

File Number: PLA 10-5-3-2

Mr. Dale Givens
Secretary
Louisiana Department of Environmental Quality
P.O. Box 82263
Baton Rouge, LA 70884-2263

Dear Mr. Givens:

On March 2, 1999, the United States Court of Appeals for the District of Columbia Circuit issued its opinion in Environmental Defense Fund (EDF) v. Environmental Protection Agency, No. 97-1637, that the U.S. Environmental Protection Agency (EPA) must make an affirmative determination that submitted motor vehicle emission budgets contained in State Implementation Plan (SIP) will not cause or increase violations or delay attainment of the National Ambient Air Quality Standards before they can be used for transportation conformity purposes. The EPA agreed to make these submitted budgets available for public comment and respond to those comments when announcing our determination of their adequacy.

The Governor of Louisiana submitted an attainment demonstration SIP revision for the Baton Rouge area on December 28, 2001. The attainment demonstration SIP contained the 2005 motor vehicle emissions budgets for volatile organic compounds (15.48 tons/day) and for nitrogen oxides (34.26 tons/day) for the Baton Rouge ozone nonattainment area. The availability of this SIP revision was posted on EPA's WEB site for the purpose of soliciting public comment. The comment period closed on February 22, 2002, and no comments were received.

We have reviewed this SIP revision for transportation conformity budget purposes in accordance with the procedures and criteria specified in the transportation conformity rule (see 40 CFR 93.118(e)(4)) and the EPA policy guidance dated May 14, 1999. We have determined that the budgets in the attainment SIP revision submitted on December 28, 2001, are adequate for transportation conformity purposes and they must be used in transportation conformity determinations. We will be posting our determination on EPA's WEB site and will announce our determination in the Federal Register. The budgets will become effective 15 days after the Federal Register publication date.

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DIGGS WELTON WEBER

If you have any questions concerning this subject, please contact me at (214) 665-7200 or your staff may contact Mr. Ken Boyce at (214) 665-7259 .

Sincerely yours,

Carl E. Edlund, P.E.
Director
Multimedia Planning and
Permitting Division

cc: Mr. William A. Sussmann
Federal Highway Administration

Ms. Peggy Crist
Federal Transit Administration