

§93.116

(d) *TCMs*. This criterion is not required to be satisfied for *TCMs* specifically included in an applicable implementation plan.

§93.116 Criteria and procedures: Localized CO, PM₁₀, and PM_{2.5} violations (hot-spots).

(a) This paragraph applies at all times. The FHWA/FTA project must not cause or contribute to any new localized CO, PM₁₀, and/or PM_{2.5} violations or increase the frequency or severity of any existing CO, PM₁₀, and/or PM_{2.5} violations in CO, PM₁₀, and PM_{2.5} nonattainment and maintenance areas. This criterion is satisfied without a hot-spot analysis in PM₁₀ and PM_{2.5} nonattainment and maintenance areas for FHWA/FTA projects that are not identified in §93.123(b)(1). This criterion is satisfied for all other FHWA/FTA projects in CO, PM₁₀ and PM_{2.5} nonattainment and maintenance areas if it is demonstrated that during the time frame of the transportation plan (or regional emissions analysis) no new local violations will be created and the severity or number of existing violations will not be increased as a result of the project. The demonstration must be performed according to the consultation requirements of §93.105(c)(1)(i) and the methodology requirements of §93.123.

(b) This paragraph applies for CO nonattainment areas as described in §93.109(f)(1). Each FHWA/FTA project must eliminate or reduce the severity and number of localized CO violations in the area substantially affected by the project (in CO nonattainment areas). This criterion is satisfied with respect to existing localized CO violations if it is demonstrated that during the time frame of the transportation plan (or regional emissions analysis) existing localized CO violations will be eliminated or reduced in severity and number as a result of the project. The demonstration must be performed according to the consultation requirements of §93.105(c)(1)(i) and the methodology requirements of §93.123.

[69 FR 40077, July 1, 2004, as amended at 71 FR 12510, Mar. 10, 2006]

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§93.117 Criteria and procedures: Compliance with PM₁₀ and PM_{2.5} control measures.

The FHWA/FTA project must comply with any PM₁₀ and PM_{2.5} control measures in the applicable implementation plan. This criterion is satisfied if the project-level conformity determination contains a written commitment from the project sponsor to include in the final plans, specifications, and estimates for the project those control measures (for the purpose of limiting PM₁₀ and PM_{2.5} emissions from the construction activities and/or normal use and operation associated with the project) that are contained in the applicable implementation plan.

[69 FR 40078, July 1, 2004]

§93.118 Criteria and procedures: Motor vehicle emissions budget.

(a) The transportation plan, TIP, and project not from a conforming transportation plan and TIP must be consistent with the motor vehicle emissions budget(s) in the applicable implementation plan (or implementation plan submission). This criterion applies as described in §93.109(c) through (1). This criterion is satisfied if it is demonstrated that emissions of the pollutants or pollutant precursors described in paragraph (c) of this section are less than or equal to the motor vehicle emissions budget(s) established in the applicable implementation plan or implementation plan submission.

(b) Consistency with the motor vehicle emissions budget(s) must be demonstrated for each year for which the applicable (and/or submitted) implementation plan specifically establishes motor vehicle emissions budget(s), for the attainment year (if it is within the timeframe of the transportation plan), for the last year of the transportation plan's forecast period, and for any intermediate years as necessary so that the years for which consistency is demonstrated are no more than ten years apart, as follows:

(1) Until a maintenance plan is submitted:

(i) Emissions in each year (such as milestone years and the attainment year) for which the control strategy