



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

APR 1 2010

Ms. Janice W. Brown
Division Administrator - Texas
Federal Highway Administration
300 East 8th Street, Room 826
Austin, TX 78701

Dear Ms. Brown:

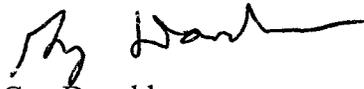
In January 2010, the United States Environmental Protection Agency (EPA) received conformity determination documents for the Houston-Galveston Area Council's (HGAC) 2035 Regional Transportation Plan (RTP) and the 2008-2011 Transportation Improvement Program (TIP), submitted by the HGAC for interagency consultation and review. A new conformity determination is necessary for the Houston/Galveston/Brazoria (Houston) 1997 8-hour ozone National Ambient Air Quality Standard nonattainment area due to updates of the RTP and TIP and the need to comply with the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users signed into law on August 10, 2005.

Any issues associated with the demonstration of conformity were addressed in conference calls and e-mails with the HGAC, the Federal Highway Administration (FHWA), the Texas Commission on Environmental Quality, the Texas Department of Transportation, and the EPA. The criteria for our review and the interagency consultation process can be found at 40 CFR Part 93, Subpart A and guidance memoranda issued by the FHWA and EPA for transportation conformity determinations.

Based on the documentation submitted to EPA and discussed during the interagency consultation process, the estimated emissions of nitrogen oxides (NO_x) and volatile organic compounds (VOCs) for the 2035 RTP and the 2008-2011 TIP will be below the Motor Vehicle Emissions Budgets (MVEB) established for these pollutants in the Reasonable Further Progress State Implementation Plan. The NO_x and VOC MVEBs were found adequate by EPA on March 21, 2008 (73 FR 15152). We have no further comments and are supportive of a positive conformity finding by the FHWA for the Houston area.

I appreciate your cooperation in consulting with us and ensuring all provisions of the transportation conformity rules have been properly addressed. If you have any questions, please feel free to contact me or Jeff Riley of my staff at (214) 665-8542.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Guy Donaldson", with a long horizontal flourish extending to the right.

Guy Donaldson

Chief

Air Planning Section

cc: Ms. Margie McAllister, TCEQ
Ms. Peggy Thurin, TxDOT
Ms. Shelley Whitworth, HGAC