

TABLE 7.—CREDITABLE NO_x EMISSION REDUCTIONS IN THE 1996–1999 ROP PLAN FOR THE METROPOLITAN WASHINGTON AREA
[tons/day]

Measure	District of Columbia	Maryland	Virginia
Enhanced I/M	2.4	14.8	16.9
Tier 1	2.5	13.7	14.7
NLEV2	0.3	1.5
Reformulated Gasoline (on-road)	0.0	0.1	0.1
Non-road Gasoline Engines	–0.1	–0.4	–0.5
Non-road Diesel Engines	0.4	3.7	3.2
State NO _x RACT	2.1	67.9	12.0
Open Burning Ban	0	0.8	0.6
TCMs	0	0.2	0.2
Total Creditable Reductions	7.5	101.1	48.7

TABLE 8.—CREDITABLE EMISSION REDUCTIONS VERSUS REDUCTION NEEDS FOR THE 1996–1999 ROP PLAN FOR THE METROPOLITAN WASHINGTON AREA
[tons/day]

	District of Columbia	Maryland	Virginia	Area-wide
VOC Reductions in Plan	11.8	70.0	63.9	145.7
Commitment/Area-wide Needs	10.6	63.7	57.2	131.5
Surplus	1.2	6.3	6.7	14.2
NO _x Reductions in Plan	7.5	101.1	48.7	157.3
Commitment/Area-wide Needs	7.2	96.8	46.6	150.6
Surplus	0.3	4.3	2.1	6.7

Section 172(c)(9) of the CAA requires that specific measures must be undertaken if an area fails to make reasonable further progress, or to attain the NAAQS by the attainment date. Furthermore, such measures must be included in the SIP as contingency measures to take effect without further action by the State or the Administrator. As noted previously, the Circuit Court ruled that sections 172(c)(9) and 182(c)(9) of the CAA require that contingency measures must be included as an element in the attainment demonstration and ROP SIPs for the Washington area. The Court further determined that EPA lacked the authority to approve attainment demonstration and ROP SIPs without contingency measures. Therefore, the jurisdictions in the Washington area have committed to submit contingency measures that will be implemented should EPA notify the Washington area jurisdictions that the area did not achieve the required 9 percent reductions by November 15, 1999. These measures need to provide for a 3 percent reduction in base line emissions and be fully adopted rules or measures that can implemented without further action by the States or EPA after November 15, 1999. Such contingency measures must also meet all of the

EPA's guidance and policy relating to contingency measures.

V. Applicability of Revised Motor Vehicle Emissions Budgets

A. What Is the Background on Transportation Conformity?

1. What Is Transportation Conformity?

Transportation conformity is a Clean Air Act (CAA) requirement for metropolitan planning organizations and the U.S. Department of Transportation to ensure that federally supported highway and transit activities are consistent with ("conform to") the SIP. Conformity to a SIP means that an action will not cause or contribute to new violations; worsen existing violations; or delay timely attainment. The conformity requirements are established by CAA section 176(c). We issued the transportation conformity rule (40 CFR part 93) to implement this CAA requirement.

2. What Are Motor Vehicle Emissions Budgets?

As described in CAA section 176(c)(2)(A), attainment demonstrations necessarily include estimates of motor vehicle emissions to help areas reach attainment. These estimates act as a budget or ceiling for emissions from motor vehicles, and are used in conformity to determine whether

transportation plans and projects conform to the attainment SIP. In order for transportation plans and projects to conform, estimated emissions from transportation plans and projects must not exceed the emission budgets contained in the attainment demonstration.

3. Which Motor Vehicle Emissions Budgets Usually Apply?

According to the transportation conformity rule, motor vehicle emissions budgets in a submitted SIP apply for conformity purposes even before we have approved the SIP, under certain circumstances. First, there must not be any other approved SIP motor vehicle emissions budgets that have been established for the same time frame and with respect to the same CAA requirements. For example, if there is already an approved attainment demonstration SIP that establishes motor vehicle emissions budgets for the attainment date, and the State submits a revision to those motor vehicle emissions budgets, the newly submitted budgets do not apply for conformity purposes until we have approved them into the SIP.

Second, submitted SIP motor vehicle emissions budgets cannot be used before we have approved the SIP unless we have found that the submitted SIP motor