RESOLUTION

OF THE
NORTHEASTERN PENNSYLVANIA
METROPOLITAN PLANNING ORGANIZATION (NEPA MPO)

AUTHORIZING ADOPTION OF THE 2019-2022 TRANSPORTATION IMPROVEMENT
PROGRAM AIR QUALITY CONFORMITY ANALYSIS
IN ACCORDANCE WITH THE CLEAN AIR ACT AMENDMENTS OF 1990
FOR THE NEPA MPO NONATTAINMENT AREA (Carbon County and Monroe County)

WHEREAS, the Congress of the United States of America 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
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,

WHEREAS, the EPA amended the Final Conformity Rule various times between 1996 and this
current date; and,

WHEREAS, effective June 20, 2012 the County of Carbon has been designated as an ozone
nonattainment area under EPA's 2008 eight-hour ozone standard; and,

WHEREAS, effective July 15, 2004, Monroe County was designated by EPA as a
nonattainment area under the 1997 8-hour ozone NAAQS; and,

WHEREAS, on July 25, 2007, Monroe County has been re-designated under the 1997 8-hour
ozone standard as an attainment (maintenance) area by EPA with motor vehicle emissions
budgets (MVEBs) established in the State Implementation Plan (SIP) revision maintenance plan;
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 Monroe County was maintenance for the 1997 ozone standard
at the time the 1997 ozone revocation in 2015. An air quality analysis and conformity
determination of the TIP for the 1997 ozone standard has also been prepared. This conformity
determination demonstrates that the requirements of 40 CFR Part 93 are met; and,

WHEREAS, the transportation plans and programs are required to conform to the purpose 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 Northeastern Pennsylvania Alliance, designated as fiscal agent and entity
leading and coordinating the NEPA MPO through a Unified Planning Work Program (UPWP)
with the Pennsylvania Department of Transportation (PennDOT), is responsible for serving as
the coordinating agency for developing all transportation-related programs and plans in the four-
county MPO region including Carbon, Monroe, Pike and Schuylkill counties 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
Northeastern Pennsylvania Metropolitan Planning Organization’s policies, transportation plans
and programs conform to the CAAA requirements by meeting criteria described in the final
guidelines and subsequent rulings; and,

WHEREAS, the Northeastern Pennsylvania Metropolitan Planning Organization, in accordance
with its Public Involvement Plan, allowed for a 30-day public comment period from June 15,
2018 through 10:00 AM on July 17, 2018 and conducted a Public Hearing on July 17, 2018 in
compliance with Title VI of the Civil Rights Act, to provide an opportunity for public testimony
on transportation projects and programs, as well as the air quality conformity analysis of
currently programmed projects; and,

WHEREAS, following consideration of all comments and testimony by the public, the
Northeastern Pennsylvania Metropolitan Planning Organization Technical Committee has
endorsed at its business meeting of July 17, 2018 the adoption of the 2019-2022 Transportation
Improvement Program, including said Air Quality Conformity Analysis and all TIP related
documents.

NOW, THEREFORE BE IT RESOLVED, by the Northeastern Pennsylvania MPO Policy
Board, as follows:

1. That upon the review and recommendation of the Northeastern Pennsylvania
Metropolitan Planning Organization Technical Committee, the NEPA MPO Policy Board
has found that the 2019-2022 Transportation Improvement Program (TIP) to be
consistent with the final conformity rule issued on November 24, 1993 and subsequent
amendments and rulings, and contributes to the achievement and maintenance of the
NAAQS.

2. That the NEPA MPO 2019-2022 Transportation Improvement Program is hereby adopted
with a completed Air Quality Conformity Analysis and authorizes its submittal to the
Pennsylvania Department of Transportation and appropriate federal agencies.
I, Matt Connell, HEREBY CERTIFY that I am Chairman of the Northeastern Pennsylvania Metropolitan Planning Organization Policy Board: that the foregoing resolution was adopted, in accordance with the Operational Procedures and By Laws, by the Members of said Policy Board at a meeting duly called and held on the 17th day of July 2018, and that said resolution is now in full force and effect.

ADOPTED THIS 17th DAY OF
July, 2018

Matt Connell, Chairman
NEPA MPO Policy Board

ATTEST:  
Alan S. Baranski, Vice President
NEPA Alliance