for the Pittsburgh Transportation Management Area (TMA) and the region's 2030 Long Range Plan are consistent with the requirements of the federal Clean Air Act (as amended).

WHEREAS, the Congress of the United States enacted the Clean Air Act of 1964 (CAA) and amended the Act in 1977 (CAAA 77) and 1990 (CAAA 90); and

WHEREAS, the Clean Air Act authorizes the Environmental Protection Agency (EPA) to establish National Ambient Air Quality Standards (NAAQS), to define the boundaries of areas not in attainment of the Standards, and to establish criteria and procedures for attaining and maintaining the Standards; and

WHEREAS, the EPA is implementing a new NAAQS for ozone, the 8-hour Standard, to replace the 1-hour ozone NAAQS which will be revoked by EPA on June 15, 2005; and

WHEREAS, the EPA, in the "Air Quality Designations and Classifications for the 8-Hour Ozone NAAQS" (40 CFR Part 81), published as a Final Rule in the April 30, 2004 Federal Register and effective on June 15, 2004, designated three ozone nonattainment areas in southwestern Pennsylvania; these included the Pittsburgh-Beaver Valley nonattainment area (comprised of the seven counties: Allegheny, Armstrong, Beaver, Butler, Fayette, Washington, and Westmoreland); the Greene County nonattainment area; and the Indiana County nonattainment area; and

WHEREAS, the EPA, in the Transportation Conformity Rule (40 CFR Part 93), as amended, provides criteria and procedures to be followed by Metropolitan Planning Organizations (MPOs) in making conformity determinations regarding transportation plans, programs, and projects within designated nonattainment and maintenance areas; and

WHEREAS, the Transportation Conformity Rule and Sections 174 and 176(c) and (d) of the Clean Air Act (Sections 7504 and 7506(c) and (d) of Title 42 U.S.C.) require that the MPO not approve any plan, program, or project which does not conform with the Clean Air Act; and

WHEREAS, the Southwestern Pennsylvania Commission (SPC), as the MPO for the Pittsburgh Transportation Management Area, is responsible under Section 134 of Title 23, U.S.C. and Section 8 of Title 49, U.S.C. for carrying out a continuing, cooperative, and comprehensive transportation planning process; Section 174 of the Clean Air Act designates this same organization as responsible for the transportation-related air quality planning within designated nonattainment and maintenance areas to achieve and maintain NAAQS; and

WHEREAS, SPC has conducted a qualitative and quantitative analysis under the 8-hour ozone Standard for the Pittsburgh-Beaver Valley, Greene County, and Indiana County ozone nonattainment areas in accordance with the applicable criteria and procedures of the Clean Air Act (as amended) and the Transportation Conformity Rule, and has demonstrated conformity of the 2005-2008 TIP and the region's 2030 Long Range Plan to the Clean Air Act; and

WHEREAS, the results of the conformity analysis were made available for public review and comment consistent with SPC's established public review procedures.

NOW, THEREFORE, BE IT RESOLVED that the Southwestern Pennsylvania Commission finds that the region's 2030 Long Range Plan and the 2005-2008 TIP conform to the Clean Air Act (as amended) by supporting its intention of achieving and maintaining the NAAQS; and

BE IT FURTHER RESOLVED that the region's 2030 Long Range Plan and the 2005-2008 TIP are consistent with the Clean Air Act (as amended) and Transportation Conformity Rule; no goals, directives, recommendations, or projects in the TIP or Long Range Plan contradict in a negative manner any specific requirements or commitments of the applicable State Implementation Plan.

RESOLVED FURTHER that assessment of the Pittsburgh-Beaver Valley, Fayette County, and Greene County ozone nonattainment areas demonstrates that the transportation plans, programs, and projects for those areas conform with the provisions of the Clean Air Act and the applicable criteria and procedures of the Transportation Conformity Rule.

I, Dan Onorato, HEREBY CERTIFY that I am Secretary-Treasurer of the SOUTHWESTERN PENNSYLVANIA COMMISSION; that the foregoing resolution was adopted, in accordance with the By-Laws, by the Members of said Commission at a meeting duly called and held on the 25th day of April 2005; and that said resolution is now in full force and effect.

IN TESTIMONY WHEREOF I hereto subscribe my name as Secretary-Treasurer.

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Secretary-Treasurer

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