

National Capital Region Transportation Planning Board

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July 17, 2012

Mr. Randy E. Mosier
Chief, Regulations Division Development
Maryland Department of the Environment
1800 Washington Boulevard
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Re: Proposed Long Range Transportation Planning Targets

In a letter to you of July 5, 2012, staff of the National Capital Region Transportation Planning Board (TPB), the metropolitan planning organization (MPO) for the Metropolitan Washington Region, provided comments and questions on a proposal by the Maryland Department of the Environment (MDE) to incorporate additional requirements into Chapter 26 Conformity of the Code of Maryland (COMAR). On July 13, 2012 MDE released a revised draft of this regulation. MDE is planning to hold a meeting to obtain comments from stakeholder groups on this revised draft regulation on Friday, July 20. This letter provides comments and questions prepared by TPB staff on the revised draft regulation.

In the July 5 letter, TPB staff questioned MDE's basis for proposing to incorporate reporting requirements for carbon dioxide emissions into Chapter 26 Conformity of the COMAR when these emissions are not subject to the conformity requirements of the Clean Air Act (CAA), which are the subject of Chapter 26. TPB staff also questioned MDE's proposal to set long-term planning targets for nitrogen oxide using "the emissions analyses that form the basis for mobile source emissions budgets in the last ozone State Implementation Plan (SIP) submitted to EPA" when the analyses in the last SIP submitted for the Washington region in May 2007 are now out-of-date with regard to fleet mix assumptions, the travel demand and emissions models used, and the horizon year. The revised draft regulation addresses these questions by omitting references to mobile emissions budgets established in state implementation plans. In addition, the revised draft regulation is proposed as a separate chapter under Title 26 Subtitle 11 of the COMAR, rather than as additional requirements to be incorporated into Chapter 26 Conformity.

Other comments and questions raised by TPB staff in the July 5 letter continue to be pertinent to the revised draft regulation, however. The revised draft regulation continues to include absolute numbers for long range transportation planning targets for both carbon dioxide and nitrogen oxide that are based on soon-to-be-superseded analyses. The carbon dioxide targets appear to be based on estimates developed in the TPB's "What Would It Take?" scenario analysis, which used land activity and transportation networks from the TPB's 2009 Constrained Long Range Plan (CLRP) and EPA's Mobile 6.2 emissions model. These estimates are currently being updated using the 2012 CLRP and EPA's MOVES model. The nitrogen oxide targets appear to be based on the TPB's conformity analysis for the 2011 CLRP, which will be superseded by the expected TPB approval on July 18, 2012 of the conformity report

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for the 2012 CLRP, which has updated inputs for land activity, transportation networks, and vehicle fleet mix.

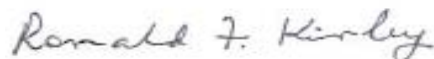
Sensitivity analyses conducted by TPB staff have shown that updated fleet mix data and the transition from EPA's Mobile 6.2 model to the MOVES model have significant impacts on the absolute numbers forecasted for both carbon dioxide and nitrogen oxide emissions. For example, the transition from Mobile 6.2 to MOVES results in increases in carbon dioxide emissions in the year 2040 of 15 percent. For nitrogen oxide the transition from the 2008 vehicle fleet mix data to the 2011 vehicle fleet mix data results in an increase in 2012 CLRP emissions in the year 2040 of 6.3 percent when using the MOVES model. The transition from Mobile 6.2 to MOVES for the 2012 CLRP results in an increase in nitrogen oxide emissions for the year 2040 of 106 percent. These significant changes in absolute numbers for both carbon dioxide and nitrogen oxide as a result of factors external to the long-range transportation planning process provide a strong case against attempting to use any such absolute numbers to define long-range targets in a state regulation.

As noted by TPB staff in the July 5 letter, the TPB is continuing to study various strategies for reducing carbon dioxide and nitrogen oxide emissions using the most recently updated data and technical methods. The TPB studies include estimates of the costs and cost-effectiveness of these various strategies, which are essential for making comparisons with emission reduction strategies in sectors other than on-road transportation. As with the EPA requirements for setting mobile emissions budgets in state implementation plans, emissions from on-road transportation sources must be considered together with emissions from all other sources in assessing consistency with overall emissions reductions goals. TPB staff suggests that MDE participate in these ongoing TPB studies, rather than trying to incorporate into state regulations long-range targets focused solely on on-road transportation and based on soon-to-be-superseded analyses.

From a procedural perspective, the MPO planning process for which the TPB is responsible is funded at an 80 percent level under federal surface transportation legislation. Work activities undertaken by TPB staff are defined in a Unified Planning Work Program (UPWP) which must be approved by the TPB and the U.S. Department of Transportation (US DOT). The TPB has voting representation from the transportation agencies of the states of Maryland and Virginia and the District of Columbia, local governments, the Washington Metropolitan Area Transit Authority (WMATA), and the Maryland and Virginia General Assemblies. All of these representatives will have to be involved in any discussion on the use of TPB resources to address goals for reducing carbon dioxide and nitrogen oxide emissions.

Thank you for considering the comments of TPB staff on this matter.

Sincerely,



Ronald F. Kirby
Director, Department of
Transportation Planning