



U.S. Department
of Transportation

Federal Highway Administration
MA Division
55 Broadway, 10th Floor
Cambridge, MA 02142-1093
617-494-3675
617-494-3355 (fax)

Federal Transit Administration
Region I
55 Broadway, Suite 920
Cambridge, MA 02142-1093
617-494-2055
617-494-2865 (fax)

David J. Mohler
Executive Director
Office of Transportation Planning
Massachusetts Department of Transportation
10 Park Plaza
Boston, MA 02116

October 6, 2022

Subject: Massachusetts Air Quality Conformity Determination

Dear Mr. Mohler:

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed our air quality conformity reviews for the Federal Fiscal Years (FFY) 2023-2027 Transportation Improvement Programs (TIPs) and their associated FFY 2020-2040 Metropolitan Transportation Plans (MTPs) for each of the Metropolitan Planning Organizations (MPOs) in Massachusetts. A FHWA/FTA air quality conformity determination is required pursuant to the U.S. Environmental Protection Agency's (EPA) Transportation Conformity Rule stated in 40 CFR Parts 51 and 93, and the U.S. Department of Transportation's Metropolitan Planning Rule stated in 23 CFR Part 450.

Under the 1997 8-Hour Ozone National Ambient Air Quality Standard (NAAQS) all of Massachusetts was designated as being in moderate nonattainment but was separated into two nonattainment areas: the Eastern Massachusetts Ozone Nonattainment Area and the Western Massachusetts Ozone Nonattainment Area. As of July 20, 2012, all of Massachusetts, except for Dukes County, is unclassifiable/attainment for the 2008 8-Hour Ozone NAAQS, and as of April 6, 2015, the 1997 ozone standard is revoked for transportation conformity purposes. Dukes County is an isolated rural non-attainment area under the 2008 ozone standard. In 2002, EPA approved the re-designation of the City of Springfield, City of Lowell, City of Waltham, and City of Worcester as attainment areas under the carbon monoxide (CO) NAAQS; those were then under a limited maintenance plan. As of April 22, 2022, the 20-year maintenance period for these areas was complete, and these areas are no longer required to demonstrate transportation conformity for their respective CO maintenance areas..

The transportation conformity regulation at 40 CFR Part 93.109 sets forth the criteria and procedures for determining conformity. The conformity criteria for MTPs and TIPs include latest planning assumptions, latest emissions model, consultation, transportation control measures, and emissions budget and/or interim emissions. For the 1997 ozone NAAQS areas, transportation conformity for MTPs and TIPs can be demonstrated without a regional emissions analysis, per 40 CFR Part 93.109(c). Because of the completion of the maintenance period for the Cities of

Lowell, Waltham, Springfield, and Worcester, a regional emissions analysis for carbon monoxide is not required pursuant to 40 CFR Part 93.109(e).

Under the Massachusetts SIP and the Massachusetts conformity regulations, the MassDEP is required to issue a finding of concurrence or non-concurrence with the conformity determinations made by the MPOs. The MassDEP issued its finding of concurrence on September 30, 2022. Additionally, Region 1 of the EPA reviewed the TIPs, MTPs and the air quality analyses, and via e-mail on October 5, 2022, stated that they support a positive transportation conformity finding.

Based on FHWA and FTA's joint evaluation of the TIPs and MTPs and the input received from MassDEP and EPA, FHWA and FTA have determined that the TIPs and MTPs are in conformity with the goals of the SIP, are consistent with the Clean Air Act, and are consistent with the EPA conformity regulations as stated in 40 CFR Parts 51 and 93. The conformity determination of the MTPs and TIPs will remain in effect until such time as a new determination is required by 40 CFR Part 93.104.

If you have any questions or comments, please contact Andrew Reovan (FHWA) at (617) 494-2419 or Leah Sirmin (FTA) at (617) 494-2459.

Sincerely,

Ken Miller
Acting Division Administrator
Federal Highway Administration

Peter Butler
Regional Administrator
Federal Transit Administration

cc: Jonathan L. Gulliver, Highway Division Administrator, MassDOT
Massachusetts Regional Planning Agencies
Ariel Garcia, EPA Region 1
Eric Rackauskas, EPA Region 1
Sharon Weber, Massachusetts DEP
Erin Bostwick, Massachusetts DEP