

# 1. EXECUTIVE SUMMARY

## 1.1 CONFORMITY OVERVIEW

The Clean Air Act Amendments of 1990 (CAAA) require transportation plans, programs, and projects in nonattainment and maintenance areas, funded or approved by the Federal Highway Administration (FHWA) or the Federal Transit Administration (FTA), to conform to the Motor Vehicle Emissions Budgets (MVEBs) established in the State Implementation Plan (SIP) and deemed adequate or approved by the U.S. Environmental Protection Agency (EPA). Nonattainment areas with no MVEB must demonstrate conformity by satisfying an interim emissions test(s). Satisfying MVEBs (budgets) or interim emissions tests ensure transportation plans, programs, and projects do not produce new air quality violations, worsen existing violations, or delay the timely attainment of National Ambient Air Quality Standards (NAAQS). Section 176(c)(4) of the 1990 CAAA requires Metropolitan Planning Organizations (MPOs), for areas designated as nonattainment and/or maintenance for a NAAQS, to conduct an air quality conformity analysis to demonstrate that Metropolitan Transportation Plans (MTPs)/Regional Transportation Plans (RTP) and/or Transportation Improvement Programs (TIPs) are consistent with the region's air quality goals.

This conformity analysis requires MVEB test(s) which must demonstrate that the emission totals for the North Central Texas 10-county nonattainment area are less than or equal to the applicable SIP MVEB(s), which establish emissions ceilings for the regional transportation network.

As the Dallas Fort Worth region MPO, the NCTCOG is responsible for conducting the air quality conformity analysis to address the 2008 and 2015 8-hour Ozone NAAQS.

## 1.2 AIR QUALITY AND NONATTAINMENT AREA

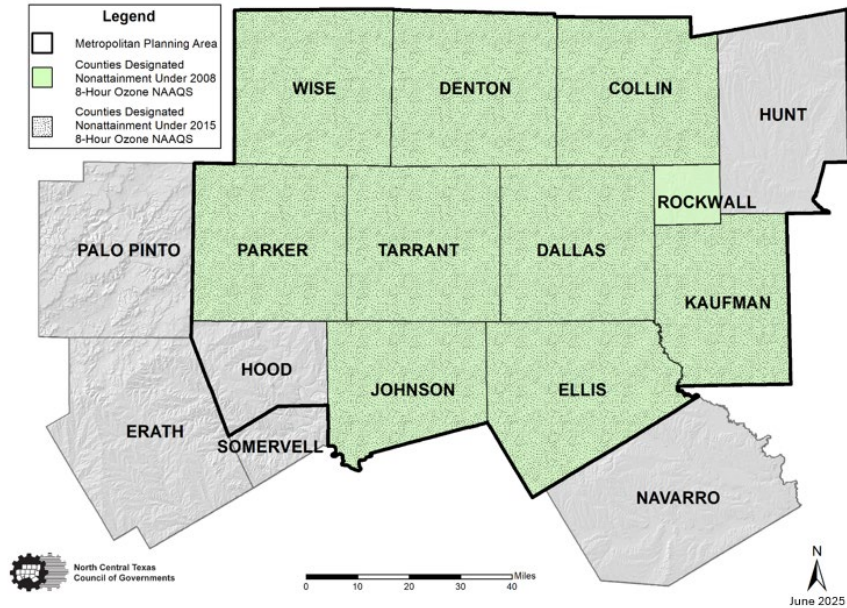
### 1.2.1 Air Pollution

**Pollutant(s) covered in this conformity analysis include the following.**

**Precursors to Ozone:** Volatile organic compounds (VOCs) and nitrogen oxides (NO<sub>x</sub>): “Ground-level ozone is a colorless compound formed when NO<sub>x</sub> and VOC chemically react in the presence of sunlight. It is not directly emitted into the air. Ground level ozone is known to trigger a variety of health problems and is particularly harmful to children, older adults, and people of all ages who have lung diseases, such as asthma” (source: EPA).

### 1.2.2 Nonattainment Area

Figure 1-1 shows the NCTCOG boundary map along with boundaries for the 2008 and 2015 8-hour ozone NAAQS.



**Figure 1-1. Dallas Fort Worth Nonattainment Boundaries**

**For the 2015 8-hour ozone standard designations:** Effective August 3, 2018, the nine-county DFW area, encompassing Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Tarrant, and Wise, received a classification as marginal nonattainment for the 2015 8-Hour Ozone NAAQS. The DFW marginal nonattainment area had an attainment date set for August 3, 2021, referencing the 2020 attainment year. However, on October 7, 2022, the EPA reclassified the nine-county DFW area from marginal to moderate nonattainment. The new attainment date for moderate nonattainment areas was set for August 3, 2024, referencing the 2023 attainment year<sup>1</sup>. On June 20, 2024, the EPA reclassified the nine-county DFW nonattainment area from moderate to serious nonattainment, effective July 22, 2024. The attainment date is now set for August 2, 2027, referencing the 2026 attainment year.<sup>2</sup>

**For the 2008 8-hour ozone standard designations:** Effective July 20, 2012, the ten-county DFW area, encompassing Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise Counties, was designated as nonattainment, and classified as moderate under the 2008 eight-hour ozone NAAQS. Subsequently, on August 23, 2019, the EPA elevated the classification of the 10-county DFW area from moderate to serious nonattainment. The attainment date for serious nonattainment areas was set for July 20, 2021, referencing the 2020 attainment year. More recently, on October 7, 2022, the EPA further reclassified the 10-county DFW area from serious to severe nonattainment, extending the attainment date for severe nonattainment areas to July 20, 2027, with a 2026 attainment year.<sup>3</sup>

<sup>1</sup> Information on the 2015 8-hour ozone moderate nonattainment status, effective November 7, 2022, is available here: <https://www.gpo.gov/fdsys/pkg/FR-2015-10-26/pdf/2015-26594.pdf>.

<sup>2</sup> Information on the 2015 8-hour ozone serious nonattainment status, effective July 22, 2024 is available here: <https://www.govinfo.gov/content/pkg/FR-2024-06-20/pdf/2024-13193.pdf#page=1>

<sup>3</sup> Information on the 2008 8-hour ozone severe nonattainment status, effective November 7, 2022, is available here: <https://www.govinfo.gov/content/pkg/FR-2022-10-07/pdf/2022-20458.pdf>

## 1.3 MTP AND TIP

Table 1-1. MTP and TIP

| Plan or Programs   | Years Covered |
|--|---------------|
| <u>Mobility 2050: The Metropolitan Transportation Plan for North Central Texas</u> | 2026 - 2050   |
| <u>2025–2028 Transportation Improvement Program for North Central Texas</u>        | 2025 - 2028   |

A regionally significant project means a transportation project (other than projects that may be grouped in the TIP and/or Statewide Transportation Improvement Program or exempt projects as defined in EPA’s transportation conformity regulation [40 CFR § part 93]) that is on a facility that serves regional transportation needs (e.g., access to and from the area outside the region; major activity centers in the region; major planned developments such as new retail malls, sports complexes, employment centers, or transportation terminals) and would normally be included in the modeling of the metropolitan area’s transportation network. At a minimum, this includes all principal arterial highways and all fixed guided way transit facilities that offer a significant alternative to regional highway travel. A more comprehensive definition and set of criteria considered to determine regionally significant roadways can be provided upon request.

This conformity determination is being prepared to ensure that the Mobility 2050 and 2025-2028 Transportation Improvement Program meets the conformity-related requirements of the CAAA, SIP, and the final conformity rule (Title 40 Code of Federal Regulations (CFR), Parts 51 and 93).

Per 23 CFR§450.324 all projects are constrained by the financial resources estimated to be reasonably available within the transportation plan timeframe. A list of the projects in the Mobility 2050 and 2025-2028 Transportation Improvement Program that affect this conformity analysis is included in Appendix B – MTP of this conformity report.

## 1.4 ANALYSIS

This emissions analysis for determining conformity was performed under the Code of Federal Regulations Title 40, Part §93.109(c)(2)(ii)(B).

The analysis years for this conformity are 2026 (the attainment year both 2008 and 2015 8-Hour Ozone NAAQS), 2035, 2040, and 2050 (MTP horizon year).

**Description and approval/justification of the MVEB used:** The 2020 MVEBs<sup>4</sup> for the NCT 10-county nonattainment area will be used. Since the 2015 8-hour ozone nonattainment area covers a smaller geographic area within the 2008 8-hour ozone nonattainment area, the approved 2020 attainment demonstration SIP MVEBs may be used to determine conformity for the 2015 8-Hour Ozone NAAQS.

## 1.5 FINDINGS

The NOx and VOC vehicle summer weekday emission results shown below demonstrate the Dallas Fort Worth nonattainment region meets the regional air quality conformity requirements 2008 and 2015 8-hour ozone NAAQS.

**Table 1-2. For nonattainment or maintenance areas with adequate or approved SIP MVEB(s)**

| Analysis Year | Vehicle Miles of Travel | NOx Budget (tons/day) | NOx Emissions (tons/day) | VOC Budget (tons/day) | VOC Emissions (tons/day) |
|---------------|-------------------------|-----------------------|--------------------------|-----------------------|--------------------------|
| 2026          | 268,352,534             | 107.25                | 71.31                    | 62.41                 | 38.36                    |
| 2035          | 323,931,317             | 107.25                | 64.86                    | 62.41                 | 32.54                    |
| 2040          | 358,295,274             | 107.25                | 68.47                    | 62.41                 | 31.63                    |
| 2050          | 426,898,352             | 107.25                | 93.27                    | 62.41                 | 35.82                    |

The results of the conformity determination demonstrate that Mobility 2050 and 2025-2028 Transportation Improvement Program meets the requirements of the air quality SIP for the Dallas Fort Worth nonattainment area and are per the CAA (42 U.S.C. 7504, 7506 (c) and (d)), as amended on November 15, 1990, and the final conformity rule (40 CFR Parts 51 and 93).

<sup>4</sup> More information on 88 FR 24693 is available here: <https://www.govinfo.gov/content/pkg/FR-2023-04-24/pdf/2023-08436.pdf>