

**Lackawanna/Luzerne Transportation Study
Metropolitan Planning Organization (LLTS MPO)
Air Quality Conformity Resolution**

WHEREAS, the Congress of the United States enacted the Clean Air Act Amendments of 1990 which were 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 nonattainment with the National Ambient Air Quality Standards (NAAQS) for ozone, carbon monoxide and particulate matter; and

WHEREAS, the EPA issued the Final Rule on Transportation Conformity on November 24, 1993 for transportation plans, programs and projects, and amended the Final Conformity Rule various times between 1996 and present; and

WHEREAS, effective July 15, 2004, Lackawanna and Luzerne counties were designated by EPA as part of the Scranton-Wilkes-Barre, PA non-attainment area under the 1997 8-hour ozone NAAQS; and

WHEREAS, on July 25, 2007, the Scranton-Wilkes-Barre, PA area was re-designated under the 1997 8-hour ozone standard as an attainment (maintenance) area by EPA; and,

WHEREAS, on April 6, 2015, EPA revoked the 1997 8-hour ozone NAAQS for all purposes and established anti-backsliding requirements; 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 maintenance areas that are in attainment of all subsequent ozone NAAQS for which the Scranton-Wilkes-Barre area satisfies the criteria; and,

WHEREAS, the EPA issued the Transportation Conformity Guidance for the South Coast II Court Decision on November 29, 2018 to address how transportation conformity determinations can be made for the 1997 ozone NAAQS; and

WHEREAS, transportation plans and programs are required to conform to the purpose of the SIP and Sections 174 and 176 (c and d) of the CAAA [42 U.S.C. 7504, 7506 (c and d)]; and

WHEREAS, an air quality analysis and conformity determination of the Transportation Improvement Plan (TIP) for the 1997 8-hour ozone NAAQS has been prepared for the LLTS area. This conformity determination demonstrates that the requirements of 40 CFR Part 93 are met; and,

WHEREAS, this amendment to the 2025-2028 TIP is due to an update for projects on the Interstate TIP; and,

THEREFORE, the Coordinating Committee of the Lackawanna/Luzerne Transportation Study Metropolitan Planning Organization for Lackawanna and Luzerne Counties, does hereby adopt the determinations for air quality as outlined in the above referenced conformity determination.

ADOPTED at a regular meeting of the LLTS MPO Coordinating Committee on July 9, 2024.

Robert Fiume,
Coordinating Committee Chair

Dean Roberts,
Technical Committee Chair