



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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JUN 30 2004

Ref: 8P-AR

Richard Sprott, Director  
Division of Air Quality  
Utah Department of Environmental Quality  
150 North 1950 West  
Salt Lake City, Utah 84116

Dear Richard:

Pursuant to Section 93.118(e) of the Transportation Conformity Rule (40 CFR Part 93, Subpart A), EPA has reviewed the Provo Carbon Monoxide (CO) Redesignation and Maintenance plan that was received by our office on April 5, 2004 with a letter from Governor Olene Walker dated April 1, 2004. Our review was intended to determine the adequacy of the motor vehicles emissions budgets for CO contained in this plan for purposes of conformity. The conformity rule spells out limited technical and administrative criteria that we must use in determining the adequacy of submitted emissions budgets, and we have determined that these criteria have been satisfied for these CO motor vehicle emissions budgets. Therefore, we find that these budgets are adequate for transportation conformity purposes. As a result of our adequacy finding, the Mountainland Association of Governments, the Utah Department of Transportation, and the U.S. Department of Transportation are required to use these budgets in future conformity analyses.

On March 2, 1999, the United States Court of Appeals for the District of Columbia Circuit issued a decision in *Environmental Defense Fund vs. the Environmental Protection Agency*, No. 97-1637, that we must make an affirmative determination that the submitted motor vehicle emission budgets contained in a State Implementation Plan (SIP) are adequate before they are used to determine the conformity of Transportation Improvement Programs or Long Range Transportation Plans. In response to the court decision, we make any submitted SIP revision containing a control strategy plan available for public comment and respond to these comments before announcing our adequacy determination.

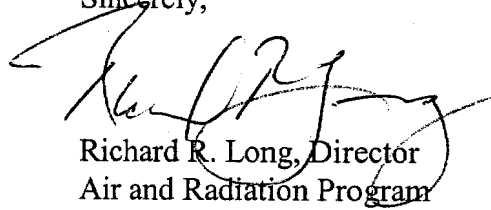
On April 1, 2004, Governor Olene Walker submitted the Provo Carbon Monoxide (CO) Redesignation and Maintenance Plan. We announced receipt of this plan on the Internet and requested public comment by no later than June 28, 2004. We received no comments on the plan during that comment period. As part of our review, we also reviewed comments about the maintenance plan submitted to the Utah Division of Air Quality during the public hearing



process. There were no adverse comments submitted during the State hearing process regarding the budgets.

We will announce this adequacy determination in the Federal Register, but that notice will not constitute a new action or change the effect of this letter. This determination will become effective 15 days after the Federal Register announcement. If you have any questions, please contact me at (303) 312-6005, or Jeffrey Kimes of my staff at (303) 312-6445.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard R. Long", is written over a circular stamp or seal. The signature is fluid and cursive.

Richard R. Long, Director  
Air and Radiation Program

cc: Harlan Miller, Utah Division, FHWA  
Susan Hardy, Mountainland Association of Governments  
Eldon Bingham, UDOT