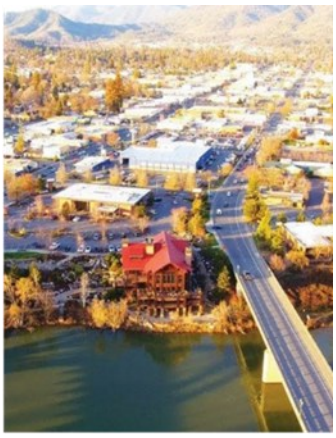
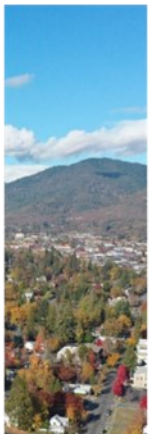
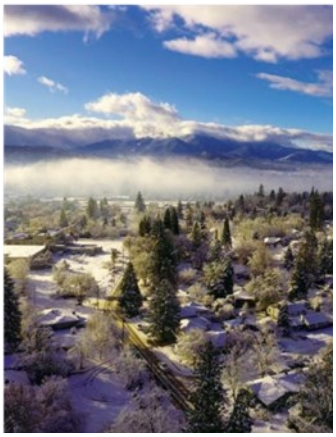






Air Quality Conformity Determination

For the MRMPO 2024-2027 Transportation Improvement Program

May, 2023

MIDDLE ROGUE
METROPOLITAN PLANNING ORGANIZATION

Staffed by the
Rogue Valley Council of Governments
155 N 1st St, Central Point, OR 97502 | 541-664-6674 | rvcog.org

Middle Rogue
Metropolitan Planning Organization
Regional Transportation Planning

Gold Hill • Grants Pass • Rogue River • Jackson County • Josephine County • Oregon Department of Transportation

Resolution Number 2023-03
Middle Rogue Metropolitan Planning Organization
Policy Committee Adoption of the
Air Quality Conformity Determination
for the MRMPO 2024-2027 Transportation Improvement Program

Whereas; the Rogue Valley Council of Governments (RVCOG) has been designated by the State of Oregon as the Metropolitan Planning Organization (MPO) for the Grants Pass Urban Area; and

Whereas; the RVCOG has delegated responsibility for MPO policy functions to the MRMPO Policy Committee, a committee of elected officials from Gold Hill, Grants Pass, Rogue River, Josephine County, Jackson County, and the Oregon Department of Transportation; and

Whereas; a project identification and selection process was carried out through the development of the 2024-2027 Transportation Improvement Program (TIP) and

Whereas; a public involvement process was developed and implemented consistent with the MRMPO Public Participation Plan throughout the development of the RTP, TIP and Air Quality Conformity Determination (AQCD); and

Whereas, the MPO, as required by law, held a 30-day public comment period to secure input and comment on the proposed conformity determination and the comments received were explicitly considered; and

Whereas, the 2024-2027 TIP have been shown through this document to meet state and federal air quality requirements; and

Whereas, the improvements contained in the 2024-2027 TIP demonstrate financial constraint;

NOW THEREFORE, the Metropolitan Planning Organization Policy Committee approves and adopts the attached Air Quality Conformity Determination for the Transportation Improvement Program.

Adopted by the Middle Rogue Metropolitan Planning Organization Policy Committee on this 18th day of May, 2023.

Valerie Lovelace
MRMPO Policy Committee Chair

MRMPO is staffed by Rogue Valley Council of Governments • 155 N. First St. • P O Box 3275 • Central Point OR 97502 • 664-6674

Table of Contents

MRMPO Adoption Resolution i
USDOT Conformity Determination ii
Summary 1
Air Quality Status 3
PM_{10} 3
CO 5
Demonstration of Conformity for CO and PM_{10} 7

APPENDICES .....
Appendix A: Project List for 2024-27 MRMPO TIP 12
Appendix B: Exempt Projects 15
Appendix C: Inter-Agency Coordination & Comments Received 17
Appendix D: PM_{10} & CO Limited Maintenance Plans 22

TABLES
Table 1: Grants Pass Maximum 24 Hour PM10 Values 1987-2013 4
Table 2: Grants Pass Carbon Monoxide Concentrations 1980-2005 6
Table 3: Inter-Agency Consultation Group Members 17
Table 4: Dates of Consultation and Public Participation 17

FIGURES
Figure 1: MRMPO Area Map 2
Figure 2: Grants Pass PM10 Trend 1987-2013 5
Figure 3: Grants Pass CO Trend 1980-2005 7
Figure 4: MRMPO TIP Projects Map 12

Summary

An air quality conformity determination (AQCD) for a transportation plan or program is a finding that the proposed transportation activities will not impede this area from continuing to meet air quality standards and will not cause or contribute to new air quality violations. The report is required in areas that have previously been determined to have violated standards for at least one of six pollutants identified by US-EPA. In the Grants Pass area, those pollutants are coarse particulate matter (PM_{10}) and carbon monoxide (CO).

Why are we producing this document?

In September 2022, the Middle Rogue Metropolitan Planning Organization (MRMPO) (which is comprised of the local transportation agencies of Grants Pass, Rogue River, Gold Hill, Josephine County, Jackson County, and Oregon Department of Transportation) will consider adoption Air Quality Conformity Determination (AQCD) for the 2024-2027 Transportation Improvement Program (TIP). These projects generally have regional significance and/or will use federal funds.

In certain areas where air quality emissions have exceeded the National Ambient Air Quality Standards (NAAQS) in the past 20 years, an AQCD is required whenever the RTP or TIP is updated, or, every 4 years, whichever comes first. The conformity determination must be made and adopted by the MPO as part of the approval process. US Department of Transportation (USDOT) must approve the conformity determination before the plan or program can become operative.

Within the Grants Pass area, the air pollutants of concern are that of *coarse* ***particulate matter and carbon monoxide (PM_{10} and CO).*** In September 2015, the US Environmental Protection Agency (US -EPA) approved CO and PM_{10} Limited Maintenance Plans (LMPs) for the Grants Pass area. In accordance with the requirements of the Clean Air Act (CAA), the EPA approved these State Implementation Plan (SIP) revisions because it was demonstrated that Grants Pass will continue to meet the carbon monoxide and particulate matter NAAQS for a second 10-year period beyond re-designation, through 2025. According to federal rules, while areas with approved LMPs are not required to perform a regional emission analysis, they are required to demonstrate conformity of the transportation plans as stated in 40 CFR 93.109 Table 1.

Who takes action?

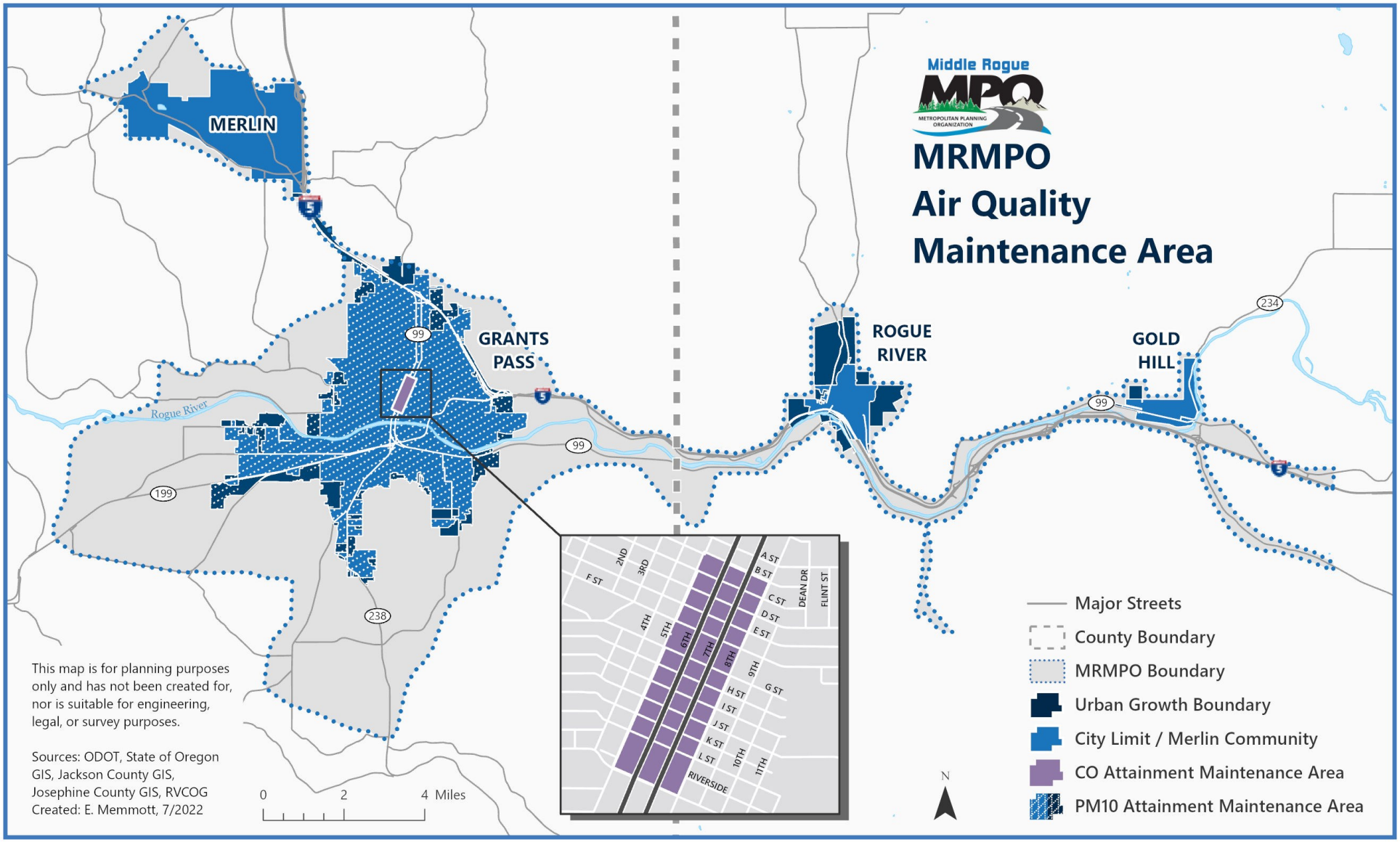
The MRMPO Policy Committee must formally adopt the findings described in this report. US-DOT must then confer with US-EPA and if the analysis is acceptable, they will issue a positive finding. Once the finding is made, the plan and program of projects become effective.

Findings

Although an emissions analysis was not undertaken, based on historical data the emissions of CO and PM_{10} are anticipated to continue to be well below the national standards.

Pursuant to federal regulations 40 CFR Parts 51 & 93 , this conformity determination for the 2024–2027 TIP meets all the requirements under the conformity rule.

Figure 1. MRMPO Air Quality Maintenance Area



Air Quality Status of Grants Pass Urbanized Area

Purpose

This transportation conformity analysis is being carried out in conjunction with the development and adoption of the 2024-2027 Transportation Improvement Program (TIP) of the Middle Rogue Metropolitan Planning Organization (MRMPO).

Air Quality Status

The U.S. Congress approved amendments to the Clean Air Act (CAA) on November 15, 1990. Shortly thereafter, urban air sheds were designated on the basis of the appropriate design values compared to the national ambient air quality standards. The Grants Pass UGB was designated as a non-attainment area for PM_{10} and the Grants Pass Central Business District (CBD) non-attainment for CO. PM_{10} is defined as particulate matter of less than 10 microns in diameter. Sources include crushing or grinding operations and dust stirred up by vehicles on roads. CO is a colorless, odorless gas that displaces oxygen in the body's red blood cells through normal respiration. The major human-caused source of annual CO is incomplete combustion of carbon-based fuels primarily through the use of gasoline powered motor vehicles. Other important sources of CO emissions are woodstoves, fireplaces and industrial boilers. Most serious CO concentrations occur during winter in urban areas, when cooler temperatures promote incomplete combustion and when CO emissions are trapped near the ground by atmospheric inversions.

PM_{10}

DEQ began monitoring PM_{10} in Grants Pass in 1987. The monitor was located at 11th and K Streets in downtown Grants Pass for 14 years, until 1999. A second PM_{10} monitor was located at 720 NE 11th Street from 1993 to 1999. Due to the loss of property access, both monitors were removed in 1999 and a new monitor was established at the sewage treatment plant at 1200 SW Greenwood Ave. This monitor was moved in 2002 to Parkside School at SW Wagner and M streets. In 2008, that monitor was permanently removed with EPA approval, due to very low PM_{10} levels being measured and resource/budget considerations. Prior to removal, in 2006 a $PM_{2.5}$ monitor was co-located at Parkside School with the PM_{10} monitor, from which estimated PM_{10} values could be derived. Since then, this $PM_{2.5}$ monitor and a continuous non-FRM monitor (nephelometer) have been in operation.

A violation of the 24-hour PM_{10} standard occurs when there are more than three exceedances of the standard within three years. The highest 24-hour PM_{10} concentration recorded in Grants Pass occurred in 1987 at a level of 268 $\mu g/m^3$. There were three exceedances of the 24-hour standard in that year. By the early 1990's, maximum levels were closer to the NAAQS, and there have been no violations since 1987.

When the EPA developed the "new" PM_{10} NAAQS in 1987, Grants Pass was categorized as a "Group 1 Planning Area" by EPA for violating the 24-hour PM_{10} standard, based on a design value of 171 $\mu g/m^3$. EPA treated these PM10 areas differently because they could not meet the requirements in part D (established by the 1977 CAA Amendments) that required areas to submit SIPs by 1979. Thus, EPA did not make attainment/nonattainment designations for the 1987 PM_{10} areas. Instead EPA had these Group 1/Group 2 areas. As a Group 1 area, Grants Pass had some very specific planning requirements regarding their SIPs. All this was changed with the 1990 CAA Amendments – PM_{10} areas were then subject to subpart 4, which established nonattainment and attainment, as well as two classifications for the nonattainment areas.

In 1991, EPA formally designated Grants Pass as a moderate nonattainment area for the 24-hour standard. The Urban Growth Boundary (UGB) was established at that time as the PM10 nonattainment boundary.

Monitoring data shows that Grants Pass area has been in attainment of the 24-hour standard since 1989. In 2003, the area was reclassified to attainment for the 24-hour PM10 standard, when EPA approved the first maintenance plan designed to maintain compliance with the 24-hour PM10 standard through the year 2015 (see 68 FR 61111). The maintenance plan allowed for some future growth while ensuring continued protection of public health. It replaced the most stringent emission control requirements for new or expanding major industry with some flexibility for industrial growth, established a PM10 emissions budget for future transportation projects, and a contingency plan in case of an exceedance or violation of the PM10 standard.

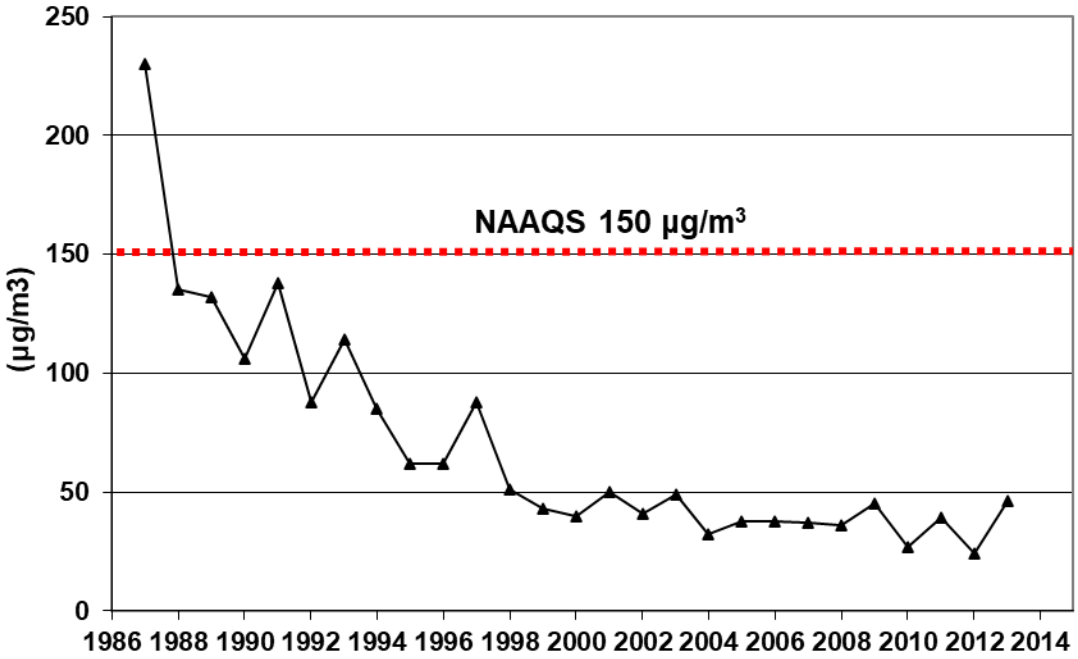
The maximum 24-hour PM10 concentrations measured for the years 1987 to 2008 is provided in Table 1. The trend in PM10 concentrations over the same time period is shown in Figure 2 on page 4, using the second highest 24-hour PM10 concentration rather than the maximum, based on how compliance with the standard is determined.

Table 1. Grants Pass Maximum 24 Hour PM_{10} Values 1987-2013

Year	Max PM_{10} mg/m^3	Max date
1987	268	09/06
1988	136	01/27
1989	151	01/27
1990	113	01/20
1991	141	01/03
1992	104	11/12
1993	132	12/27
1994	92	02/01
1995	77	11/04
1996	65	11/12
1997	89	01/15
1998	62	12/23
1999	43	11/11
2000	43	01/29
2001	55	11/12
2002	45	11/09
2003	56	11/14
2004	36	02/12
2005	48	07/27
2006	39	12/31
2007	41	02/05
2008	43	06/29
Estimated PM_{10} using $PM_{2.5}$ data		
2009	49	11/09
2010	46	12/04
2011	41	12/23
2012	25	01/04
2013	111*	08/02
2013	45	11/24

*Wildfire smoke impact
24-hr PM_{10} NAAQS Value = 150 $\mu g/m^3$

Figure 2. Grants Pass PM_{10} Trend 1987-2013



Second Highest Value used for showing compliance with PM10 Standard

Grants Pass has been below the NAAQS for PM10 since 1988. Oregon Department of Environmental Quality (ODEQ) developed a PM10 Limited Maintenance Plan (LMP) for the Grants Pass area, which was submitted to EPA on April 22, 2015 and went into effect on September 28, 2015 (80 FR 45431). The maintenance period ends on December 26, 2023.

CO

A violation of the carbon monoxide standard occurs when there are two exceedances within one calendar year. The highest 8-hour CO concentration recorded in Grants Pass occurred in 1982 at level of 14.4 ppm. An exceedance occurs when monitoring indicates that measured emissions are higher than the NAAQS for that particular pollutant. In that same year, Grants Pass exceeded the federal NAAQS 8-hour standard of 9 ppm for 28 days. Two exceedances within one calendar year constitute a violation. Like most areas of the country that failed to meet the CO standard, Grants Pass did not meet the 8-hour portion of the standard. The 1-hour standard has never been exceeded in Grants Pass.

ODEQ began monitoring carbon monoxide in Grants Pass in 1980. The monitor was located at 215 SE 6th Street, known as the Wing Building, and remained at that location until it was removed in 2006. A saturation survey conducted during the winter of 1993-1994 confirmed this location to be the best location for monitoring "worst case" CO concentrations.

In 1985, the Grants Pass Central Business District was designated by EPA as a nonattainment area for carbon monoxide. By the late 1980's, maximum levels were closer to the CO 8-hour standard level, and the last exceedance was in 1990.

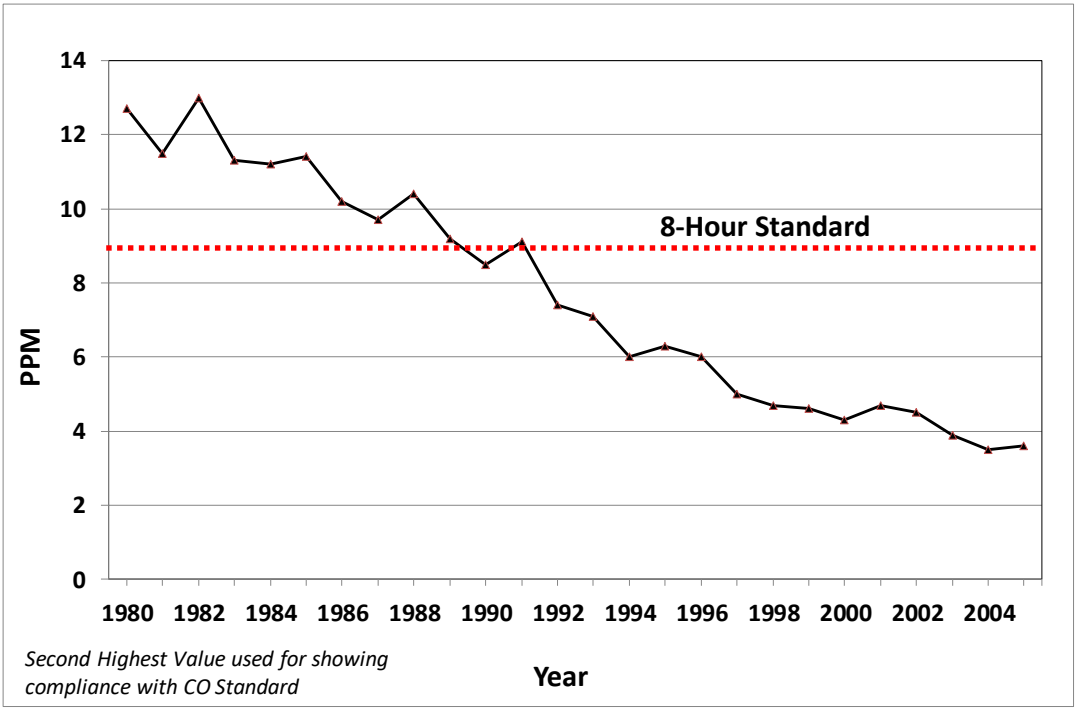
ODEQ submitted a CO maintenance plan in November 1999, which EPA approved on August 2000 (65 FR 52932) and resulted in Grants Pass being reclassified to attainment with the CO standard. The maintenance plan was to maintain compliance with the 8-hour CO standard for a ten-year period. While the CBD represented the maintenance area, EPA considered the Urban Growth Boundary to be a more representative of the area of influence for carbon monoxide emissions, and the 1993 emission inventory was prepared for UGB.

The trend in carbon monoxide levels, as recorded at the Wing Building monitor in downtown Grants Pass, is shown below in Table 2 and Figure 3. Since a violation is triggered by two exceedances in a calendar year, Figure 2 shows only the second highest concentration trend. Measured CO levels were so low that the monitor was removed with EPA approval in 2006 (the last full year of data is 2005).

Table 2. Grants Pass Carbon Monoxide Concentrations 1980-2005

	8-hour CO Averages	
Year	Maximum	2nd Highest
1980	13.3	12.7
1981	11.6	11.5
1982	14.4	13
1983	12.3	11.3
1984	12.9	11.2
1995	11.7	11.4
1996	10.4	10.2
1987	10.1	9.7
1988	10.8	10.4
1989	9.6	9.2
1990	9.9	8.5
1991	9.2	9.1
1992	8.3	7.4
1993	7.7	7.1
1994	6.6	6
1995	7.2	6.3
1996	6.4	6
1997	5.3	5
1998	4.7	4.7
1999	5	4.6
2000	4.5	4.3
2001	5.5	4.7
2002	4.6	4.5
2003	3.9	3.9
2004	4	3.5
2005	3.9	3.6

Figure 3. Grants Pass CO Trend 1980-2005



On April 22, 2015, the Oregon Department of Environmental Quality (ODEQ) submitted a Carbon Monoxide Limited Maintenance Plan (LMP) for the Grants Pass area to EPA for approval. To be eligible for CO LMP, an area has to have a design value at or below 7.65 ppm. Based on ODEQ's review of the 2002 – 2005 CO emissions data for Grants Pass the area met the requirements for an LMP. The CO LMP went into effect on September 28, 2015.

With the approval of the CO and PM10 LMPs, the area is exempt from performing a regional emissions analysis for CO and PM10 and there is no "budget" test. The area, however, must meet project level conformity analyses, and must respond to transportation conformity criteria in 40 CFR 93 Subpart A.

Demonstration of Conformity

On September 28, 2015, US-EPA approved CO & PM10 maintenance plans, known as a "limited maintenance plans" (LMPs) for the Grants Pass area. These LMPs have a 2025 horizon year at which time conformity determinations are no longer required. Because of the approved LMPs, the Middle Rogue MPO no longer has to complete regional emissions analyses for the Grants Pass area for PM10 and CO pursuant to 40 CFR 93.109(e). However, all other transportation conformity requirements under 40 CFR 93.109(b) continue to apply. This RTP and TIP conformity determination meets all applicable requirements under the conformity rule described below.

40 CFR 93.104

Frequency of Conformity Determinations

Conformity of transportation plans and TIPS must be determined no less frequently than every four years. Conformity of plan and TIP amendments, except for those that add or delete exempt projects, must be demonstrated prior to approval of the action. All FHWA/FTA projects must be found to conform or must be re-conformed following any significant status or scope change, before they are adopted, accepted, approved or funded. This conformity determination is for the MRMPO 2024-2027 TIP.

40 CFR 93.105

Consultation

Interagency consultation procedures must be carried out in accord with OAR 340-252-0060 and the MPO's public involvement policies developed under 23 CFR Part 450.

MPO staff initiated interagency consultation on February 6, 2023 by holding a discussion regarding the proposed CMAQ projects for the TIP. An additional meeting was held with USEPA on ZOOM on February 28 to discuss Air Quality Conformity Determinations.

Members of the interagency group consists of representatives from Oregon DOT, US-EPA, and USDOT (FHWA and FTA). The air quality implications of each project were reviewed to determine which projects had the potential for hot spot requirements.

Public notice was provided on the MPO's web site and through emails to interested parties in the region. A public hearing was held at the policy committee review meeting, and the 30-day public comment period required by the MPO's Public Participation Plan was held.

The MRMPO Technical Advisory Committee (TAC), the standing committee for interagency consultation, reviewed the project list and subsequently reviewed the results of the public comment period and the interagency consultation. No comments were provided at the public hearing or were submitted during the public comment period.

The *project sponsor* is responsible for assuring the conformity of FHWA/FTA projects and regionally significant projects in the RTP or TIP for which hot spot analysis is required. The project sponsor is also responsible for distributing draft and final project environmental documents prepared by the project sponsor to other agencies. It is the responsibility of the project sponsor to consult with the

affected transportation and air quality agencies prior to making a project level conformity determination. These activities occur during the project design planning phase.

40 CFR 93.106 **Content of Transportation Plans**

The 2020-2045 RTP, adopted by the MRMPO Policy Committee in March 2020, contains current forecasts for employment, population and land use projections. All assumptions are based on the acknowledged comprehensive plans of MRMPO member jurisdictions. Land use designations in these plans were assumed to be in place through the forecast period. (However, under OAR 660-012-0016(1), adoption of a regional transportation plan by an MPO is not a land use decision under Oregon law. Additionally, an air quality determination does not trigger a need for a finding that the RTP is consistent with comprehensive plans.)

The highway and transit projects described the RTP are considered "financially constrained". Financially constrained projects are organized by phases of short (2024-27), medium (2025-35) and long (2036-45). All projects are sufficiently identified by design concept, scope, and location to ensure adequate modeling for conformity purposes. For the purposes of the conformity determination, the 2045 transportation network is composed of the 2017 base transportation network modified by projects completed through 2017, projects now under construction, projects programmed in the 2024-2027 TIP, and the medium- and long-range projects in the RTP financially constrained project list.

40 CFR 93.108 **Fiscal Constraint for Transportation Plans and TIPs**

Fiscal constraint is described and affirmed in the 2024-2027 TIP. Appendix B is a list of the projects with the costs by phase.

40 CFR 93.109 **General**

OAR 340-252-0010 To demonstrate conformity of a transportation plan and TIP, specific criteria listed in OAR 340 Division 252 and 40 CFR 93.110 through 93.118 must be addressed. These criteria include using the latest planning assumptions and the latest emissions model, and undertaking interagency consultation and public involvement. Responses to these specific criteria are in the following sections.

The MRMPO area includes two maintenance areas. The CO and PM10 Air Quality Maintenance Areas (AQMA) are two distinct maintenance areas with different boundaries. The CO AQMA encompasses the City of Grants Pass's Central Business District (CBD). The Grants Pass PM10 AQMA covers the city's Urban Growth Boundary (UGB). In September 2015, the US Environmental Protection Agency (US-EPA) approved CO and PM10 Limited Maintenance Plans (LMPs) for the Grants Pass area. In accordance with the requirements of the Clean Air Act (CAA), the EPA approved these State Implementation Plan (SIP) revisions because it was demonstrated that Grants Pass will continue to meet the carbon monoxide and particulate matter NAAQS for a second 10-year period beyond re-designation, through 2025. The direct final rule for the CO LMP (80 FR 44864) was published in the Federal Register on July 28, 2015. The direct final rule for the PM10 LMP (80 FR 45431) was published in the Federal Register on July 30, 2015. According to federal rules, while areas with approved

40 CFR 93.110 **Latest Planning Assumptions**

The 2024-2027 TIP was developed using the latest planning assumptions of population, employment, land use, and the transit provider's long range plans including routes, service, and fares that had recently been updated during the course of updating and adopting the recent 2020-2045 RTP.

40 CFR 93.111 **Criteria & Procedures: Latest Emissions Model**

Under the LMPs, regional emissions modeling is not required for the conformity determination. Thus, the latest emissions model is not required for this action.

40 CFR 93.112 **Criteria & Procedures: Consultation**

See responses to OAR 340-252-0060 and 40 CFR 93.105 above.

40 CFR 93.113 **Timely Implementation of TCMs**

There are no TCMs specified in the Grants Pass CO & PM10 State Implementation Plans.

40 CFR 93.114 **Currently Conforming Transportation Plan & TIP**

This action will restart the 4-year cycle for the TIP. The next conformity for the RTP will be in March 2024.

40 CFR 93.115 **Projects from a Transportation Plan & TIP**

All projects in the TIP are either listed in the current plan or are consistent with the goals, policies and objectives of the plan. There are no project-level emissions mitigation or control measures in the TIP.

40 CFR 93.116 **PM10 Violations (Hot Spots)**

The project list of the TIP (Appendix B) indicates which projects are assessed as exempt under 40 CFR 93.126, and which require review for project level conformity. Map 2 shows the location of the projects within the region.

40 CFR 93.117 **Compliance with PM10 and PM2.5 Control Measures**

There are no on-road control measures in the Grants Pass CO & PM10 State Implementation Plans.

40 CFR 93.118 **Motor Vehicle Emissions Budget**

This is not required for an LMP.

40 CFR 93.119 **Interim Emissions in Areas Without Motor Vehicle Emissions Budgets**

This is not required for an LMP.

40 CFR 93.123(b) **Procedures for determining localized PM_{10} concentrations**

The LMP does not identify any locations, areas, or categories of sites of violation or possible violation. Prior to release of the funding or approval of permits for a project, the regulatory agency will identify projects that must undergo hot spot analysis. The *project sponsor* (the agency responsible for implementing the project) is responsible for assuring the conformity at this time. Refer to the project list for identification of projects that are not exempt from this requirement (Appendix B, Map 2).

40 CFR 93.125 **Enforceability**

OAR 340-252-0230 No emissions reductions credits can be applied if the control measure is not included in the transportation plan or the TIP or does not require regulatory action unless there are written commitment to implement those control measures.

There are no on-road control measures in the Grants Pass CO & PM_{10} State Implementation Plans.

Summary

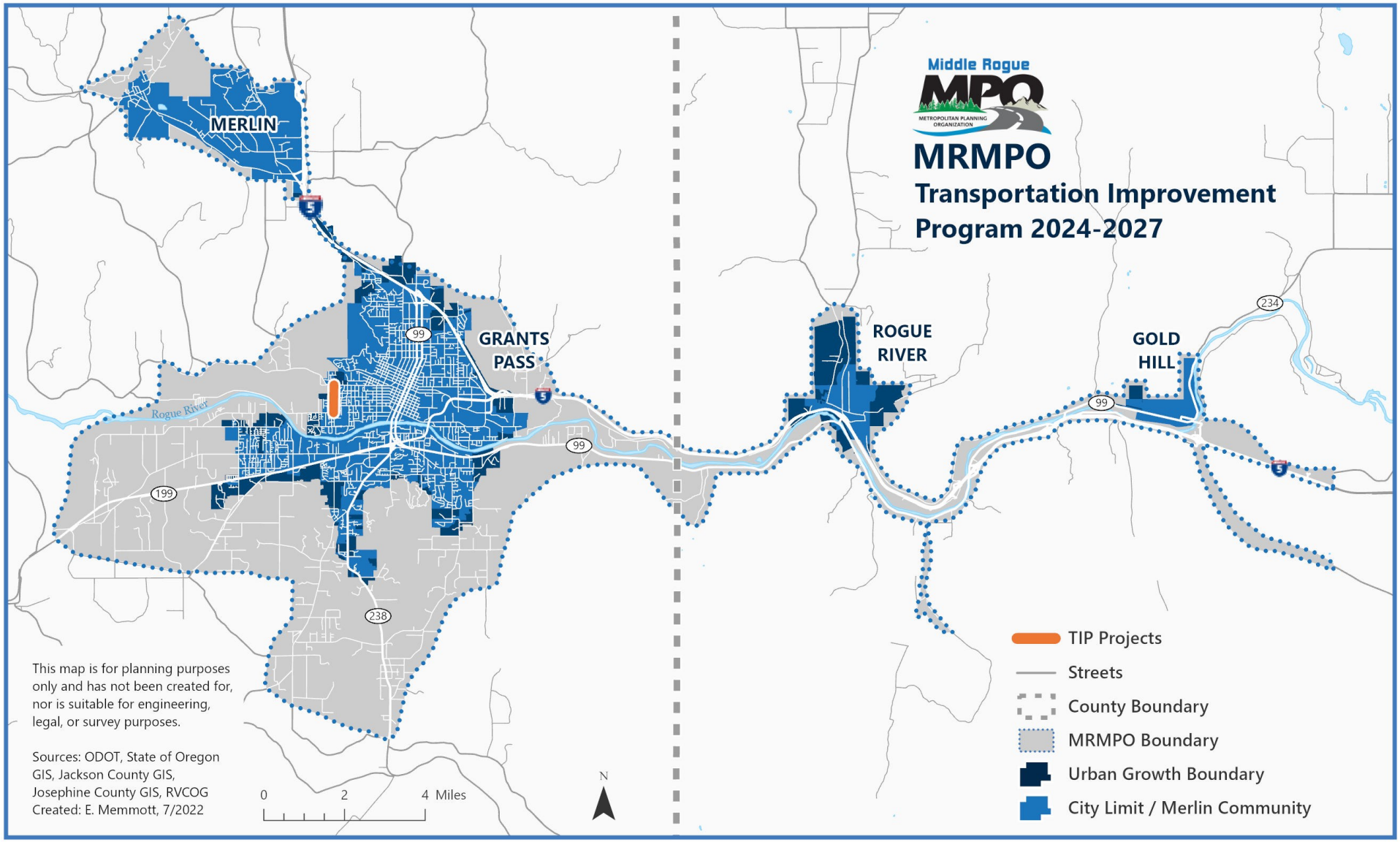
Current CO & PM10 levels are shown to be well under the NAAQS level, and trends indicate a stable situation. The federal 8-hour standard for CO is 9 ppm. For the 8-hour CO, in the most recent two years of data, the maximum value of 4.0 ppm was recorded on November 3, 2004 and the second maximum value of 3.9 was recorded on March 22, 2005. The risk to the community of exceeding the CO standard is low. The 24-hour standard for PM_{10} is 150µg/m^3. The design value for 2004-2008 was 49 µg/m^3, and the risk to the community of exceeding the PM_{10} standard is low.

The Grants Pass Urbanized Area has grown in population by a little over 2,000 from 2014 to 2019 since the monitoring values were available.

The transportation air quality conformity regulations summarized in 40 CFR 93.109(b) have been addressed herein pursuant to the requirements of 40 CFR 93.109(e).

All requirements for the Transportation Air Quality Conformity Determination have been met.

Appendix A: 2024-2027 TIP Projects



Appendix A: 2024-2027 TIP Projects

Project Name	Project Description	RTP Project Number	Air Quality Status	Key #	Federal Fiscal Year	Phase	Federal		Federal Required Match		Total Fed+Req Match	Other		Total All Sources
							$	Source	$	Source		$	Source	
Gold Hill														
No Projects						Planning								
						Design								
						Land Purchase								
						Utility Relocate								
						Construction								
						Other								
					Total FFY24-27									
Subtotal Gold Hill Projects														
Project Name	**Project Description**	**RTP Project Number**	**Air Quality Status**	**Key #**	**Federal Fiscal Year**	**Phase**	**Federal**		**Federal Required Match**		**Total Fed+Req Match**	**Other**		**Total All Sources**
							$	**Source**	**$**	**Source**		**$**	**Source**	
Grants Pass														
Lincoln Rd. Multi-Modal and Transit Enhancements	Modernize Lincoln Rd from Bridge to G St to include bike lanes and sidewalks. Work to include turn lane and resurfacing of existing lanes.	GP-007	**Exempt** 40 CFR 93.126 Table 2 Safety: Traffic control devices and operating assistance other than signalization projects Air Quality: Bicycle and pedestrian facilities	23304	2025	Planning	$ 362,040	STBG	$ 149,992	Grants Pass	$ 512,032			$ 512,032
				23304	2025	Planning	$ 450,016	CMAQ (L400)	$ 149,992	Grants Pass	$ 600,008			$ 600,008
				23304	2025	Design	$ 500,000	STBG	$ 250,000	Grants Pass	$ 750,000			$ 750,000
				23304	2026	Land Purchase	$ 876,918	STBG	$ 125,000	Grants Pass	$ 1,001,918	$ 688,082	Local	$ 1,690,000
				23304	2026	Land Purchase	$ 450,016	CMAQ (L400)	$ 125,000	Grants Pass	$ 575,016			$ 575,016
						Utility Relocate					$ -			$ -
				23304	2027	Construction	$ 876,918	STBG	$ 50,000	Grants Pass	$ 926,918	$ 3,027,950	Local	$ 3,954,868
				23304	2027	Construction	$ 450,016	CMAQ (L400)	$ 50,000	Grants Pass	$ 500,016			$ 500,016
					Total FFY24-27		$ 3,965,924		$ 899,984		$ 4,865,908	$ 3,027,950		$ 8,581,940
Subtotal Grants Pass Projects							**$ 3,965,924**		**$ 899,984**		**$ 4,865,908**	**$ 3,027,950**		**$ 8,581,940**

Appendix A: 2024-2027 TIP Projects, continued

Project Name	Project Description	RTP Project Number	Air Quality Status	Key #	Federal Fiscal Year	Phase	Federal		Federal Required Match		Total Fed+Req Match	Other		Total All Sources
							$	Source	$	Source		$	Source	
Jackson County														
Galls Creek (Lampman Rd) bridge	Replace the existing bridge to meet current standards.	N/A	Carried over from 2021-24 conforming TIP Exempt 40 CFR 93.126 Table 2 Safety: Widening narrow pavements or reconstructing bridges (no additional travel lanes).			Planning								
				23163	2023	Design	$ 729,236	IIJA	$ 83,464	Local	$ 812,700			$ 812,700
				23163	2025	Land Purchase	$ 56,799	IIJA	$ 6,501	Local	$ 63,300			$ 63,300
						Utility Relocate					$ -			$ -
				23163	2026	Construction	$ 2,563,855	IIJA	$ 293,410	Local	$ 2,857,265			$ 2,857,265
						Other					$ -			$ 3,733,265
					Total FFY24-27		$ 3,349,890		$ 383,375		$ 3,733,265			$ 3,733,265
Subtotal Jackson County Projects														**$ 3,733,265**
Project Name	**Project Description**	**RTP Project Number**	**Air Quality Status**	**Key #**	**Federal Fiscal Year**	**Phase**	**Federal**		**Federal Required Match**		**Total Fed+Req Match**	**Other**		**Total All Sources**
							$	**Source**	**$**	**Source**		**$**	**Source**	
Josephine County														
No Projects						Planning								
						Design								
						Land Purchase								
						Utility Relocate								
						Construction								
						Other								
					Total FFY24-27									
Subtotal Josephine County Projects														

Appendix A: 2024-2027 TIP Projects, continued

Project Name	Project Description	RTP Project Number	Air Quality Status	Key #	Federal Fiscal Year	Phase	Federal		Federal Required Match		Total Fed+Req Match	Other		Total All Sources
							$	Source	$	Source		$	Source	
Josephine Community Transit														
Oregon Transportation Network - Josephine Co FFY 24	Urbanized public transit capital funding for Federal fiscal year 2024. Funds will be transferred to FTA for delivery. Projects and programs to be determined based on funding requirements	N/A	**Exempt** Table 2 Transit	22052	FFY2024	Other	$ 253,808	SW Transit	$29,049	JCT	$ 282,857	$ -	NA	$ 282,857
Enhanced Mobility Program JCT FFY24	Enhanced mobility small urban program	N/A	**Exempt** Table 2 Transit	21989	FFY2024	Other	$ 109,000	FTA 5310	$27,250	JCT	$ 136,250	$ -	NA	$ 136,250
Enhanced Mobility Program JCT FFY25	Enhanced mobility small urban program	N/A	**Exempt** Table 2 Transit	22956	FFY2025	Other	$ 146,083	FTA 5310	$36,521	JCT	$ 182,604	$ -	NA	$ 182,604
Enhanced Mobility Program JCT FFY26	Enhanced mobility small urban program	N/A	**Exempt** Table 2 Transit	22969	FFY2026	Other	$ 152,048	FTA 5310	$38,012	JCT	$ 190,060	$ -	NA	$ 190,060
Enhanced Mobility Program JCT FFY27	Enhanced mobility small urban program	N/A	**Exempt** Table 2 Transit	22981	FFY2027	Other	$ 158,375	FTA 5310	$39,594	JCT	$ 197,969	$ -	NA	$ 197,969

Appendix A: 2024-2027 TIP Projects, continued

Project Name	Project Description	RTP Project Number	Air Quality Status	Key #	Federal Fiscal Year	Phase	Federal		Federal Required Match		Total Fed+Req Match	Other		Total All Sources
							$	Source	$	Source		$	Source	
Josephine Community Transit														
Enhanced Mobility E&D JCT FY25	Enhanced mobility small urban program	N/A	**Exempt** Table 2 Transit	23002	FFY2025	Other	$ 337,565	FTA 5310	$38,636	JCT	$ 376,201	$ -	NA	$ 376,201
Enhanced Mobility E&D JCT FY26	Enhanced mobility small urban program	N/A	**Exempt** Table 2 Transit	23019	FFY2026	Other	$ 337,565	FTA 5310	$38,636	JCT	$ 376,201	$ -	NA	$ 376,201
Enhanced Mobility E&D JCT FY27	Enhanced mobility small urban program	N/A	**Exempt** Table 2 Transit	23032	FFY2027	Other	$ 337,565	FTA 5310	$38,636	JCT	$ 376,201	$ -	NA	$ 376,201
Josephine Co - Transit operations (5307) FY2024	Transit operation expenses	n/a	**Exempt** Table 2 Transit	20979	FFY2024	Other	$ 1,116,568	FTA 5307	$ 1,116,568	JCT	$ 2,233,136	$ -	NA	$ 2,233,136
Josephine Co - Transit operations (5307) FY2025	Transit operation expenses	n/a	**Exempt** Table 2 Transit	23336	FFY2025	Other	$ 1,150,065	FTA 5307	$ 1,150,065	JCT	$ 2,300,130	$ -	NA	$ 2,300,130
Josephine Co - Transit operations (5307) FY2026	Transit operation expenses	n/a	**Exempt** Table 2 Transit	23337	FFY2026	Other	$ 1,184,567	FTA 5307	$ 1,184,567	JCT	$ 2,369,134	$ -	NA	$ 2,369,134
Josephine Co - Transit operations (5307) FY2027	Transit operation expenses	n/a	**Exempt** Table 2 Transit Operations	23338	FFY2027	Other	$ 1,220,104	FTA 5307	$ 1,220,104	JCT	$ 2,440,208	$ -	NA	$ 2,440,208
Subtotal Josephine Community Transit Projects							**$ 6,503,313**		**$ 4,957,638**		**$ 11,460,952**			**$ 11,460,952**

Appendix A: 2024-2027 TIP Projects, continued

Project Name	Project Description	RTP Project Number	Air Quality Status	Key #	Federal Fiscal Year	Phase	Federal		Federal Required Match		Total Fed+Req Match	Other		Total All Sources
							$	Source	$	Source		$	Source	
ODOT														
I-5: Evans Creek Bridge & Bridge over Depot St (Rogue River)	Widen the Evans Creek Bridge to the west side (southbound lanes). Widen the bridge over Depot Street to the west side (southbound lanes). Remove portions of the bridge driving surfaces of both bridges and place new surface. Replace the deck expansion joints	n/a	*Carried over from 2021-24 conforming TIP* **Exempt** 40 CFR 93.126 Table 2 Safety: Widening narrow pavements or reconstucting bridges (no additional travel lanes)			Planning					$ -			
				21775	2021	Design	$ 1,383,300	FIX-IT SWB	$ 116,700	ODOT	$ 1,500,000			$ 1,500,000
				21775	2023	Land Purchase	$ 27,666	FIX-IT SWB	$ 2,334	ODOT	$ 30,000			$ 30,000
				21775	2023	Utility Relocation	$ 46,110	FIX-IT SWB	$ 3,890	ODOT	$ 50,000			$ 50,000
				21775	2024	Construction	$ 6,738,515	FIX-IT SWB	$568,485	ODOT	$ 7,307,000			$ 7,307,000
						Other			$ -		$ -			
					Total FFY24-27		$ 8,195,591		$ 691,409		$ 8,887,000			$ 8,887,000
Southwest Oregon Rural Intersection Safety Improvements	Install signs to provide a safer roadway to the traveling public in ODOT region 3.	n/a	Carried over from 2021-24 conforming TIP Exempt 40 CFR 93.126 Table 2 Other: Directioanal and informational signs			Planning					$ -			
				23053	2024	Design	$ 389,977	HSIP - IIJA	$ 43,331	ODOT	$ 433,308			$ 433,308
						Land Purchase					$ -			$ -
						Utility Relocation					$ -			$ -
				23053	2025	Construction	$ 2,418,012	HSIP - IIJA	$268,668	ODOT	$ 2,686,680			$ 2,686,680
						Other			$ -		$ -			
					Total FFY24-27		$ 2,807,989		$ 311,999		$ 3,119,988			$ 3,119,988

Appendix A: 2024-2027 TIP Projects, continued

Project Name	Project Description	RTP Project Number	Air Quality Status	Key #	Federal Fiscal Year	Phase	Federal		Federal Required Match		Total Fed+Req Match	Other		Total All Sources
							$	Source	$	Source		$	Source	
ODOT														
OR:99 Fruitdale Creek Culvert	construction project to replace a culvert with a bridge. The replacement will improve fish passage no additional travel lanes.	n/a	*Carried over from 2021-24 conforming TIP* **Exempt** 40 CFR 93.126 Table 2 Safety: Widening narrow pavements or reconstructing bridges (no additional travel lanes)			Planning					$ -			
				21720	2022	Design	$ 1,315,442	FIX-IT FP	$ 150,558	ODOT	$ 1,466,000			$ 1,466,000
				21720	2024	Land Purchase	$ 565,299	FIX-IT FP	$ 64,701	ODOT	$ 630,000			$ 630,000
				21720	2024	Utility Relocate	$ 44,865	FIX-IT FP	$ 5,135	ODOT	$ 50,000			$ 50,000
						Construction					$ -			
						Other					$ -			
					Total FFY24-27		$ 1,925,606		$ 220,394		$ 2,146,000			$ 2,146,000
Rogue Valley Rural Intersection Improvements	Install safety signs at various intersection approaches in the rural Rogue Valley. Install flashing lights at the intersections. This will help improve intersection visibility to motorists.	n/a	*Carried over from 2021-24 conforming TIP* **Exempt** 40 CFR 93.126 Table 2 Other: Directioanal and informational signs			Planning					$ -			
				21717	2022	Design	$ 202,884	ARTS R3	$ 17,116	ODOT	$ 220,000			$ 220,000
				21717	2023	Land Purchase	$ 1,844	ARTS R3	$ 156	ODOT	$ 2,000			$ 2,000
				21717	2024	Utility Relocate	$ 23,055	ARTS R3	$ 1,945	ODOT	$ 25,000			$ 25,000
				21717	2024	Construction	$ 892,690	ARTS R3	$75,310	ODOT	$ 968,000			$ 968,000
						Other			$ -		$ -			
					Total FFY24-27		$ 1,120,473		$ 94,527		$ 1,215,000			$ 1,215,000
Jackson and Josephine County curb ramps, phase 3	Construct curb ramps to meet compliance with the Americans with Disabilities Act (ADA) standards	n/a	*Carried over from 2021-24 conforming TIP* **Exempt** 40 CFR 93.126 Table 2 Quality - Bicycle and pedestrian facilities.			Planning					$ -			
				22571	2022	Design	$ 4,215,901	STBG-IIJA	$ 482,529	ODOT	$ 4,698,430			$ 4,698,430
				22571	2023	Land Purchase	$ 1,351,959	STBG-IIJA	$ 154,738	ODOT	$ 1,506,697			$ 1,506,697
						Utility Relocate								$ -
				22571	2024	Construction	$ 9,298,777	STBG-IIJA	$1,064,287	ODOT	$ 10,363,064			$ 10,363,064
						Other			$ -		$ -			
					Total FFY24-27		$ 14,866,637		$ 1,701,554		$ 16,568,191			$ 16,568,191

Appendix A: 2024-2027 TIP Projects, continued

Project Name	Project Description	RTP Project Number	Air Quality Status	Key #	Federal Fiscal Year	Phase	Federal		Federal Required Match		Total Fed+Req Match	Other		Total All Sources
							$	Source	$	Source		$	Source	
ODOT														
SW Oregon HB2017 safety program funding reserve (FFY25-27)	Funding for federal fiscal year 2024-2027 for the Region 3 HB2017 safety program.	n/a	**Exempt** 40 CFR 93.126 Table 2 Safety			Planning					$ -			
						Design					$ -			$ -
						Land Purchase					$ -			$ -
						Utility Relocate								$ -
				23413	2025	Construction	$ 129,199	HB2017	$14,355	ODOT	$ 143,554			$ 143,554
						Other			$ -		$ -			
					Total FFY24-27		$ 129,199		$ 14,355		$ 143,554			$ 143,554
SW Oregon preservation program funding reserve (FFY25-27)	Funding reserved for future preservation projects in the 2024-2027 STIP cycle.	n/a	**Exempt** 40 CFR 93.126 Table 2 Safety			Planning					$ -			
						Design					$ -			$ -
						Land Purchase					$ -			$ -
						Utility Relocate								$ -
				23312	2025	Construction	$ 1,043,771	HB2017	$119,464	ODOT	$ 1,163,235			$ 1,163,235
						Other			$ -		$ -			
					Total FFY24-27		$ 1,043,771		$ 119,464		$ 1,163,235			$ 1,163,235
SW Oregon safety program funding reserve (FFY25-27)	Funding for federal fiscal year 2024-2027 for the Region 3 ARTS program.	n/a	**Exempt** 40 CFR 93.126 Table 2 Safety			Planning					$ -			
						Design					$ -			$ -
						Land Purchase					$ -			$ -
						Utility Relocate								$ -
				23305	2025	Construction	$ 1,075,976	HB2017	$119,553	ODOT	$ 1,195,529			$ 1,195,529
						Other			$ -		$ -			
					Total FFY24-27		$ 1,075,976		$ 119,553		$ 1,195,529			$ 1,195,529

Appendix A: 2024-2027 TIP Projects, continued

Project Name	Project Description	RTP Project Number	Air Quality Status	Key #	Federal Fiscal Year	Phase	Federal		Federal Required Match		Total Fed+Req Match	Other		Total All Sources
							$	Source	$	Source		$	Source	
ODOT														
I-5: Monument Dr - N. Grants Pass	Remove existing pavement and replace with new asphalt to improve pavement condition and extend service life. Install new overhead lighting and signage at various locations to improve safety. Repair or replace bridge driving surfaces and joint repairs to extend the structure life.	n/a	*Carried over from 2021-24 conforming TIP* **Exempt** 40 CFR 93.126 Table 2 Safety: Pavement resurfacing and/or rehabilitation and lighting improvements and directional and informational signs			Planning					$ -			
				21674	2022	Design	$ 1,125,084	NHP FAST	$ 94,916	ODOT	$ 1,220,000			$ 1,220,000
				21674	2023	Land Purchase	$ 2,767	NHP FAST	$ 233	ODOT	$ 3,000			$ 3,000
				21674	2024	Utility Relocate	$ 23,055	NHP FAST	$ 1,945	ODOT	$ 25,000			$ 25,000
				21674	2024	Construction	$ 17,424,047	NHP FAST	$1,469,953	ODOT	$ 18,894,000			$ 18,894,000
						Other					$ -			
					Total FFY24-27		$ 18,574,953		$ 1,567,047		$ 20,142,000	0		$ 20,142,000
OR99: Rogue River Bridge, Gold Hill Spur	Widen the deck, strengthen the bridge and replace timber walkway with an attached concrete ADA compliant walkway.	n/a	*Carried over from 2021-24 conforming TIP* **Exempt** 40 CFR 93.126 Table 2 Safety: Projects that correct, improve, or eliminate a hazardous location or feature			Planning			$ -		$ -			
				22630	2023	Design	$ 1,919,325	STBG-IIJA	$ 219,675	ODOT	$ 2,139,000			$ 2,139,000
				22630	2024	Land Purchase	$ 347,824	STBG-IIJA	$ 84,176	ODOT	$ 432,000			$ 432,000
				22630	2026	Utility Relocate	$ 292,520	FIX-IT	$ 33,480	ODOT	$ 326,000			$ 326,000
						Construction			$ -		$ -			$ -
				22630	2024	Other	$ 148,147	STBG-IIJA	$ 35,853	ODOT	$ 184,000			$ 184,000
					Total FFY24-27		$ 2,707,816		$ 373,184		$ 3,081,000			$ 3,081,000
Subtotal ODOT Projects							**$ 32,524,439**		**$ 2,946,561**		**$ 35,471,000**			**$ 57,661,497**

Appendix A: 2024-2027 TIP Projects, continued

Project Name	Project Description	RTP Project Number	Air Quality Status	Key #	Federal Fiscal Year	Phase	Federal		Federal Required Match		Total Fed+Req Match	Other		Total All Sources
							$	Source	$	Source		$	Source	
Rogue River														
No Projects						Planning								
						Design								
						Land Purchase								
						Utility Relocate								
						Construction								
						Other								
					Total FFY24-27									
Subtotal Rogue River Projects														
Project Name	**Project Description**	**RTP Project Number**	**Air Quality Status**	**Key #**	**Federal Fiscal Year**	**Phase**	**Federal**		**Federal Required Match**		**Total Fed+Req Match**	**Other**		**Total All Sources**
							$	**Source**	**$**	**Source**		**$**	**Source**	
Rogue Valley Council of Governments														
Middle Rogue MPO planning SFY25	Planning and Reasearch	n/a	**Exempt** Table 2	21865	FFY2024	Planning	$ 212,714	PL	$24,346	ODOT	$ 237,060			$ 237,060
				21865	FFY2024	Planning	$ 63,874	FTA 5303	$7,311	MRMPO	$ 71,185			$ 71,185
						Design					$ -			
						Land Purchase					$ -			
						Construction					$ -			
						Other					$ -			
					Total FFY21-24		$ 276,588		$ 31,657		$ 308,245			$ 308,245
Middle Rogue MPO planning SFY26	Planning and Reasearch	n/a	**Exempt** Table 2	22901	FFY2025	Planning	$ 321,873	PL	$36,840	ODOT	$ 358,713			$ 358,713
				22901	FFY2025	Planning	$ 121,116	FTA 5303	$13,862	MRMPO	$ 134,978			$ 134,978
						Design					$ -			
						Land Purchase					$ -			
						Construction					$ -			
						Other					$ -			
					Total FFY24-27		$ 442,989		$ 50,702		$ 493,691			$ 493,691
Middle Rogue MPO planning SFY27	Planning and Reasearch	n/a	**Exempt** Table 2	22904	FFY2026	Planning	$ 322,952	PL	$36,963	ODOT	$ 359,915			$ 359,915
				22904	FFY2026	Planning	$ 126,760	FTA 5303	$14,508	MRMPO	$ 141,268			$ 141,268
						Design					$ -			
						Land Purchase					$ -			
						Construction					$ -			
						Other					$ -			
					Total FFY24-27		$ 449,712		$ 51,471		$ 501,183			$ 501,183
Middle Rogue MPO planning SFY28	Planning and Reasearch	n/a	**Exempt** Table 2	22905	FFY2027	Planning	$ 324,040	PL	$37,088	ODOT	$ 361,128			$ 361,128
				22905	FFY2027	Planning	$ 132,616	FTA 5303	$15,178	MRMPO	$ 147,794			$ 147,794
						Design					$ -			
						Land Purchase					$ -			
						Construction					$ -			
						Other					$ -			
					Total FFY24-27		$ 456,656		$ 52,266		$ 508,922			$ 508,922
Subtotal RVCOG Projects							**$ 1,625,945**		**$ 186,096**		**$ 1,812,041**	**$ -**		**$ 1,812,041**
						Total All Projects	**$ 44,619,621**		**$ 8,990,279**		**$ 53,609,901**	**$ 3,027,950**		**$ 83,249,695**

Appendix B: Exempt Projects Under 40 CFR 93.126 and 93.127

93.126 Exempt Projects

Notwithstanding the other requirements of this subpart, highway and transit projects of the types listed below are exempt from the requirement to determine conformity. Such projects may proceed toward implementation even in the absence of a conforming transportation plan and TIP. A particular action of the type listed below is not exempt if the MPO in consultation with other agencies (see §93.105(c)(1)(iii)), the EPA, the FHWA (in the case of a highway project), or the FTA (in the case of a transit project) concur that it has potentially adverse emissions impacts for any reason. States and MPOs must ensure that exempt projects do not interfere with TCM implementation.

Exempt Projects

Safety

- Railroad/highway crossing
- Projects that correct, improve, or eliminate a hazardous location or feature
- Safer non-Federal-aid system roads
- Shoulder improvements
- Increasing sight distance
- Highway Safety Improvement Program implementation
- Traffic control devices and operating assistance other than signalization projects
- Railroad/highway crossing warning devices
- Guardrails, median barriers, crash cushions
- Pavement resurfacing and/or rehabilitation
- Pavement marking
- Emergency relief (23 U.S.C. 125)
- Fencing
- Skid treatments
- Safety roadside rest areas
- Adding medians
- Truck climbing lanes outside the urbanized area
- Lighting improvements
- Widening narrow pavements or reconstructing bridges (no additional travel lanes)
- Emergency truck pullovers
- Mass Transit
- Operating assistance to transit agencies
- Purchase of support vehicles
- Rehabilitation of transit vehicles[1]
- Purchase of office, shop, and operating equipment for existing facilities
- Purchase of operating equipment for vehicles (e.g., radios, fareboxes, lifts, etc.)
- Construction or renovation of power, signal, and communications systems
- Construction of small passenger shelters and information kiosks
- Reconstruction or renovation of transit buildings and structures (e.g., rail or bus buildings, storage and maintenance facilities, stations, terminals, and ancillary structures)

Air Quality

- Continuation of ride-sharing and van-pooling promotion activities at current levels
- Bicycle and pedestrian facilities

Other

Specific activities which do not involve or lead directly to construction, such as:

- Planning and technical studies
- Grants for training and research programs
- Planning activities conducted pursuant to titles 23 and 49 U.S.C.
- Federal-aid systems revisions
- Engineering to assess social, economic, and environmental effects of the proposed action or alternatives to that action
- Noise attenuation
- Emergency or hardship advance land acquisitions (23 CFR 710.503)
- Acquisition of scenic easements
- Plantings, landscaping, etc
- Sign removal
- Directional and informational signs
- Transportation enhancement activities (except rehabilitation and operation of historic transportation buildings, structures, or facilities)
- Repair of damage caused by natural disasters, civil unrest, or terrorist acts, except projects involving substantial functional, locational or capacity changes

  Note: In PM_{10} and $PM_{2.5}$ nonattainment or maintenance areas, such projects are exempt only if they are in compliance with control measures in the applicable implementation plan.

93.127 Projects Exempt from Regional Emissions Analysis

Notwithstanding the other requirements of this subpart, highway and transit projects of the types listed below are exempt from regional emissions analysis requirements. The local effects of these projects with respect to CO concentrations must be considered to determine if a hot-spot analysis is required prior to making a project-level conformity determination. The local effects of projects with respect to PM_{10} and $PM_{2.5}$ concentrations must be considered and a hot-spot analysis performed prior to making a project-level conformity determination, if a project type listed below also meets the criteria in §93.123(b)(1). These projects may then proceed to the project development process even in the absence of a conforming transportation plan and TIP. A particular action of the type listed below is not exempt from regional emissions analysis if the MPO in consultation with other agencies (see §93.105(c)(1)(iii)), the EPA, the FHWA (in the case of a highway project), or the FTA (in the case of a transit project) concur that it has potential regional impacts for any reason.

Projects Exempt From Regional Emissions Analyses

- Intersection channelization projects
- Intersection signalization projects at individual intersections
- Interchange reconfiguration projects
- Changes in vertical and horizontal alignment
- Truck size and weight inspection stations
- Bus terminals and transfer points

Appendix C: Inter-Agency Coordination and Comments Received

Tabl

Agency	Contact	Phone	Email
FHWA	Jasmine Harris	503.316.2561	jasmine.harris@dot.gov
	Benjamin Haines	503.316.2555	benjamin.haines@dot.gov
FTA	Ned Conroy		ned.conroy@dot.gov
USEPA	Karl Pepple	206.553.1778	pepple.karl@epa.gov
	Claudia Vaupel		vaupel.claudia@epa.gov
ODEQ	Karen Williams	503.229.5519	karen.williams@deq.oregon.gov
ODOT	Natalie Liljenwall	503.986.3456	natalie.liljenwall@state.or.us
	Mike Baker	541.957.3658	michael.baker@odot.state.or.us
	Ian Horlacher	541.774.6399	ian.k.horlacher@odot.state.or.us

Tab

Inter-Agency Consultation			
Date		**Contact(s)**	**Action**
2/6/2023		Inter-agency Group less USEPA	Agreement with Exempt status of projects
2/28/2023		USEPA	Agreement with Exempt status of projects
3/1/2023		Public/Media	Posting of Project Listing on website and Virtual Open House
4/6/2023		MRMPO TAC	Review Draft AQCD/TIP
4/13/2023		MRMPO CAC	Review Draft AQCD/TIP
4/20/2023		MRMPO Policy	Review Draft AQCD/TIP
5/18/2023		MRMPO Policy/Public Hearing	Adoption of AQCD and 2024-27 TIP

AQCD Interagency Consultation

Opportunities for agencies to participate in this analysis occurred throughout the development process. Agencies consulted were ODOT, ODEQ, FHWA and FTA. A summary is provided in section 2.1 on page 7. The MRMPO consulted with the Interagency Consultation Group (IACG) and held a conference call with the IACG on the eligibility of specific projects for CMAQ funding and additional discussions (via ZOOM) on the exempt status of projects contained in the draft 2024-2027 TIP.

Appendix C: Inter-Agency Coordination and Comments Received

Appendix C: Inter-Agency Coordination and Comments Received

Appendix C: Inter-Agency Coordination and Comments Received

Comments from the Public

No comments were received.

proposal also includes separate fuel efficiency and greenhouse gas standards for the engines that power combination tractors and vocational vehicles.

The joint proposed rules for which EPA and NHTSA are holding the public hearings were published in the **Federal Register** on July 13, 2015 (80 FR 40138), and are also available at the Web sites listed above under **FOR FURTHER INFORMATION CONTACT**. NHTSA's Draft Environmental Impact Statement is available on the NHTSA Web site and in NHTSA's rulemaking docket, both referenced above. Once NHTSA and EPA learn how many people have registered to speak at each public hearing, we will allocate an appropriate amount of time to each participant, allowing time for necessary breaks. In addition, we will reserve a block of time for anyone else in the audience who wants to give testimony. For planning purposes, each speaker should anticipate speaking for approximately five minutes, although we may need to shorten that time if there is a large turnout. We request that you bring two copies of your statement or other material for the EPA and NHTSA panels.

NHTSA and EPA will conduct the hearings informally, and technical rules of evidence will not apply. We will arrange for a written transcript of each hearing and keep the official record for the proposed rule open for 30 days after the last public hearing to allow speakers to submit supplementary information. Panel members may ask clarifying questions during the oral statements but will not respond to the statements at that time. You may make arrangements for copies of the transcripts directly with the court reporter. Written statements and supporting information submitted during the comment period will be considered with the same weight as oral comments and supporting information presented at the public hearings. The comment period for the proposed rule will be extended such that the closing date is 30 days after the last public hearing. Therefore, written comments on the proposal must be post marked no later than September 17, 2015.

Dated: July 22, 2015.

Raymond R. Posten,

Associate Administrator for Rulemaking, National Highway Traffic Safety Administration.

Dated: July 22, 2015.

Christopher Grundler,

Director, Office of Transportation and Air Quality, Environmental Protection Agency.

[FR Doc. 2015–18527 Filed 7–27–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R10–OAR–2015–0322; FRL–9931–13–Region 10] Approval and Promulgation of State Implementation Plans: Oregon: Grants Pass Carbon Monoxide Limited Maintenance Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking direct final action to approve a carbon monoxide Limited Maintenance Plan (LMP) for Grants Pass, submitted by the State of Oregon on April 22, 2015 as a revision to its State Implementation Plan (SIP). In accordance with the requirements of the Clean Air Act (CAA), the EPA is approving this SIP revision because it demonstrates that Grants Pass will continue to meet the carbon monoxide National Ambient Air Quality Standards (NAAQS) for a second 10-year period beyond re-designation, through 2025.

DATES: This rule is effective on September 28, 2015, without further notice, unless the EPA receives adverse comment by August 27, 2015. If the EPA receives adverse comment, we will publish a timely withdrawal in the **Federal Register** informing the public that the rule will not take effect.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R10–OAR–2015–0322, by any of the following methods:

- *Federal eRulemaking Portal http://www.regulations.gov:* Follow the on-line instructions for submitting comments.
- *Email: R10-Public_Comments@epa.gov.*
- *Mail:* Lucy Edmondson, EPA Region 10, Office of Air, Waste and Toxics, AWT–150, 1200 Sixth Avenue, Suite 900, Seattle, WA 98101.
- *Hand Delivery/Courier:* EPA Region 10, 1200 Sixth Avenue, Suite 900, Seattle, WA 98101. Attention: Lucy Edmondson, Office of Air, Waste and Toxics, AWT–150. Such deliveries are only accepted during normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket ID No. EPA–R10–OAR–2015–0322. Once submitted, comments cannot be edited or withdrawn. The EPA's policy is that all comments received will be included in the public docket without change and may be made available online at *http://www.regulations.gov,* including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *http://www.regulations.gov* or email. The *http://www.regulations.gov* Web site is an ''anonymous access'' system, which means the EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to the EPA without going through *http://www.regulations.gov,* your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, the EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If the EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, the EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

Docket: All documents in the docket are listed in the *http://www.regulations.gov* index. Although listed in the index, some information is not publicly available, *e.g.,* CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy. Publicly available docket materials are available either electronically in *http://www.regulations.gov* or in hard copy during normal business hours at the Office of Air, Waste and Toxics, EPA Region 10, 1200 Sixth Avenue, Seattle, WA 98101.

FOR FURTHER INFORMATION CONTACT: Lucy Edmondson at (360) 753–9082, *edmondson.lucy@epa.gov,* or the above EPA, Region 10 address.

SUPPLEMENTARY INFORMATION: Throughout this document wherever ''we'', ''us'' or ''our'' is used, it is intended to refer to the EPA. Information is organized as follows:

Table of Contents

I. This Action
II. Background
III. Public and Stakeholder Involvement in Rulemaking Process
IV. Evaluation of Oregon's Submittal
V. Transportation and General Conformity

VI. Final Action
VII. Oregon Notice Provision
VIII. Statutory and Executive Order Reviews

I. This Action

The EPA is taking direct final action to approve the carbon monoxide (CO) LMP for Grants Pass, Oregon. The Oregon Department of Environmental Quality (ODEQ) submitted this plan as a SIP revision, on April 22, 2015. This CO LMP is designed to keep Grants Pass in attainment with the CO standard for a second 10-year period beyond re-designation, through 2025.

II. Background

Under Section 107(d)(1)(c) of the CAA, each CO area designated nonattainment prior to enactment of the 1990 Amendments, such as Grants Pass, was designated nonattainment by operation of law upon enactment of the 1990 Amendments. Under section 186(a) of the CAA, each CO area designated nonattainment under section 107(d) was also classified by operation of law as either "moderate" or "serious" depending on the severity of the area's air quality problem. CO areas with design values between 9.1 and 16.4 parts per million (ppm), such as Grants Pass, were classified as moderate. These nonattainment designations and classifications were codified in 40 CFR part 81. (56 FR 56694) (November 6, 1991).

In August 2000, the EPA approved the first maintenance plan designed to maintain compliance with the CO standard in Grants Pass, OR through the year 2015 (see 65 FR 52932, August 31, 2000). While the central business district represented the maintenance area, the EPA considered the Urban Growth Boundary (UGB) to be a more representative area of influence for carbon monoxide emissions, and the 1993 emission inventory was prepared for the UGB. In addition to approving ODEQ's maintenance plan for the area, the EPA also approved ODEQ's request to redesignate the Grants Pass area to attainment of the CO standard (see 65 FR 52932, August 31, 2000). On November 5, 1999, Oregon submitted a complete rule renumbering and relabeling package to EPA for approval in the SIP. On January 22, 2003, EPA approved the recodified version of Oregon's rules to remove and replace the outdated numbering system (68 FR 2891).

Per CAA section 175A(b), Oregon's current SIP submittal provides a second 10-year CO maintenance plan for Grants Pass that will apply until 2025, and fulfill the final planning requirements under the CAA. In addition, the plan is consistent with the elements of a LMP as outlined in an EPA October 6, 1995 memorandum from Joseph Paisie, the Group Leader of the Integrated Policy and Strategies Group, titled, "Limited Maintenance Plan Option for Nonclassifiable CO Nonattainment Areas" (LMP Option). To qualify for the LMP Option, the CO design value for an area, based on the eight consecutive quarters (two years of data) used to demonstrate attainment, must be at or below 7.65 ppm (85 percent of the CO NAAQS). In addition, the control measures from the first CO maintenance plan must remain in place and unchanged. The primary control measure has been the emission standards for new motor vehicles under the Federal Motor Vehicle Control Program. Other control measures have been the New Source Review Program and several residential woodsmoke emission reduction efforts. The EPA has determined that the LMP Option for CO is also available to all states as part of the CAA 175A(b) update to the maintenance plans, regardless of the original nonattainment classification, or lack thereof. Thus, the EPA finds that Grants Pass qualifies for the LMP.

III. Public and Stakeholder Involvement in Rulemaking Process

Section 110(a)(2) of the CAA requires that each SIP revision offer a reasonable opportunity for notice and public hearing. This must occur prior to the revision being submitted by the State to the EPA. The State provided notice and an opportunity for public comment from December 16, 2014 until January 26, 2015, with no comments received. ODEQ also held a public hearing on January 22, 2015 in Grants Pass. This SIP revision was submitted by the Governor's designee and was received by the EPA on April 22, 2015. The EPA has evaluated ODEQ's submittal and determined that the State met the requirements for reasonable notice and public hearing under section 110(a)(2) of the CAA.

IV. Evaluation of Oregon's Submittal

The EPA has reviewed Oregon's SIP submittal for Grants Pass. The following is a summary of the requirements for a LMP and the EPA's evaluation of how each requirement has been met by the SIP submittal.

A. Base Year Emissions Inventory

The maintenance plan must contain an attainment year emissions inventory to identify a level of CO emissions in the area that is sufficient to attain the CO NAAQS. The April 22, 2015 SIP submittal contains a summary of the CO emissions inventory for Grants Pass for the base year 2005. This summary is based on the Grants Pass Inventory Preparation and Quality Assurance Plan for the Grants Pass Urban Growth Boundary Limited Carbon Monoxide Maintenance Plan, adopted March 2014.

Historically, exceedances of the CO standard in Grants Pass have occurred during the winter months, when cooler temperatures contribute to incomplete combustion, and when CO emissions are trapped near the ground by atmospheric inversions. The UGB was used for the initial 1993 emissions inventory, since it was more representative of the area of influence for carbon monoxide emissions, and used again for the 2005 emission inventory in this LMP. Sources of carbon monoxide in Grants Pass include industry, motor vehicles, non-road mobile sources, (*e.g.*, construction equipment, recreational vehicles, lawn and garden equipment, and area sources (*e.g.*, outdoor burning, woodstoves, fireplaces, and wildfires). The CO season is defined as three consecutive months—December 1 through the end of February. As such, season day emissions in addition to annual emissions are included in the inventory. The unit of measure for annual emissions is in tons per year (tpy), while the unit of measure for season day emissions is in pounds per day (lb/day). In addition, the county-wide emissions inventory data is spatially allocated to the Grants Pass UGB, and to buffers around the UGB, depending on emissions category.

Because violations of the CO NAAQS are most likely to occur on winter weekdays, the inventory prepared is for a "typical winter day". The table below shows the estimated tons of CO emitted per winter day by source category for the 2005 base year.

2005 Emissions Inventory, Main Source Category Subtotals

Main source category	CO emissions pounds per winter day
Stationary Point Sources	1,202
Onroad Mobile Sources	58,120
Non-road Mobile Sources	6,289
Stationary Area Sources	22,244
Total	87,855

B. Demonstration of Maintenance

The CO NAAQS is attained when the annual second highest 8-hour average CO concentration for an area does not exceed a concentration of 9.0 ppm. The last monitored violation of the CO

Appendix D: Limited Maintenance Plans for CO & PM_{10}

NAAQS in Grants Pass occurred in 1990, and CO levels have been steadily in decline.

For areas using the LMP Option, the maintenance plan demonstration requirement is considered to be satisfied when the second highest 8-hour CO concentration is at or below 7.65 ppm (85 percent of the CO NAAQS) for 8 consecutive quarters. The current 8-hour CO Design Value for Grants Pass is 4.0 ppm based on the two most recent years of data (2004–2005), which is significantly below the LMP Option requirement of 7.65 ppm. Therefore, the State has demonstrated that Grants Pass qualifies for the LMP Option.

With the LMP Option, there is no requirement to project emissions of air quality over the upcoming maintenance period. The EPA believes that if the area begins the maintenance period at, or below, 85 percent of the level of the CO 8-hour NAAQS, the applicability of prevention of significant deterioration requirements, the control measures already in the SIP, and Federal control measures already in place will provide adequate assurance of maintenance over the 10-year maintenance period.

C. Monitoring Network and Verification of Continued Attainment

Monitored CO levels in the Grants Pass UGB steadily declined since monitoring began in the area in 1980. CO levels have declined significantly across the nation through motor vehicle emissions controls and fleet turnover to newer, cleaner vehicle models. As CO levels dropped and stayed low, Oregon requested to remove the Grants Pass CO monitor in 2006, and the EPA approved the request on October 19, 2006. ODEQ now uses an alternate method of verifying continued attainment with the CO standard.

ODEQ calculates CO emissions every three years as part of the Statewide Emissions Inventory and submits the data to the EPA for inclusion in the National Emissions Inventory (NEI). ODEQ commits to review the NEI estimates to identify any increases over the 2005 emission levels and source categories, and report on them in the annual network plan for the applicable year. Since on-road motor vehicles are the predominant source of carbon monoxide in Grants Pass (about 70%), this source category will be the primary focus of this review. ODEQ will annually calculate CO emissions and evaluate any increase in CO emissions to confirm it is not due to a change in emission calculation methodology, an exceptional event, or other factor not representative of an actual emissions increase. Recognizing there could be a minor, insignificant emissions increase, for the purposes of triggering the Contingency Plan described below, an increase of five percent in either the total annual or season day emissions, or in the on-road mobile source category, represents a "significant" emission increase.

D. Contingency Plan

Section 175A(d) of the CAA requires that a maintenance plan include contingency provisions necessary to ensure prompt correction of any violations of the standard that may occur. In its April 22, 2015 submittal, the State of Oregon included the following contingency measures for this LMP:

1. If ODEQ's three-year periodic review of CO emissions shows a significant increase in emissions, as described in Section 8 of this plan, ODEQ will then reestablish ambient CO monitoring in Grants Pass.

2. If the highest measured 8-hour CO concentration in a given year in Grants Pass exceeds the LMP eligibility level of 7.65 ppm (85 percent of the 8-hr standard), ODEQ will evaluate the cause of the CO increase. Within six months of the validated 7.65 ppm CO concentration, ODEQ will determine a schedule of selected strategies to either prevent or correct any violation of the 8-hour CO standard. The contingency strategies that will be considered include, but are not limited to:

- Improvements to parking and traffic circulation
- Aggressive signal retiming program
- Funding for transit
- Implementation of bicycle and pedestrian networks.

ODEQ (and the advisory group if needed) may also conduct further evaluation, to determine if other strategies are necessary.

3. If a violation of the CO standard occurs, in addition to step two above, ODEQ will replace the Best Available Control Technology (BACT) requirement for new and modified stationary sources with the Lowest Achievable Emission Rate (LAER) technology, and reinstate the requirement to offset any new CO emissions. Additional CO emission reduction measures will be considered, as needed.

V. Transportation and General Conformity

Federal transportation conformity rules (40 CFR parts 51 and 93) and general conformity rules (58 FR 63214, November 30, 1993) continue to apply under a LMP. However, as noted in the LMP Option memo, these requirements are greatly simplified. An area under a LMP can demonstrate conformity without submitting an emissions budget, and as a result, emissions do not need to be capped nor a regional emissions analysis (including modeling) conducted. Grants Pass is currently meeting the requirements of 40 CFR parts 51 and 93.

In the June 24, 2015 adequacy finding for the Grants Pass CO LMP, the EPA determined that Grants Pass has met the criteria to be exempt from regional emissions analysis for CO. However, other transportation conformity requirements such as consultation, transportation control measures, and project level conformity requirements would continue to apply to the area. With approval of the LMP, the area continues to be exempt from performing a regional emissions analysis, but must meet project-level conformity analyses as well as the transportation conformity criteria mentioned above.

VI. Final Action

In accordance with the requirements of the CAA, the EPA is approving the CO LMP for Grants Pass, Oregon submitted by the State of Oregon on April 22, 2015 as a revision to the Oregon SIP. The State has adequately demonstrated that Grants Pass will maintain the CO NAAQS and meet the requirements of a LMP through the second 10-year maintenance period through 2025.

The EPA is publishing this action without prior proposal because the EPA views this as a noncontroversial amendment and anticipates no adverse comments. However, in the proposed rules section of this **Federal Register** publication, the EPA is publishing a separate document that will serve as the proposal to approve the SIP revision should adverse comments be filed. This rule will be effective September 28, 2015 without further notice unless the EPA receives adverse comments by August 27, 2015. If the EPA receives such comments, then the EPA will publish a timely withdrawal of the direct final rule informing the public that the rule will not take effect. All public comments received will then be addressed in a subsequent final rule based on the proposed rule. The EPA will not institute a second comment period on this rule. Any parties interested in commenting on this rule should do so at this time. If no such comments are received, the public is advised that this rule will be effective on September 28, 2015 and no further action will be taken on the proposed rule.

VII. Oregon Notice Provision

Oregon Revised Statute 468.126, prohibits ODEQ from imposing a penalty for violation of an air, water or solid waste permit, unless the source has been provided five days advanced written notice of the violation, and has not come into compliance or submitted a compliance schedule within that five-day period. By its terms, the statute does not apply to Oregon's Title V program or to any program if application of the notice provision would disqualify the program from Federal delegation. Oregon has previously confirmed that, because application of the notice provision would preclude EPA approval of the Oregon SIP, no advance notice is required for violation of SIP requirements.

VIII. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve State choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves State law as meeting Federal requirements and does not impose additional requirements beyond those imposed by State law. For that reason, this action:

- Is not a "significant regulatory action" subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because this action does not involve technical standards; and
- does not provide the EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

The SIP is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. The EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by September 28, 2015. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review, nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. Parties with objections to this direct final rule are encouraged to file a comment in response to the parallel notice of proposed rulemaking for this action published in the proposed rules section of the **Federal Register**, rather than file an immediate petition for judicial review of this direct final rule, so that the EPA can withdraw this direct final rule and address the comment in the proposed rulemaking. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: July 8, 2015.

Dennis J. McLerran,

Regional Administrator, Region 10.

40 CFR part 52 is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ 1. The authority citation for Part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart MM—Oregon

■ 2. Section 52.1970, paragraph (e), the table entitled "State of Oregon Air Quality Control Program" is amended by adding an entry after the existing entries under "Section 4" to read as follows:

§ 52.1970 Identification of plan.

* * * * *

(e) * * *

STATE OF OREGON AIR QUALITY CONTROL PROGRAM

SIP citation	Title/subject	State effective date	EPA approval date	Explanation
*	*	*	*	*
Section 4				

Appendix D: Limited Maintenance Plans for CO & PM_{10}

STATE OF OREGON AIR QUALITY CONTROL PROGRAM—Continued

SIP citation	Title/subject	State effective date	EPA approval date	Explanation
* * * *	* * *	*	*	*
	Grants Pass Second 10-Year Carbon Monoxide Limited Maintenance Plan.	4/16/2015	7/28/2015, [Insert **Federal Register** citation].	
* * * *	* * *	*	*	*

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[FR Doc. 2015–18220 Filed 7–27–15; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R04–OAR–2015–0260; FRL–9931–27–Region 4]

Approval and Promulgation of Implementation Plans; North Carolina: Non-Interference Demonstration for Federal Low-Reid Vapor Pressure Requirement for Gaston and Mecklenburg Counties

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving the State of North Carolina's April 16, 2015, revision to its State Implementation Plan (SIP), submitted through the North Carolina Department of Environment and Natural Resources, Division of Air Quality (DAQ), in support of the State's request that EPA change the Federal Reid Vapor Pressure (RVP) requirements for Gaston and Mecklenburg Counties. This RVP-related SIP revision evaluates whether changing the Federal RVP requirements in these counties would interfere with the requirements of the Clean Air Act (CAA or Act). North Carolina's April 16, 2015, RVP-related SIP revision also updates the State's maintenance plan and the associated motor vehicle emissions budgets (MVEBs) related to its redesignation request for the North Carolina portion of the Charlotte-Rock Hill 2008 8-hour ozone nonattainment area (Charlotte Area) to reflect the requested change in the Federal RVP requirements. EPA has determined that North Carolina's April 16, 2015, RVP-related SIP revision is consistent with the applicable provisions of the CAA.

DATES: This rule is effective July 28, 2015.

ADDRESSES: EPA has established a docket for this action under Docket Identification No. EPA–R04–OAR–2015–0260. All documents in the docket are listed on the *www.regulations.gov* Web site. Although listed in the index, some information may not be publicly available, *i.e.,* Confidential Business Information or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically through *www.regulations.gov* or in hard copy at the Air Regulatory Management Section (formerly the Regulatory Development Section), Air Planning and Implementation Branch (formerly the Air Planning Branch), Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303–8960. EPA requests that if at all possible, you contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

FOR FURTHER INFORMATION CONTACT: Richard Wong of the Air Regulatory Management Section, in the Air Planning and Implementation Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303–8960. Mr. Wong may be reached by phone at (404) 562–8726 or via electronic mail at *wong.richard@epa.gov*.

SUPPLEMENTARY INFORMATION:

I. What is the background for this final action?

On May 21, 2012, EPA designated and classified areas for the 2008 8-hour ozone NAAQS that was promulgated on March 27, 2008, as unclassifiable/attainment or nonattainment for the new 8-hour ozone NAAQS. *See* 77 FR 30088. The Charlotte Area was designated as nonattainment for the 2008 8-hour ozone NAAQS with a design value of 0.079 ppm. On April 16, 2015, DAQ submitted a redesignation request and maintenance plan for the North Carolina portion of the Charlotte Area for EPA's approval. In that submittal, the State included a maintenance demonstration that estimates emissions using a 7.8 psi RVP requirement for Gaston and Mecklenburg Counties for the 2008 8-hour ozone redesignation request and maintenance plan. EPA proposed action on the aforementioned redesignation request and maintenance plan in a **Federal Register** document published on May 21, 2015. *See* 80 FR 29250. The final rule approving the State's redesignation request and maintenance plan was signed on July 17, 2015. The State, in conjunction with its request to redesignate the North Carolina portion of the Charlotte Area to attainment, is also requesting a change of the Federal RVP requirement from 7.8 psi to 9.0 psi.

On April 16, 2015, to support its request for EPA to change the Federal RVP requirement for Gaston and Mecklenburg Counties, DAQ submitted a SIP revision that contains a noninterference demonstration that included modeling assuming 9.0 psi for RVP for Gaston and Mecklenburg Counties and that updates the maintenance plan submission and associated MVEBs for the North Carolina portion of the Charlotte Area. In a notice of proposed rulemaking (NPR) published on May 21, 2015, EPA proposed to approve the State's noninterference demonstration and the updates to its maintenance plan and the associated MVEBs related to the State's redesignation request for the North Carolina portion of the Charlotte Area, contingent upon EPA approval of North Carolina's redesignation request and maintenance plan for the North Carolina portion of the Charlotte Area. *See* 80 FR 29230. The details of North Carolina's submittal and the rationale for EPA's actions are explained in the NPR. EPA did not receive any comments on the proposed action.

II. Final Action

EPA is taking final action to approve the State of North Carolina's noninterference demonstration, submitted on April 16, 2015, in support of the State's request that EPA change

Appendix D: Limited Maintenance Plans for CO & PM_{10}

TABLE 2—ATTAINMENT, MAINTENANCE, AND OTHER PLANS

Name of SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Comments
*	*	*	*	*
110(a)(2) Infrastructure and Interstate Transport				
*	*	*	*	*
Interstate Transport for the 2006 24-hour $PM_{2.5}$ NAAQS.	Statewide	5/11/15	7/30/15 [Insert ***Federal Register*** citation]	This action addresses CAA 110(a)(2)(D)(i)(I).

[FR Doc. 2015–18611 Filed 7–29–15; 8:45 am]
BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R10–OAR–2015–0323; FRL–9931–16–Region 10]

Approval and Promulgation of Implementation Plans; Oregon: Grants Pass Second 10-Year PM_{10} Limited Maintenance Plan

AGENCY: Environmental Protection Agency.

ACTION: Direct final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving a limited maintenance plan submitted by the State of Oregon on April 22, 2015, for the Grants Pass area for particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM_{10}). The plan explains how this area will continue to meet the PM_{10} National Ambient Air Quality Standard for a second 10-year period through 2025.

DATES: This rule is effective on September 28, 2015, without further notice, unless the EPA receives adverse comment by August 31, 2015. If the EPA receives adverse comment, we will publish a timely withdrawal in the **Federal Register** informing the public that the rule will not take effect.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R10–OAR–2015–0323, by any of the following methods:

- *www.regulations.gov:* Follow the on-line instructions for submitting comments.
- *Email: edmondson.lucy@epa.gov.*
- *Mail:* Lucy Edmondson, EPA Region 10, Office of Air, Waste and Toxics, AWT–150, 1200 Sixth Avenue, Suite 900, Seattle, WA 98101.
- *Hand Delivery/Courier:* EPA Region 10, 1200 Sixth Avenue, Suite 900, Seattle, WA 98101. Attention: Lucy Edmondson, Office of Air, Waste and Toxics, AWT–150. Such deliveries are only accepted during normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket ID No. EPA–R10–OAR–2015–0323. The EPA's policy is that all comments received will be included in the public docket without change and may be made available online at *www.regulations.gov,* including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *www.regulations.gov* or email. The *www.regulations.gov* Web site is an "anonymous access" system, which means the EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to the EPA without going through *www.regulations.gov,* your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, the EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If the EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, the EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

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FOR FURTHER INFORMATION CONTACT: Lucy Edmondson (360) 753–9082, *edmondson.lucy@epa.gov,* or by using the above EPA, Region 10 address.

SUPPLEMENTARY INFORMATION: Throughout this document, wherever "we", "us" or "our" are used, it is intended to refer to the EPA.

Table of Contents

I. This Action
II. Background
III. Public and Stakeholder Involvement in Rulemaking Process
IV. The Limited Maintenance Plan Option for PM_{10} Areas
  A. Requirements for the Limited Maintenance Plan Option
  B. Conformity Under the Limited Maintenance Plan Option
V. Review of the State's Submittal
  A. Has the State demonstrated that Grants Pass qualifies for the limited maintenance plan option?
  B. Does the State have an approved attainment emissions inventory?
  C. Does the limited Maintenance plan include an assurance of continued operation of an appropriate EPA-approved air quality monitoring network, in accordance with 40 CFR part 58?
  D. Does the plan meet the Clean Air Act requirements for contingency provisions?
  E. Has the State met conformity requirements?
VI. Oregon Notice Provision
VII. Statutory and Executive Order Reviews

I. This Action

The EPA is approving the limited maintenance plan submitted by the State of Oregon (the State) on April 22, 2015, for the Grants Pass Urban Growth

Appendix D: Limited Maintenance Plans for CO & PM_{10}

Boundary. The plan addresses maintenance of the PM_{10} National Ambient Air Quality Standard for a second 10-year period through 2025.

II. Background

The EPA identified the Grants Pass, Oregon, Urban Growth Boundary as a "Group I" area of concern due to measured violations of the newly promulgated 24-hour PM_{10} National Ambient Air Quality Standard (NAAQS) on August 7, 1987 (*52 FR 29383*). On November 15, 1990, the Clean Air Act (CAA) Amendments under section 107(d)(4)(B), designated Grants Pass Group I area as nonattainment for PM_{10} by operation of law. The EPA published a **Federal Register** document announcing all areas designated nonattainment for PM_{10} on March 15, 1991 (*56 FR 11101*). The Oregon Department of Environmental Quality (ODEQ) worked with the community of Grants Pass to develop a plan for attainment of the PM_{10} NAAQS. Control measures focused on reducing smoke emissions with PM_{10} control measures for wood stoves, open forestry burning, as well as industrial growth controls and other strategies. The EPA proposed approval of the plan on March 10, 1993 (58 FR 13230), and approved it on December 17, 1993 (*58 FR 65934*). On November 5, 1999, Oregon submitted a complete rule renumbering and relabeling package to the EPA for approval into the SIP. On January 22, 2003, the EPA approved the recodified version of Oregon's rules to remove and replace the outdated numbering system (*68 FR 2891*). The EPA approved ODEQ's maintenance plan to ensure continued compliance with the PM_{10} NAAQS for ten years on October 27, 2003 (*68 FR 61111*).

In addition to approving ODEQ's maintenance plan for the area, the EPA also approved ODEQ's request to redesignate the Grants Pass nonattainment area to attainment on October 27, 2003 (*68 FR 61111*). The purpose of the submitted limited maintenance plan is to fulfill the second 10-year planning requirement of CAA section 175A(b) to ensure compliance through 2025.

III. Public and Stakeholder Involvement in Rulemaking Process

Section 110(a)(2) of the CAA requires that each SIP revision offer a reasonable opportunity for notice and public hearing. This must occur prior to the revision being submitted by the State to the EPA. The State provided notice and an opportunity for public comment from December 16, 2014 until January 26, 2015 with no comments received. ODEQ also held a public hearing on January 22, 2015 in Grants Pass. This SIP revision was submitted by the Governor's designee and was received by the EPA on April 22, 2015. The EPA evaluated ODEQ's submittal and determined that the State met the requirements for reasonable notice and public hearing under section 110(a)(2) of the CAA.

IV. The Limited Maintenance Plan Option for PM_{10} Areas

A. Requirements for the Limited Maintenance Plan Option

On August 9, 2001, the EPA issued guidance on streamlined maintenance plan provisions for certain moderate PM_{10} nonattainment areas (Memo from Lydia Wegman, Director, Air Quality Standards and Strategies Division, entitled "Limited Maintenance Plan Option for Moderate PM_{10} Nonattainment Areas" (limited maintenance plan option memo). The limited maintenance plan option memo contains a statistical demonstration that areas meeting certain air quality criteria will, with a high degree of probability, maintain the standard ten years into the future. Thus, the EPA provided the maintenance demonstration for areas meeting the criteria outlined in the memo. It follows that future year emission inventories for these areas, and some of the standard analyses to determine transportation conformity with the SIP, are no longer necessary.

To qualify for the limited maintenance plan option, the State must demonstrate the area meets the criteria described below. First, the area should have attained the PM_{10} NAAQS. Second, the most recent five years of air quality data at all monitors in the area, called the 24-hour average design value, should be at or below 98 $\mu g/m^3$. Third, the State should expect only limited growth in on-road motor vehicle PM_{10} emissions (including fugitive dust) and should have passed a motor vehicle regional emissions analysis test. Lastly, the memo identifies core provisions that must be included in all limited maintenance plans. These provisions include an attainment year emissions inventory, assurance of continued operation of an EPA-approved air quality monitoring network, and contingency provisions.

B. Conformity Under the Limited Maintenance Plan Option

The transportation conformity rule and the general conformity rule (40 CFR parts 51 and 93) apply to nonattainment areas and areas covered by an approved maintenance plan. Under either conformity rule, an acceptable method of demonstrating a Federal action conforms to the applicable SIP is to demonstrate that expected emissions from the planned action are consistent with the emissions budget for the area.

While qualification for the limited maintenance plan option does not exempt an area from the need to affirm conformity, conformity may be demonstrated without submitting an emissions budget. Under the limited maintenance plan option, emissions budgets are treated as essentially not constraining for the length of the maintenance period because it is unreasonable to expect that the qualifying areas would experience so much growth in the period that a violation of the PM_{10} NAAQS would result. For transportation conformity purposes, the EPA would conclude that emissions in these areas need not be capped for the maintenance period and therefore a regional emissions analysis would not be required. Similarly, Federal actions subject to the general conformity rule could be considered to satisfy the "budget test" specified in 40 CFR 93.158(a)(5)(i)(A) for the same reasons that the budgets are essentially considered to be unlimited.

V. Review of the State's Submittal

A. Has the State demonstrated that Grants Pass qualifies for the limited maintenance plan option?

As discussed above, the limited maintenance plan option memo outlines the requirements for an area to qualify. First, the area should be attaining the NAAQS. The EPA determined the Grants Pass area attained the PM_{10} NAAQS based on monitoring data from 1988 through 1990 and approved the State's maintenance plan and request to redesignate the area from nonattainment to attainment on October 27, 2003 (*68 FR 61111*). The area has been in continued compliance with the PM_{10} NAAQS since that time.

Second, the average design value for the past five years of monitoring data must be at or below the critical design value of 98 $\mu g/m^3$ for the 24-hour PM_{10} NAAQS. The critical design value is a margin of safety in which an area has a one in ten probability of exceeding the NAAQS. Using the most recently available Federal Reference Method (FRM) monitoring data for the years 2004–2008, the State's analysis demonstrated that Grants Pass average design value was 49 $\mu g/m^3$, well below the 98 $\mu g/m^3$ threshold. An FRM monitor is one that has been approved by the EPA under 40 CFR part 58 to measure compliance with the NAAQS.

Appendix D: Limited Maintenance Plans for CO & PM_{10}

As discussed later in this proposal, ODEQ also calculated average design values using a linear regression analysis technique for the period 2009 to 2013. This more recent monitoring data shows that PM_{10} levels continue to be well below the standard with an average design value of 49 µg/m³. The EPA reviewed the data provided by ODEQ and finds that Grants Pass meets the design value criteria outlined in the limited maintenance plan option memo.

Third, the area must meet the motor vehicle regional emissions analysis test described in attachment B of the limited maintenance plan option memo. ODEQ submitted an analysis showing that growth in on-road mobile PM_{10} emissions sources was minimal and would not threaten the assumption of maintenance that underlies the limited maintenance plan policy. Using the EPA's methodology, ODEQ calculated a regional emissions analysis margin of safety of 52 µg/m³, easily meeting the threshold of 98 µg/m³. The EPA reviewed the calculations in the State's limited maintenance plan submittal and concurs with this conclusion.

Lastly, the limited maintenance plan option memo requires all controls relied on to demonstrate attainment remain in place for the area to qualify. The area's first 10-year maintenance plan relied on measures addressing residential wood combustion, open burning, road dust from motor vehicles and a major new source review program for industry. EPA approved the rules into the SIP on October 27, 2003 (*68 FR 61111*).

As described above, Grants Pass meets the qualification criteria set forth in the limited maintenance plan option memo. Under the limited maintenance plan option, the State will be expected to determine on an annual basis that the criteria are still being met. If the State determines that the limited maintenance plan criteria are not being met, it should take action to reduce PM_{10} concentrations enough to requalify. One possible approach the State could take is to implement contingency measures. Section V. I. provides a description of contingency provisions included as part of the limited maintenance plan submittal.

B. Does the State have an approved attainment emissions inventory?

Pursuant to the limited maintenance plan option memo, the State's approved attainment plan should include an emissions inventory which can be used to demonstrate attainment of the NAAQS. The inventory should represent emissions during the same five-year period associated with air quality data used to determine whether the area meets the applicability requirements of the limited maintenance plan option.

ODEQ's Grants Pass limited maintenance plan submittal includes an emissions inventory based on EPA's 2011 National Emissions Inventory (NEI) data for Josephine County. The 2011 base year represents the most recent emissions inventory data available and is consistent with the data used to determine applicability of the limited maintenance plan option. This approach is also consistent with the 1993 emission inventory developed for the first maintenance plan. Historically, exceedances of the 24-hr PM_{10} standard in Grants Pass have occurred during the winter months, between November 1 and the end of February. As such, in addition to annual emissions, typical season day and worst-case season day emissions are included in the inventory. The term "worst-case day" describes the maximum activity/emissions that have occurred or could occur on a season day, for each emissions source. Worst-case day emissions are summed for all sources/categories, *i.e.* assumed to occur on the same day. This assumption is the basis for what would be needed to cause an exceedance of the 24-hr standard. The unit of measure for annual emissions is in tons per year (tpy), while the unit of measure for season day emissions is in pounds per day (lb/day). In addition, the county-wide emissions inventory data was spatially allocated to the Grants Pass Urban Growth Boundary, and to buffers around the boundary or monitor, depending on emissions category.

The submitted emissions inventory included the following categories: permitted point sources, area sources (including open burning, small stationary fossil fuel combustion, residential wood combustion, wildfires and prescribed burning, fugitive dust), nonroad (aircraft and airport related, locomotives, marine vessels, nonroad vehicles and equipment), and onroad mobile (exhaust/brake/tire, re-entrained road dust). The EPA has reviewed the emissions inventory data and methodology and finds that the data support ODEQ's conclusion that the control measures contained in the original attainment plan will continue to protect and maintain the PM_{10} NAAQS.

C. Does the limited maintenance plan include an assurance of continued operation of an appropriate EPA-approved air quality monitoring network, in accordance with 40 CFR Part 58?

The state of Oregon began monitoring in the Grants Pass area in 1987, with many changes to the monitoring technology and requirements since. From 2006 through 2008, the State collocated a $PM_{2.5}$ monitor with the existing PM_{10} Federal Reference Method (FRM) monitor to establish correlation data and confirm that PM_{10} levels could be accurately predicted using $PM_{2.5}$ concentrations for the areas. Due to the high level of correlation between the $PM_{2.5}$ and PM_{10} monitors, ODEQ developed a report on their findings and asserted that $PM_{2.5}$ monitoring was an accurate predictor of PM_{10} levels for purposes of determining continued maintenance of the PM_{10} standard in Grants Pass, and asked to discontinue the PM_{10} monitor. EPA approved this request in the Annual Network Plan Approval letter, dated January 6, 2012. Both the ODEQ report and the EPA approval letter are included in the materials of this docket.

A full description of the correlation data and the estimation model is included in the State's submittal. The EPA is approving the use of $PM_{2.5}$ monitoring data to estimate PM_{10} concentrations for the second 10-year maintenance plan period in Grants Pass and finds that it meets the relevant requirements at 40 CFR 58.14(c). This estimation method is a reproducible approach to representing air quality in the area, and the area continues to meet the applicable Appendix D requirements evaluated as part of the annual network approval process.

In order to continue to qualify for the limited maintenance plan option, the State must calculate the PM_{10} design value estimate annually from $PM_{2.5}$ monitoring data to confirm the area continues to meet the PM_{10} NAAQS.

D. Does the plan meet the Clean Air Act requirements for contingency provisions?

CAA section 175A states that a maintenance plan must include contingency provisions, as necessary, to ensure prompt correction of any violation of the NAAQS which may occur after redesignation of the area to attainment. The first Grants Pass maintenance plan contained contingency measures that would be implemented under two scenarios—if the official PM_{10} monitor registers a value of 120 µg/m³ or higher, or if a

violation of the 24-hr PM_{10} standard were to occur. These two contingency scenarios are continued under the limited maintenance plan.

E. Has the State met conformity requirements?

(1) Transportation Conformity

Under the limited maintenance plan option, emissions budgets are treated as essentially not constraining for the maintenance period because it is unreasonable to expect that qualifying areas would experience so much growth in that period that a NAAQS violation would result. While areas with maintenance plans approved under the limited maintenance plan option are not subject to the budget test, the areas remain subject to the other transportation conformity requirements of 40 CFR part 93, subpart A. Thus, the metropolitan planning organization (MPO) in the area or the State must document and ensure that:

(a) Transportation plans and projects provide for timely implementation of SIP transportation control measures (TCMs) in accordance with 40 CFR 93.113;

(b) transportation plans and projects comply with the fiscal constraint element as set forth in 40 CFR 93.108;

(c) the MPO's interagency consultation procedures meet the applicable requirements of 40 CFR 93.105;

(d) conformity of transportation plans is determined no less frequently than every three years, and conformity of plan amendments and transportation projects is demonstrated in accordance with the timing requirements specified in 40 CFR 93.104;

(e) the latest planning assumptions and emissions model are used as set forth in 40 CFR 93.110 and 40 CFR 93.111;

(f) projects do not cause or contribute to any new localized carbon monoxide or particulate matter violations, in accordance with procedures specified in 40 CFR 93.123; and

(g) project sponsors and/or operators provide written commitments as specified in 40 CFR 93.125.

In the June 24, 2015 adequacy finding for the Grants Pass PM_{10} limited maintenance plan, EPA determined that Grants Pass met the criteria to be exempt from regional emissions analysis for PM_{10}. However, other transportation conformity requirements such as consultation, transportation control measures, and project level conformity requirements would continue to apply to the area. With approval of the LMP, the area continues to be exempt from performing a regional emissions analysis but must meet project-level conformity analyses as well as the transportation conformity criteria mentioned above.

Upon approval of the Grants Pass PM_{10} limited maintenance plan, the area is exempt from performing a regional emissions analysis, but must meet project-level conformity analyses as well as the transportation conformity criteria mentioned above.

(2) General Conformity

For Federal actions required to address the specific requirements of the general conformity rule, one set of requirements applies particularly to ensuring that emissions from the action will not cause or contribute to new violations of the NAAQS, exacerbate current violations, or delay timely attainment. One way that this requirement can be met is to demonstrate that the total of direct and indirect emissions from the action (or portion thereof) is determined and documented by the state agency primarily responsible for the applicable SIP to result in a level of emissions which, together with all other emissions in the nonattainment area, would not exceed the emissions budgets specified in the applicable SIP (see 40 CFR 93.158(a)(5)(i)(A)).

The decision about whether to include specific allocations of allowable emissions increases to sources is one made by the State air quality agencies. These emissions budgets are different than those used in transportation conformity. Emissions budgets in transportation conformity are required to limit and restrain emissions. Emissions budgets in general conformity allow increases in emissions up to specified levels. The State has not chosen to include specific emissions allocations for Federal projects that would be subject to the provisions of general conformity.

VI. Oregon Notice Provision

Oregon Revised Statute 468.126, prohibits ODEQ from imposing a penalty for violation of an air, water or solid waste permit, unless the source has been provided five days advanced written notice of the violation, and has not come into compliance or submitted a compliance schedule within that five-day period. By its terms, the statute does not apply to Oregon's Title V program, or to any program if application of the notice provision would disqualify the program from Federal delegation. Oregon has previously confirmed that, because application of the notice provision would preclude EPA approval of the Oregon SIP, no advance notice is required for violation of SIP requirements.

VII. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve State choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves State law as meeting Federal requirements and does not impose additional requirements beyond those imposed by State law. For that reason, this action:

- Is not a "significant regulatory action" subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because this action does not involve technical standards; and
- does not provide the EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

The SIP is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian

Appendix D: Limited Maintenance Plans for CO & PM_{10}

country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. The EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by September 28, 2015. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review, nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. Parties with objections to this direct final rule are encouraged to file a comment in response to the parallel notice of proposed rulemaking for this action published in the proposed rules section of the **Federal Register**, rather than file an immediate petition for judicial review of this direct final rule, so that the EPA can withdraw this direct final rule and address the comment in the proposed rulemaking. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Particulate matter, Reporting and recordkeeping requirements.

Authority: 42 U.S.C. 7401 *et seq.*

Dated: July 8, 2015.

Dennis J. McLerran,

Regional Administrator, Region 10.

40 CFR part 52 is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart MM—Oregon

■ 2. In § 52.1970, paragraph (e), the table entitled "State of Oregon Air Quality Control Program" is amended by adding a new entry for "Section 4" to read as follows:

§ 52.1970 Identification of plan.

* * * * *

(e) * * *

STATE OF OREGON AIR QUALITY CONTROL PROGRAM

SIP citation	Title/subject	State effective date	EPA approval date	Explanations
*	*	*	*	*
Section 4	Grants Pass PM_{10} Second 10-Year Limited Maintenance Plan.	4/16/2015	7/30/2015 [Insert **Federal Register** citation].	
*	*	*	*	*

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[FR Doc. 2015–18354 Filed 7–29–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA–HQ–OPP–2014–0889; FRL–9929–74]

Zeta-Cypermethrin; Pesticide Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation amends the tolerances for residues of zeta-cypermethrin in or on corn, field, forage; corn, field, stover; and corn, pop, stover. FMC Corporation requested these tolerances under the Federal Food, Drug, and Cosmetic Act (FFDCA).

DATES: This regulation is effective July 30, 2015. Objections and requests for hearings must be received on or before September 28, 2015, and must be filed in accordance with the instructions provided in 40 CFR part 178 (see also Unit I.C. of the **SUPPLEMENTARY INFORMATION**).

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA–HQ–OPP–2014–0889, is available at *http://www.regulations.gov* or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW., Washington, DC 20460–0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the OPP Docket is (703) 305–5805. Please review the visitor instructions and additional information about the docket available at *http://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT: Susan Lewis, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001; main telephone number: (703) 305–7090; email address: *RDFRNotices@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers