

Mr. Kenneth A. Colburn, Director  
Air Resources Division  
New Hampshire Department of Environmental Services  
6 Hazen Drive  
P.O. Box 95  
Concord, NH 03301

Dear Mr. Colburn:

On March 2, 1999, the United States Court of Appeals for the District of Columbia Circuit issued a decision on EPA's third set of conformity revisions in response to a case brought by the Environmental Defense Fund. This decision stated that a conformity determination cannot be made using a submitted motor vehicle emission budget until EPA makes a positive determination that the submitted budget is adequate. In response to the court's decision, EPA issued guidance on our new adequacy process on May 14, 1999. The purpose of this letter is to provide an adequacy determination for your carbon monoxide mobile source emission budgets submitted to EPA earlier this year.

On February 8, 1999, EPA received New Hampshire's carbon monoxide redesignation request for the Cities of Nashua and Manchester, and these submittals included CO budgets to be used for conformity purposes of 60.13 tons per day and 55.83 tons per day. In addition, on October 27, 1999, EPA received a letter from New Hampshire affirming that these budgets are applicable to the year 2010. We have reviewed these mobile source emissions budgets in accordance with the procedures and criteria for adequacy review in the transportation conformity rule [(40CFR Part 93, section 93.118(e)(4)]. EPA has determined that these mobile source emission budgets are adequate and should be used in future conformity determinations. These conformity budgets will become effective for conformity determinations 15 days after EPA publishes an announcement of this adequacy determination in the Federal Register.

If you have any questions, please contact Jeff Butensky of my staff at (617) 918-1665.

Sincerely,

David B. Conroy, Manager  
Air Quality Planning Unit

cc: Kathryn Sargeant, EPA-OMS