

**Summary of Issues Discussed at Conformity Subcommittee Conference Call
November 13, 2006**

Placement of Mobile-source Related Measures in the SIP

ISSUE: Certain TCMs in the one-hour SIP were misclassified as TCMs. They are now labeled Vehicle Technology Based, Fuel Based, or Maintenance Based Measures per the Conformity Regulations. A proposal was heard to no longer classify these measures as TCMs. The group also considered where to place such measures if they are not TCMs. Options are to include as standard SIP Control Measure, or to move them into the Voluntary Bundle. EPA offered a third option which is to include as voluntary measure in the SIP but not include as part of the bundle.

ACTION: Members agreed to recommend that such measures no longer be classified as TCMs in the SIP per the conformity regulation exclusion.

A decision is pending on where to place such measures in the SIP.

Mobile Source Measures in the SIP Voluntary Bundle

ISSUE: COG TPB staff have proposed to not include mobile source related measures in the Voluntary Bundle. If a mobile source related measure has been implemented, the measure should be included in the SIP as a control measure for full credit. Implication is that no mobile source related measures would be included in the voluntary bundle (except those from the one-hour SIP). As such, it is believed that TPB staff and DOTs would be able to better track mobile source related projects, and would have better ability to use such measures as TERMS if the need arises. (EPA is still deliberating on whether mobile-source related measures included in the bundle can be removed from the SIP and used as a TERM should the need arise.)

ACTION: Conformity Subcommittee made no decision, other than to state that whether to include a mobile-source related measure in the SIP is the decision of the relevant implementing agency. EPA stated that any quantified mobile source reduction credit in the SIP must be included in setting the mobile budget.

TCM Substitution

ISSUE: The group discussed whether a TCM Substitution mechanism should be included in the SIP.

ACTION: Members agreed that none of the current TCMs require substitution, and SAFETEA-LU offers such a mechanism without the need to include in the SIP, so such a mechanism should not be recommended at this time.

2008 and 2009 Mobile Budgets

ISSUE: COG DTP proposed that in addition to considering the mobile source inventory projections, the Mobile Budget should also include emission benefits of TCMs and Vehicle Technology Based, Fuel Based, or Maintenance Based Measures. TPB may be sending a letter to MWAQC with a new mobile emission budget proposal. COG staff noted that pre-2002 measures should not be included as new controls and should be in the baseline control estimates.

ACTION: Members agreed. EPA stated that any quantified mobile source reduction credit in the SIP must be included in setting the mobile budget.

2010 Mobile Budget as Contingency Measure

ISSUE: COG TPB staff have received a request from MWAQC to estimate 2010 mobile emissions to determine the magnitude of possible reductions for potential use in the Contingency Plan. There are significant concerns and questions from COG TPB staff and the DOTs about the proposal to use mobile source reductions as contingencies. Some of the concerns include holding the mobile sector to a higher standard, potential SIP litigation and its associated impact on conformity. EPA was requested to investigate several issues: is there authority to set a budget for a year after the attainment date; clarification on whether the mobile budget for 2010 must be set in advance of knowing whether RFP or attainment were actually met; whether the 2010 budget could be removed/lowered to 2009 levels if the region attained and met RFP.

ACTION: Further deliberations and actions pending.