

**10 CSR 10-2.390 Kansas City Area Transportation Conformity Requirements**

(1) Applicability.

(A) If any Missouri portion of the Kansas City metropolitan area is redesignated as a nonattainment area for any transportation-related criteria pollutant, the provisions of this rule shall apply to the Missouri counties and the portions of Missouri counties located within the redesignated nonattainment area.

(B) This rule meets the requirements for state transportation conformity state implementation plans as provided in section 6011(f)(4) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users. This regulation addresses and gives full legal effect to the following three (3) requirements of the Federal Transportation Conformity Rule, 40 CFR part 93 subpart A: 1) 40 CFR 93.105, which addresses consultation procedures; 2) 40 CFR 93.122(a)(4)(ii), which states that conformity plans must require written commitments to control measures to be obtained prior to a conformity determination if the control measures are not included in a metropolitan planning organization's transportation plan and transportation improvement program, and that such commitments be fulfilled; and 3) 40 CFR 93.125(c), which states that conformity plans must require written commitments to mitigation measures to be obtained prior to a project-level conformity determination, and that project sponsors comply with such commitments.

(C) The Federal Transportation Conformity Rule is located at 40 *Code of Federal Regulations* (CFR) 93.100 through 93.129.

(2) Definitions.

(A) Definitions for key words and phrases used in this rule may be found in subsection 40 CFR 93.101 of 40 CFR 93 Subpart A, promulgated as of July 1, 2006, which is hereby incorporated by reference in this rule, as published by the Office of the Federal Register, U.S. National Archives and Records, 700 Pennsylvania Avenue NW, Washington, D.C. 20408. This rule does not incorporate any subsequent amendments or additions.

(B) Participants in the interagency consultation process must include the following public agencies:

1. Federal Highway Administration, Kansas Division;
2. Federal Transit Administration, Region 7;

3. Johnson County (Kansas) Environmental Department;
4. Johnson County (Kansas) Transit;
5. Kansas City Area Transportation Authority;
6. Kansas City, Missouri, Department of Health Air Quality Program;
7. Kansas Department of Health, Bureau of Air & Radiation;
8. Kansas Department of Transportation;
9. Mid-America Regional Council;
10. Missouri Department of Natural Resources' Air Pollution Control Program;
11. Missouri Department of Transportation;
12. Unified Government Health Department, Air Quality Program;
13. Unified Government Transit Department; and
14. U.S. Environmental Protection Agency, Region 7.

(C) Metropolitan planning organization (MPO)—That organization designated as being responsible, together with the state, for conducting the continuing, cooperative, and comprehensive planning process under 23 U.S.C. 134 and 49 U.S.C. 5303. It is the forum for cooperative transportation decision-making. The Mid-America Regional Council is the MPO for the Kansas City metropolitan area and the organization responsible for conducting the planning required under section 174 of the CAA.

(D) Definitions of certain terms specified in this rule, other than those defined in this rule section, may be found in 10 CSR 10-6.020.

(3) General Provisions.

(A) Interagency Consultation Procedures (Federal Code Location: 40 CFR 93.105).

1. General. Procedures for interagency consultation (federal, state, and local), resolution of conflicts, and public consultation are described in paragraphs (3) (A) 1.—(3) (A) 5. of

this rule. Public consultation procedures meet the requirements for public involvement in 23 CFR part 450.

A. The implementation plan revision required shall include procedures for interagency consultation (federal, state, and local), resolution of conflicts, and public consultation as described in paragraphs (3)(A)1.-(3)(A)5. of this rule. Public consultation procedures will be developed in accordance with the requirements for public involvement in 23 CFR part 450.

B. MPOs and state departments of transportation will provide reasonable opportunity for consultation with state air agencies, local air quality and transportation agencies, Department of Transportation (DOT), and U.S. Environmental Protection Agency (EPA), including consultation on the issues described in subparagraph (3)(A)3.A. of this rule, before making conformity determinations.

2. Interagency consultation procedures—general factors.

A. Representatives of the MPO and its regional transportation policy advisory committee, state transportation agencies, state and local air quality agencies, and regional air quality policy advisory organization designated by the state air quality agencies under the provisions of CAA section 174 shall participate in an interagency consultation process in accordance with this section with each other and with Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) and EPA on the development of the implementation plan, the list of Transportation Control Measures (TCMs) in the applicable implementation plan, the unified planning work program under 23 CFR section 450.314, the transportation plan, the Transportation Improvement Plan (TIP), and any revisions to the preceding documents and associated conformity determinations. Use of existing advisory committee structures will be the preferred mechanism for interagency consultation during the early stages of planning or programming processes. Expansion of representation will occur as necessary to assure that consulting agencies have the opportunity to receive background information as it is developed and share ideas and concerns early in the planning or programming process. Where consultation takes place outside of existing advisory committee structures, local government transportation interests will be represented by four (4) persons (representing transit and roadway interests from each state) appointed by the chairs of the regional transportation policy advisory committee and local government air quality interests will be represented by four (4) persons (at least one (1) from each state) appointed by the chairs of the regional air

quality advisory organization. The air quality representation shall not duplicate representation from transportation agencies.

B. Roles and responsibilities of consulting agencies.

(I) It shall be the affirmative responsibility of the agency(ies) with the responsibility for preparing the final document to initiate the consultation process by notifying other participants of the proposed planning or programming process for the development of the following planning or programming documents: the regional transportation plan and the regional TIP, including revisions, the unified planning work program, and any conformity determinations, with the MPO as the responsible agency; the statewide transportation plan and State Transportation Improvement Plan for northern Clay and northern and western Platte Counties, with the state transportation agency as the responsible agency; and the state air quality implementation plans with motor vehicle emissions budgets and control strategies, including revisions, with the state air quality agency in cooperation with the MPO as the responsible agencies.

(II) The adequacy of the consultation process for each type of document listed in subparagraph (3)(A)2.B. of this rule shall be assured by the agency responsible for that document, by meeting the requirements of subparts (3)(A)2.B.(II)(a)-(c) of this rule.

(a) The proposed planning or programming process must include at a minimum the following:

I. The roles and responsibilities of each agency at each stage in the planning process, including technical meetings;

II. The proposed organizational level of regular consultation;

III. A process for circulating (or providing ready access to) draft documents and supporting materials for comment before formal adoption or publication;

IV. The frequency of, or process for convening, consultation meetings and responsibilities for establishing meeting agendas; and

V. A process for responding to the significant comments of involved agencies.

(b) The time sequence and adequacy of the consultation process will be reviewed and determined for each type of planning or programming document by consensus of the consultation agencies at a meeting convened by the responsible agency for that purpose. These procedures shall subsequently become binding on all parties until such time as the procedures are revised by consensus of the consulting agencies.

(c) As a matter of policy, planning or programming processes must meet two (2) tests—

I. Consultation opportunities must be provided early in the planning process. Early participation is intended to facilitate sharing of information needed for meaningful input and to allow the consulting agencies to confer with the responsible agency during the formative stages of the plan or program. At a minimum, proposed transportation planning or programming processes must specifically include opportunities for the consulting agencies to confer upon the conformity analysis required to make conformity determinations for transportation plans and TIPs prior to consideration of draft documents by the regional air quality advisory organization, the regional transportation policy advisory committee or the state transportation agency for the transportation planning area outside of the metropolitan planning area for transportation planning. Air quality planning processes must specifically include opportunities for the consulting agencies to confer upon the motor vehicle emissions budget before the budget is considered by the regional air quality advisory organization, the regional transportation policy advisory committee, and the state air quality agency. Additionally, if TCMs are to be considered in transportation plans, TIPs or the state implementation plan, specific opportunities to consult upon TCMs by air quality and transportation agencies must be provided; and

II. Additional consultation opportunities must be provided prior to any final action by any responsible agency listed in subparagraph (3)(A)2.B. of this rule. Prior to formal action approving any plan or program, the consulting agencies must be given an opportunity to communicate their views in writing to the responsible agency. The responsible agency must consider the views of the consulting agencies and respond in writing to those views in a timely and complete manner prior to any final action on any plan or program. Such views and written response shall be made part of the record of any decision or action. Opportunities for formal consulting agency comment may run concurrent with other public review time frames. Participation or lack of participation by a consulting agency early in the planning or programming process has no

bearing on their opportunity to submit formal comment prior to official action by the responsible agency.

C. Consultation on planning assumptions.

(I) Representatives of the conformity consulting agencies shall meet no less frequently than once per calendar year for the specific purpose of reviewing changes in transportation and air quality planning assumptions that could potentially impact the state implementation plan (SIP) motor vehicle emissions inventory, motor vehicle emissions budget and/or conformity determinations.

(II) It shall be the affirmative responsibility of each of the consulting agencies to advise the MPO of any pending changes in their planning assumptions. The MPO shall be responsible for convening a meeting to review planning assumptions in August of each year, unless an alternate date is agreed to by the consulting agencies, and at such other times as any of the consulting agencies proposes a change to any of these planning inputs. The purpose of the meeting(s) is to share information and evaluate the potential impacts of any proposed changes in planning assumptions, and to inform each other regarding the timetable and scope of any upcoming studies or analyses that may lead to future revision of planning assumptions.

(III) If any consulting agency proposes to undertake a data collection, planning or study process to evaluate a planning assumption that may have a significant impact on the state implementation plan (SIP) motor vehicle emissions inventory, motor vehicle emissions budget and/or conformity determinations, all of the consulting agencies shall be given an opportunity to provide advisory input into that process. Examples of data, planning or study topics that may be of interest in this context include (but are not limited to):

- (a) Estimates of vehicle miles traveled;
- (b) Estimates of current vehicle travel speeds;
- (c) Regional population and employment projections;
- (d) Regional transportation modeling assumptions;

- (e) The methodology for determining future travel speeds;
- (f) The motor vehicle emissions model;
- and
- (g) The methodology for estimating future vehicle miles traveled.

(IV) Whenever a change in air quality or transportation planning assumptions is proposed that may have a significant impact on the SIP motor vehicle emissions inventory, motor vehicle emissions budget and/or conformity determinations, the agency proposing the change must provide all of the consulting agencies an opportunity to review the basis for the proposed change. All consulting agencies shall be given at least thirty (30) days to evaluate the impact of a proposed change in planning assumptions prior to final action by the agency proposing the change. (In the case of an EPA motor vehicle emissions model change, this would occur as part of the federal rulemaking process.)

D. It shall be the affirmative responsibility of the responsible agency to maintain a complete and accurate record of all agreements, planning and programming processes, and consultation activities required under this rule and to make these documents available for public inspection upon request. In addition, it shall be the affirmative responsibility of the responsible agency to post the following information on the Mid-America Regional Council's Internet website to provide public access—

(I) The full text of any transportation or air quality document specified in subparagraph (3)(A)2.B. of this rule and undergoing public comment pending final action by the responsible agency;

(II) Summary of planning and programming processes for transportation plans, TIPs and SIPs identified in subparagraph (3)(A)2.B. of this rule, after approval by consensus of the consulting agencies; and

(III) Reasonably understandable summaries of final planning and programming documents for the general public. This summary information must be accompanied by a complete list of all supporting information, reports, studies, and texts which provide background or further information, along with the location of the documents and instructions on how they can be accessed. Summaries of final documents shall be provided to the other consulting agencies and to the MPO within fourteen (14)

days of final approval by the responsible agency. Summaries of the following documents are specifically required:

- (a) Regional unified planning work program;
- (b) Official projections of regional population and employment;
- (c) Regional transportation plan;
- (d) State transportation plans for areas within the air quality planning area but outside of the metropolitan planning area for transportation;
- (e) Regional transportation improvement program;
- (f) State transportation improvement program for areas within the air quality planning area but outside of the metropolitan planning area for transportation;
- (g) State air quality plan and emissions inventories, including motor vehicle emissions budgets; and
- (h) The most recent analysis upon which a transportation/air quality conformity determination was made for a transportation plan or TIP.

3. Interagency consultation procedures: specific processes. Interagency consultation procedures shall also include the following specific processes:

A. An interagency consultation process in accordance with paragraph (3)(A)2. of this rule involving the MPO, the regional transportation policy advisory committee, the regional air quality advisory organization, the state transportation and air quality agencies, EPA, FHWA and FTA shall be undertaken for the following:

(I) Evaluating and choosing a model (or models) and associated methods and assumptions to be used in hot-spot analyses and regional emissions analyses;

(II) Determining which minor arterials and other transportation projects should be considered "regionally significant" for the purposes of regional emissions analysis (in addition to those functionally classified as principal arterial or higher or fixed guideway systems or extensions that offer an

alternative to regional highway travel), and which projects should be considered to have a significant change in design concept and scope from the transportation plan or TIP. This process shall be initiated by the MPO and conducted in accordance with subparagraph (3)(A)2.C. of this rule regarding changes in planning assumptions;

(III) Evaluating whether projects otherwise exempted from meeting the requirements of 40 CFR 93.126 and 93.127 should be treated as non-exempt in cases where potential adverse emissions impacts may exist for any reason. This process shall be initiated by the MPO and conducted in accordance with subparagraph (3)(A)2.B. of this rule in the context of the transportation planning and TIP programming processes;

(IV) Developing a list of TCMs to be included in the applicable implementation plan. This process shall be initiated by the MPO and conducted in accordance with subparagraph (3)(A)2.B. of this rule in the context of the state air quality implementation plan development process;

(V) Making a determination, as required by 40 CFR 93.113(c)(1), whether past obstacles to implementation of TCMs which are behind the schedule established in the applicable implementation plan have been identified and are being overcome, and whether state and local agencies with influence over approvals or funding for TCMs are giving maximum priority to approval or funding for TCMs. This process shall be initiated by the MPO and conducted in accordance with subparagraph (3)(A)2.B. of this rule in the context of the transportation planning and TIP programming processes. This process shall also consider whether delays in TCM implementation necessitate revisions to the applicable implementation plan to remove TCMs or substitute TCMs or other emission reduction measures;

(VI) Notification of transportation plan or TIP revisions or amendments which merely add or delete exempt projects listed in 40 CFR 93.126 or 40 CFR 93.127. This process shall be initiated by the MPO and conducted in accordance with subparagraph (3)(A)2.B. of this rule in the context of the transportation planning and TIP programming processes. The MPO shall notify all conformity consulting agencies in writing within seven (7) calendar days after taking action to approve such exempt projects. The notification shall include enough information about the exempt projects for the consulting agencies to determine their agreement or disagreement that the projects are exempt under 40 CFR 93.126 or 40 CFR 93.127;

(VII) Determining whether the project is included in the regional emissions analysis supporting the

current conforming TIP's conformity determination, even if the project is not strictly included in the TIP for purposes of MPO project selection or endorsement, and whether the project's design concept and scope have not changed significantly from those which were included in the regional emissions analysis, or in a manner which would significantly impact use of the facility. This process shall be initiated by the MPO and conducted in accordance with paragraph (3) (A)2. of this rule in the context of the TIP programming process;

(VIII) Determining what forecast of vehicle miles traveled (VMT) to use in establishing or tracking emissions budgets, developing transportation plans, TIPs, or applicable implementation plans, or making conformity determinations. This process shall be initiated by the MPO and conducted in accordance with subparagraph (3) (A)2.C. of this rule regarding planning assumptions;

(IX) Determining the definition of reasonable professional practice for the purposes of 40 CFR 93.122. This process shall be initiated by the MPO and conducted in accordance with subparagraph (3) (A)2.C. of this rule regarding planning assumptions;

(X) Determining whether the project sponsor or the MPO has demonstrated that the requirements of 40 CFR 93.118 are satisfied without a particular mitigation or control measure, as provided in 40 CFR 93.125(d). This process shall be initiated by the MPO and conducted in accordance with subparagraph (3) (A)2.B. of this rule in the context of the transportation planning and TIP programming processes; and

(XI) Choosing conformity tests and methodologies for isolated rural nonattainment and maintenance areas, as required by 40 CFR 93.109(I) (2).

B. An interagency consultation process in accordance with paragraph (3) (A)2. of this rule involving the MPO, the regional air quality advisory organization, the regional transportation policy advisory committee and the state air quality and transportation agencies for the following:

(I) Evaluating events which will trigger new conformity determinations in addition to those triggering events established in 40 CFR 93.104. This process shall be initiated by the MPO and conducted in accordance with subparagraph (3) (A)2.C. of this rule; and

(II) Consulting on emissions analysis for transportation activities which cross the borders of the MPOs or

nonattainment or maintenance area or air basin. This process shall be initiated by the MPO and conducted in accordance with subparagraph (3) (A)2.B. of this rule.

C. Prior to establishing a metropolitan planning area for transportation planning that does not include the entire nonattainment or maintenance area, the interagency consultation process described in paragraph (3) (A)2. of this rule shall be supplemented by a formal memorandum of agreement, incorporated in the applicable state implementation plan, executed by the MPO and the state air quality and transportation agencies for cooperative planning and analysis. This executed memorandum of agreement shall specify procedures for determining conformity of all regionally significant transportation projects outside the metropolitan planning boundary for transportation planning and within the nonattainment or maintenance area.

(I) The interagency consultation process established by the executed memorandum of agreement for such an area shall apply in addition to all other consultation requirements.

(II) At a minimum, any memorandum of agreement establishing a state transportation planning area outside of the MPO metropolitan planning area for transportation planning, but within the nonattainment or maintenance area, shall provide for state air quality agency concurrence in conformity determinations for areas outside of the metropolitan planning boundary for transportation planning, but within the nonattainment or maintenance area. Such agreement shall also establish a process involving the MPO and the state transportation agency in cooperative planning and analysis for determining conformity of all projects outside the metropolitan planning area for transportation planning and within the nonattainment or maintenance area in the context of the total regional transportation system that serves the nonattainment or maintenance area.

D. An interagency consultation process shall be undertaken to ensure that plans for construction of regionally significant projects which are not FHWA/FTA projects (including projects for which alternative locations, design concept and scope, or the no-build option are still being considered), including those by recipients of funds designated under Title 23 U.S.C. or Title 49 U.S.C., are disclosed to the MPO on a regular basis, and to ensure that any changes to those plans are immediately disclosed. This process shall be initiated by the MPO and conducted in accordance with subparagraph (3) (A)2.B. of this rule in the context of the transportation planning and TIP programming processes. At a minimum, the disclosure procedures

shall meet the requirements of parts (3) (A)2.D.(I)-  
(3) (A)2.D.(III) of this rule.

(I) The sponsor of any such regionally significant project, and any agency that becomes aware of any such project through applications for approval, permitting or funding shall disclose such project to the MPO in a timely manner. Such disclosure shall be made not later than the first occasion when any of the following actions is sought: any policy board action necessary for the project to proceed, the issuance of administrative permits for the facility or for construction of the facility, the execution of a contract to design or construct the facility, the execution of any indebtedness for the facility, any final action of a board, commission or administrator authorizing or directing employees to proceed with design, permitting or construction of the project, or the execution of any contract to design or construct or any approval needed for any facility that is dependent on the completion of a regionally significant project. The sponsor of any potential regionally significant project shall disclose to the MPO each project for which alternatives have been identified through the National Environment-al Policy Act (NEPA) process, and, in particular, any preferred alternative that may be a regionally significant project. This information shall be provided to the MPO in accordance with the time sequence and procedures established under subparagraph (3) (A)2.B. of this rule for each transportation planning and TIP development process.

(II) In the case of any such regionally significant project that has not been disclosed to the MPO and other agencies participating in the consultation process before action is taken to adopt or approve, such regionally significant project shall be deemed not to be included in the regional emissions analysis supporting the currently conforming TIP's conformity determination and not to be consistent with the motor vehicle emissions budget in the applicable implementation plan, for the purposes of 40 CFR 93.121.

(III) For the purposes of subparagraph (3) (A)3.D. of this rule, the phrase "adopt or approve of a regionally significant project" means the first time any action necessary to authorizing a project occurs, such as any policy board action necessary for the project to proceed, the issuance of administrative permits for the facility or for construction of the facility, the execution of a contract to construct the facility, any final action of a board, commission or administrator authorizing or directing employees to proceed with construction of the project, or any written decision or authorization from the MPO that the project may be adopted or approved.

E. This interagency consultation process shall be undertaken in accordance with subsection (3)(A) of this rule involving the MPO and other recipients of funds designated under Title 23 U.S.C. or Title 49 U.S.C. for assuming the location and design concept and scope of projects which are disclosed to the MPO as required by subparagraph (3)(A)3.D. of this rule but whose sponsors have not yet decided these features in sufficient detail to perform the regional emissions analysis according to the requirements of 40 CFR 93.122. This process shall be initiated by the MPO and conducted in accordance with subparagraph (3)(A)2.C. of this rule as it relates to planning assumptions.

F. This interagency consultation process outlined in paragraph (3)(A)2. of this rule involves the MPO, the regional transportation policy advisory committee, the regional air quality advisory organization, and the state transportation and air quality agencies shall be undertaken for the design, schedule, and funding of research and data collection efforts and regional transportation model development by the MPO (e.g., household/travel transportation surveys). This process shall be initiated by the MPO and conducted in accordance with subparagraph (3)(A)2.C. of this rule as it relates to planning assumptions.

G. This process insures providing final documents (including applicable implementation plans and implementation plan revisions) and supporting information to each agency after approval or adoption. This process is applicable to all agencies described in subparagraph (3)(A)1.A. of this rule, including federal agencies.

#### 4. Resolving conflicts.

A. Any conflict among state agencies or between state agencies and the MPO regarding a final action on any conformity determination by the MPO on a plan or program subject to these consultation requirements shall be escalated to the governor(s), if the conflict cannot be resolved by the heads of the involved agencies. Such agencies shall make every effort to resolve any differences, including personal meetings between the heads of such agencies or their policy-level representatives, to the extent possible.

B. After the MPO has notified the state air quality agencies in writing of the disposition of all air quality agency comments on a proposed conformity determination, state air quality agencies shall have fourteen (14) calendar days from the date that the written notification is received to appeal such proposed determination of conformity to the governor of Missouri.

If the Missouri air quality agency appeals to the governor of Missouri, the final conformity determination will automatically become contingent upon concurrence of the governor of Missouri. If the Kansas air quality agency presents an appeal to the governor of Missouri regarding a conflict involving both Kansas and Missouri agencies or the MPO, the final conformity determination will automatically become contingent upon concurrence of both the governor of Missouri and the governor of Kansas. The Missouri air quality agency shall provide notice of any appeal under this subsection to the MPO, and the state transportation agencies, and the Kansas air quality agency. If neither state air quality agency appeals to the governor(s) within fourteen (14) days of receiving written notification, the MPO may proceed with the final conformity determination.

C. The governor may delegate the role of hearing any such appeal under this paragraph and of deciding whether to concur in the conformity determination to another official or agency within the state, but not to the head or staff of the state air quality agency or any local air quality agency, the state department of transportation, a state transportation commission or board, any agency that has responsibility for only one (1) of these functions, or an MPO.

5. Public consultation procedures. Affected agencies making conformity determinations on transportation plans, programs, and projects shall establish a proactive public involvement process which provides opportunity for public review and comment by, at a minimum, providing reasonable public access to technical and policy information considered by the agency at the beginning of the public comment period and prior to taking formal action on a conformity determination for all transportation plans and TIPs, consistent with these requirements and those of 23 CFR 450.316(b). Any charges imposed for public inspection and copying should be consistent with the fee schedule contained in 49 CFR 7.43. In addition, these agencies must specifically address in writing all public comments that known plans for a regionally significant project which is not receiving FHWA or FTA funding or approval have not been properly reflected in the emissions analysis supporting a proposed conformity finding for a transportation plan or TIP. These agencies shall also provide opportunity for public involvement in conformity determinations for projects where otherwise required by law.

(B) Requirement to Fulfill Commitments to Control Measures (Federal Code Location: 40 CFR 93.122(a)(4)(ii)). Written commitments to control measures that are not included in the transportation plan and TIP must be obtained from the entity or entities with authority and ability to implement the control

measures prior to a conformity determination and such commitments must be fulfilled.

(C) Requirement to Fulfill Commitments to Mitigation Measures (Federal Code Location: 40 CFR 93.125(c)). Written commitments to project-level mitigation measures which are conditions for making conformity determinations for a transportation plan or transportation improvement program must be obtained from the project sponsor prior to a positive conformity determination. Project sponsors committing to mitigation measures to facilitate positive conformity determinations must comply with such commitments.

- (4) Reporting and Record Keeping. (*Not Applicable*)
- (5) Test Methods. (*Not Applicable*)

10 CSR 10-2.390

EPA Rulemakings

CFR: 40 C.F.R. 52.1320(c)

FRM: 72 FR 59014 (10/18/2007)

PRM: 72 FR 59066 (10/18/2007)

State Submission: 07/27/2007

State Final: 10 C.S.R. 10-2 (10/24/2006; effective 07/30/2007)

APDB File: MO-256; EPA-R07-OAR-2007-0912

Description: This revision incorporates the requirements of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), which was signed into law on August 10, 2005.

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CFR: 40 C.F.R. 52.1320(c)

FRM: 68 FR 66350 (11/26/2003)

PRM: 68 FR 66389 (11/26/2003)

State Submission: 09/16/2003

State Final: 10 C.S.R. 10-2 (09/30/2003)

APDB File: MO-168

Description: The EPA approved a revision that will accomplish the implementation of the one-year grace period before conformity is required in areas that are designated non-attainment for a given air quality standard for the first time and will require that conformity be determined within 18 months of EPA's affirmative finding that the SIP's motor vehicle emissions budgets are adequate.

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CFR: 40 C.F.R. 52.1320(c)(101)(i)(A)

FRM: 62 FR 46880 (9/5/97), Correction Notice 63 FR 6645 (2/10/98)

PRM: 62 FR 46938 (9/5/97)

State Submission: 1/10/97

State Proposal: 21 MR 2644 (11/15/96)

State Final: 10 C.S.R. 10-2 (11/30/96)

APDB File: MO-139

Description: The EPA approved an amendment to the rule which adopted specific revisions to the Federal transportation conformity rule contained in 40 C.F.R. 51.390-464 (Subpart T) as amended on November 14, 1995.

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CFR: 40 C.F.R. 52.1320(c)(92)(i)(A)

FRM: 61 FR 7711 (2/29/96)

PRM: 61 FR 7760 (2/29/96)

State Submission: 2/14/95

State Proposal: 19 MR 2516 (11/1/94)

State Final: 10 C.S.R. 10-2 (4/28/95)

APDB File: MO-116a

Description: The EPA approved a new regulation which takes final action to approve the State Implementation Plan (SIP) submittal by the state of Missouri for the purpose of fulfilling the requirements set forth in the EPA's Transportation Conformity rule. The SIP was submitted by the state to satisfy the Federal requirements in 40 C.F.R. 51.396.

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Difference Between the State and EPA-Approved Regulation

None.