

## **AIR QUALITY RESOLUTION FOR HARRISBURG AREA TRANSPORTATION STUDY (HATS) MPO**

Conformity of the 2045 Regional Transportation Plan (RTP) Update and the 2021–2024 Transportation Improvement Program (TIP) and in Accordance with the Clean Air Act Amendments of 1990

**WHEREAS** the Congress of the United States enacted the Clean Air Act Amendments of 1990 which was signed into law and became effective on November 15, 1990, hereafter referred to as “the CAAA”; and,

**WHEREAS** the United States Environmental Protection Agency (EPA), under the authority of the CAAA, has defined the geographic boundaries for areas that have been found to be in non-attainment with the National Ambient Air Quality Standards (NAAQS) for ozone, carbon monoxide and particulate matter; and,

**WHEREAS** effective April 5, 2005, the Cumberland and Dauphin County portion of the HATS MPO has been designated under the 1997 fine particulate matter (PM<sub>2.5</sub>) annual standard (as retained under the 2006 PM<sub>2.5</sub> NAAQS) as a non-attainment area by EPA; and,

**WHEREAS** effective December 14, 2009, the Cumberland and Dauphin County portion of the HATS MPO area has been designated under the 2006 PM<sub>2.5</sub> 24-hour NAAQS as a non-attainment area by EPA; and,

**WHEREAS** effective December 8, 2014, the Cumberland and Dauphin County portion of the HATS MPO area has been redesignated as an attainment area under both the 1997 and 2006 PM<sub>2.5</sub> NAAQS with an approved Maintenance State Implementation Plan that includes mobile vehicle emission budgets; and,

**WHEREAS** effective October 24, 2016, EPA finalized rulemaking to revoke the 1997 PM<sub>2.5</sub> annual NAAQS removing transportation conformity requirements for that standard in the HATS MPO area; and,

**WHEREAS** effective July 15, 2004, the HATS MPO area was designated by EPA as a non-attainment area under the 1997 8-hour ozone NAAQS; and,

**WHEREAS**, on July 25, 2007, the HATS MPO area has been re-designated as an attainment area under the 1997 8-hour ozone standard with an approved Maintenance State Implementation Plan that includes mobile vehicle emission budgets; and,

**WHEREAS** effective July 20, 2012, the HATS MPO area has been designated as an attainment area under the 2008 8-hour ozone NAAQS; and,

**WHEREAS**, on April 6, 2015, EPA revoked the 1997 8-hour ozone NAAQS for all purposes and established anti-backsliding requirements for areas that remain designated nonattainment for the revoked NAAQS; and,

**WHEREAS**, the U.S. Court of Appeals for the D.C. Circuit issued a decision in South Coast Air Quality Management District v. EPA on February 16, 2018 addressing air quality requirements for former 1997 ozone areas, and this region was maintenance for the 1997 ozone standard at the time the 1997 ozone revocation in 2015; and,

**WHEREAS** the transportation plans and programs are required to conform to the purposes of the State Implementation Plan and Sections 174 and 176 (c and d) of the CAAA (42 U.S.C. 7504, 7506 (c and d)); and,

**WHEREAS** the EPA issued the Final Rule on Transportation Conformity on November 24, 1993 for transportation plans and programs and projects; and,

**WHEREAS** the EPA amended the Final Conformity Rule various times between 1996 and the present; and,

**WHEREAS** the Harrisburg Area Transportation Study (HATS), the Metropolitan Planning Organization (MPO) for the area is responsible for the development of transportation plans and programs in accordance with Section 134 of Title 23, which requires coordination and public participation with the State DOT; and,

**WHEREAS** the final conformity rule (and subsequent amendments) requires that the HATS Coordinating Committee determine that the transportation plans and programs conform within the CAAA requirements by meeting the criteria described in the final guidelines.

**NOW, THEREFORE BE IT RESOLVED** that the Harrisburg Metropolitan Planning Organization has found that the 2021–2024 TIP and the 2045 RTP contribute to the achievement and maintenance of the NAAQS; and,

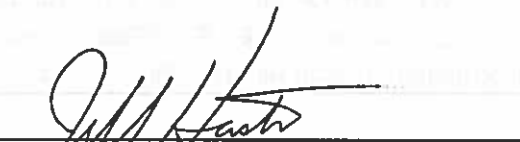
**NOW, THEREFORE BE IT FURTHER RESOLVED** that the Harrisburg Area Transportation Study (HATS) finds that the 2021–2024 TIP and the 2045 RTP are consistent with the final conformity rule issued on November 24, 1993 and subsequent amendments.

I hereby certify that this Resolution was adopted by the HATS Coordinating Committee at its meeting on September 24, 2021.

ATTEST:

  
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By

  
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Commissioner Jeffrey T. Haste  
HATS Chairman