

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7599-5]

**Adequacy Status of Motor Vehicle Budgets in Submitted State Implementation Plan for Transportation Conformity Purposes; Washington, DC Metropolitan Area (DC-MD-VA)****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice of adequacy status.

**SUMMARY:** EPA is announcing that the motor vehicle emission budgets (the budgets) for the Metropolitan Washington, DC One-Hour Ozone Nonattainment Area (the Washington, DC area) identified in the revised 2005 Attainment Demonstration Plan (attainment plan) and the 2005 Rate of Progress (ROP) plan are adequate for transportation conformity purposes. This attainment plan was submitted to EPA by the Commonwealth of Virginia, the State of Maryland and the District of Columbia as State Implementation Plan (SIP) revisions on August 19, 2003, September 2, 2003, and September 5, 2003, respectively. These SIP revision submittals included ROP plans for 2002 and 2005 which also identified motor vehicle emissions budgets. EPA has made findings of adequacy for the budgets of the attainment plan and the 2005 ROP plan for transportation conformity purposes. EPA has taken no action on the budgets identified in the 2002 ROP plan.

**DATES:** The findings that the budgets identified in the attainment plan and 2005 ROP plan are adequate were made in letters dated December 9, 2003 from EPA Region III to the three jurisdictions (DC-MD-VA). These adequacy findings are effective on December 31, 2003.

**FOR FURTHER INFORMATION CONTACT:** Martin Kotsch, U.S. EPA, Region III, 1650 Arch Street, Philadelphia, PA 19103 at (215) 814-3335 or by e-mail at [kotsch.martin@epa.gov](mailto:kotsch.martin@epa.gov).

**SUPPLEMENTARY INFORMATION:**

Throughout this document “we,” “us,” or “our” refer to EPA. The word “budgets” refers to the motor vehicle emission budgets for volatile organic compounds (VOCs) and nitrogen oxides (NO<sub>x</sub>). The word “SIP” in this document refers to the revised 2005 attainment plan for the Washington, DC area submitted to EPA as a SIP revision by the Commonwealth of Virginia, the State of Maryland and the District of Columbia on August 19, 2003, September 2, 2003 and September 5, 2003, respectively. These SIP revision

submittals also included ROP plans for 2002 and 2005 which identified motor vehicle emissions budgets.

On March 2, 1999, the DC Circuit Court ruled that motor vehicle emission budgets contained in submitted SIPs cannot be used for conformity determinations until EPA has affirmatively found them adequate.

The Commonwealth of Virginia, the State of Maryland and the District of Columbia formally submitted identical SIP revisions to EPA on August 19, 2003, September 2, 2003 and September 5, 2003, respectively, consisting of a revised 2005 attainment plan and initial 2002 and 2005 Rate ROP plans for the Washington, DC area. On September 10, 2003, we posted the availability of the plans and their identified budgets on our conformity Web site for the purpose of soliciting public comment on the adequacy of the budgets. EPA’s public comment period closed on October 10, 2003. We received comments from the Sierra Club.

On December 9, 2003, EPA Region III sent a letter to each of the three jurisdictions (DC-MD-VA) that constituted final Agency action on the adequacy of the motor vehicle emission budgets contained in the revised attainment plan and in the 2005 ROP plan. That action was EPA’s finding that the budgets identified in the revised attainment plan and 2005 ROP plan for the Washington, DC area are adequate for transportation conformity purposes. As a result of our December 9, 2003 findings, the budgets contained in the revised 2005 attainment plan and the 2005 ROP plan for the Washington, DC area may be used for future conformity determinations. The 2002 ROP plan submitted as part of the SIP revision by the three jurisdictions showed a shortfall in the level of VOC emissions reductions required to demonstrate ROP. EPA has taken no action with regard to the adequacy of the budgets identified in the 2002 ROP plan because we understand that the states are revising that 2002 ROP plan to reflect that there is, in fact, no VOC shortfall for the 2002 milestone year. EPA has, therefore, made findings of adequacy only for the budgets identified in the revised attainment plan and the budgets identified in the 2005 ROP plan. These budgets will be needed for conformity and transportation planning.

This is an announcement of adequacy findings that we made on December 9, 2003. The effective date of these findings is December 31, 2003. These findings will also be announced on EPA’s Web site: <http://www.epa.gov/otaq/transp.htm> (once there, click on the “Conformity” button). The Web site

will contain a detailed analysis of our adequacy findings.

Transportation conformity is required by section 176 of the Clean Air Act. EPA’s conformity rule requires that transportation plans, programs, and projects conform to SIPs and establishes the criteria and procedures for determining whether or not they do so. Conformity to a SIP means that transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of the national ambient air quality standards. The criteria by which we determine whether a SIP’s budgets are adequate for conformity purposes are outlined in 40 CFR 93.118 (e)(4) through (5).

Please note that these adequacy findings for the budgets identified in the revised attainment plan and 2005 ROP plan are separate from EPA’s completeness determination of the revised SIP submission, and separate from EPA’s action to approve or disapprove the revised SIP. Even though we have found the motor vehicle emission budgets of the Washington, DC area’s revised 2005 attainment plan and 2005 ROP plan adequate, and they are replacing the previously approved budgets, those motor vehicle emission budgets contained in the revised attainment plan and 2005 ROP plan still have to be approved or disapproved.

Dated: December 9, 2003.

**Thomas Voltaggio,**

*Acting Regional Administrator, Region III.*

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**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7599-4]

**Notice of the Availability of the Final Document for the U.S.-Mexico Border 2012 Program****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice.

**SUMMARY:** The U.S. Environmental Protection Agency announces the availability of the “Border 2012: U.S.-Mexico Environmental Program” Framework Document (Border Plan or Border 2012). Border 2012 is a 10-year, binational, results-oriented, environmental program for the U.S.-Mexico border region, which has been developed by EPA, Secretaría del Medio Ambiente y Recursos Naturales (SEMARNAT, Mexico’s Secretariat of Environment and Natural Resources),

the U.S. Department of Health and Human Services, Secretaría de Salud (Mexico's Secretariat of Health), the U.S. border Tribes, and the environmental agencies from each of the ten U.S.-Mexico border States. The mission of Border 2012 is to protect public health and the environment in the U.S.-Mexico border region, in a manner consistent with the principles of sustainable development. The Border 2012 Program is the latest multi-year, binational planning effort to be implemented under the La Paz Agreement and succeeds Border XXI, a five-year program that ended in 2000.

The proposed Border 2012 Program was announced in Mexico and in the U.S. **Federal Register** in September 2002. The announcement was followed by a 60-day public comment period which included binational and domestic meetings in 27 border cities. EPA and SEMARNAT also requested input from interested parties through additional meetings, written correspondence, and internet exchanges. During the comment period, over 1,000 individual comments were received. The Border 2012 Framework was then altered to reflect many of the comments and recommendations; the new framework contains more detailed goals and objectives and a focus on environmental education and training. In addition, based on public comments, the Border 2012 Operational Guidance was created to assist partners, stakeholders, and the general public to understand how the program is implemented. The Border 2012 Framework Document, the Response Summary Report, and the Operational Guidance can be found online at <http://www.epa.gov.usmexicoborder>.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

The proposed Border 2012 emphasizes a bottom-up approach, anticipating that local decision-making, priority-setting and project implementation will best address environmental issues in the border region. The new Border 2012 Program builds upon the successes achieved under Border XXI while also establishing a regionally-focused border plan to facilitate environmental priority setting and planning at the regional and local levels. Border 2012 will emphasize concrete measurable results, public participation, transparency, and timely access to environmental information.

##### **II. Coordinating Bodies**

Border 2012 is organized around coordinating bodies. These coordinating

bodies include National Coordinators, four Regional (geographically-focused) Workgroups, three Border-wide Workgroups, and three Policy Forums.

##### *A. National Coordinators*

Consistent with the requirements of the La Paz Agreement, the National Coordinators will monitor and manage implementation of the Border 2012 Program and ensure cooperation and communication among all coordinating bodies.

##### *B. Regional Workgroups*

Providing the foundation of the Border 2012 Program, four multi-media, regionally focused workgroups will support the efforts of local Task Forces and coordinate activities at the regional and local level. The Regional Workgroups are the following: California-Baja California, Arizona-Sonora, New Mexico-Texas-Chihuahua, and Texas-Coahuila-Nuevo Leon-Tamaulipas.

##### *C. Border-wide Workgroups*

Border-wide Workgroups will concentrate on issues that are multi-regional and primarily federal in nature. Three Border-wide Workgroups will have federal U.S. and Mexican co-chairs for the following issues: environmental health, emergency preparedness and response, and cooperative enforcement and compliance.

##### *D. Policy Forums*

Policy Forums will have a media-specific focus and will concentrate on broad policy issues that require an ongoing dialogue between the U.S. and Mexico in the following areas: air; water; hazardous waste, solid waste, and toxic substances.

Border 2012 Coordinating Bodies will be broad-based and will include representation from local communities from both sides of the border, including non-governmental or community-based organizations; academic institutions; local, state, and U.S. tribal representatives; and binational organizations.

#### **III. Goals and Objectives**

Border 2012 establishes the following six border-wide environmental goals for the U.S.-Mexico border region: reduce water contamination; reduce air pollution; reduce land contamination; improve environmental health; reduce exposure to chemicals as a result of accidental chemical release and/or acts of terrorism; and improve environmental performance through compliance, enforcement, pollution

prevention, and promotion of environmental stewardship.

For further information on Border 2012, please contact: EPA El Paso Border Office at 915-533-7273 or 800-334-0741 or EPA San Diego Border Office at 619-235-4765 or 800-334-0741. Hard copies of the Border 2012 Framework document can be obtained by calling 1-800-490-9198 or accessing <http://www.epa.gov/ncepihom> on the Internet and requesting public document #160R03001.

Dated: December 10, 2003.

**Joan Fidler,**

*Director Office of Western Hemisphere and Bilateral Affairs, Office of International Affairs.*

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## **COUNCIL ON ENVIRONMENTAL QUALITY**

### **National Environmental Policy Act Task Force**

**AGENCY:** Council on Environmental Policy.

**ACTION:** Notice of public meeting.

**SUMMARY:** The Rocky Mountain Regional NEPA Roundtable will be held on January 8 and 9, 2004. The Council on Environmental Quality (CEQ) established a National Environmental Policy Act (NEPA) Task Force to review the current NEPA implementing practices and procedures in the following areas: Technology and information management; Federal and intergovernmental collaboration; programmatic analyses and subsequent tiered documents; and adaptive management and monitoring. In addition, the NEPA Task Force reviewed other NEPA implementation issues such as the level of detail included in agencies' procedures and documentation for promulgating categorical exclusions; the structure and documentation of environmental assessments; and other implementation practices that would benefit Federal agencies.

"The Task Force Report to the Council on Environmental Quality—Modernizing NEPA Implementation" was published and presented to CEQ on September 24, 2003. The Report contains recommendations designed to improve federal agency decision making by modernizing the NEPA process. To further the work of the NEPA Task Force, CEQ is holding a series of regional public roundtables to raise public awareness of the NEPA Task Force draft recommendations and