

vehicle emissions budgets using the MOBILE6 model and to reevaluate the attainment demonstration based on the updated budgets. The proposed revision demonstrated that the updated motor vehicle emissions budgets calculated using MOBILE6 continued to support the projected attainment of the 1-hour ozone NAAQS for the New York Metropolitan NAA by the attainment date of 2007. Also included as part of the proposed SIP revision, New York proposed to modify the planned date for submitting its mid-course review to December 31, 2004.

4. What Are the Revised MOBILE6 Budgets?

Table 1 below summarizes the revised motor vehicle emissions budgets for the New York Metropolitan NAA in tons per summer day (tpd). These revised budgets were developed using the latest planning assumptions, including the most recently available vehicle registration data, vehicle miles traveled (VMT) estimates, vehicle speeds, fleet mix, and SIP control measures. For additional details the reader is referred to the Technical Support Document (TSD) for this proposed action. EPA is proposing to approve these revised 1990 and 2007 motor vehicle emissions budgets. The 2007 motor vehicle emissions budgets will serve as the transportation conformity budgets for the New York Metropolitan NAA.

TABLE 1.—NEW YORK METROPOLITAN NAA MOTOR VEHICLE EMISSIONS BUDGETS, REVISED WITH MOBILE6

1990		2007	
VOC (tpd)	NO _x (tpd)	VOC (tpd)	NO _x (tpd)
596	512	182	230

5. Are the Revised MOBILE6 Budgets Consistent With New York's 1-Hour Attainment Demonstration?

EPA has found that New York's revised MOBILE6 budgets are consistent with its 1-hour ozone Attainment Demonstration. EPA has articulated its policy regarding the use of MOBILE6 for SIP development in its "Policy Guidance on the Use of MOBILE6 for SIP Development and Transportation Conformity"³ and "Clarification of Policy Guidance for MOBILE6 in Mid-

course Review Areas."⁴ New York included in the January 29, 2003 submittal a relative reduction comparison to show that its 1-Hour Ozone Attainment Demonstration SIP continues to demonstrate attainment using revised MOBILE6 budgets for the New York Metropolitan NAA, see Table 2. New York's attainment demonstration used photochemical grid modeling supplemented with a weight of evidence analysis. Consistent with EPA policy, as detailed in the aforementioned guidance documents, the State's methodology for the relative reduction comparison consisted of comparing the new MOBILE6 budgets with the previously approved (67 FR 5170) MOBILE5 budgets for the New York Metropolitan NAA to determine if attainment will still be predicted by the 2007 attainment year. Specifically, the State calculated the percent reduction from the 1990 base year to the 2007 attainment year for NO_x and VOC MOBILE5-based budgets. These percent reductions were then compared to the percent reductions between the revised MOBILE6-based 1990 base year and 2007 attainment year budgets.

TABLE 2.—RELATIVE REDUCTION COMPARISON BETWEEN MOBILE5-BASED BUDGETS AND MOBILE6-BASED BUDGETS FROM BASE YEAR TO ATTAINMENT YEAR

	NO _x (percent)	VOC (percent)
MOBILE5	44.8	66.7
MOBILE6	55.1	69.3

As shown in Table 2, New York's relative reduction comparison shows that for the New York Metropolitan NAA the percent reductions in VOC and NO_x budgets obtained through the use of MOBILE6 are greater than the percent reductions calculated with MOBILE5-based budgets. As such, New York's January 29, 2003 submittal satisfies the conditions outlined in EPA's MOBILE6 Policy guidance, and demonstrates that the new levels of motor vehicle emissions calculated using MOBILE6 continue to support achievement of the projected attainment of the 1-Hour Ozone NAAQS by the attainment date of 2007 for the New York Metropolitan NAA, *i.e.* the SIP continues to demonstrate its purpose.

6. Are New York's Motor Vehicle Emissions Budgets Approvable?

Table 1 summarizes New York's revised budgets contained in the January 29, 2003 submittal. These budgets were developed using the most recent planning assumptions, including the most recently available vehicle registration data, VMT, speeds, fleet mix, and SIP control measures. The updated budgets for 2007 were developed for the New York Metropolitan Transportation Council (NYMTC) to use for purposes of transportation conformity, which it is required to meet by October 2005. The budgets were developed using appropriate methodology and support the SIP in demonstrating its purpose, therefore the budgets are approvable. Additional detail regarding the methodology and inputs used by the State can be found in the TSD for this proposed action.

Concurrent with this notice of proposed rulemaking, EPA is completing the adequacy review process on the revised 2007 attainment budgets for NYMTC. EPA held the 30-day comment period for the budgets between July 1, 2003 and July 31, 2003 by posting a notice on EPA's conformity website: <http://www.epa.gov/otaq/transp/conform/adequacy.htm>. In accordance with the "Conformity Guidance on Implementation of March 2, 1999 Conformity Court Decision,"⁵ EPA will issue its adequacy determination, including a response to comments, by posting it on the conformity Web site, and will also subsequently announce the determination in the **Federal Register**. The revised 2007 attainment budget will apply for conformity purposes once EPA issues its adequacy determination.

7. When Will New York Submit Its Mid-Course Review?

On April 18, 2000, New York submitted a mid-course review analysis which showed a continued downward trend in both the number of violations of the 1-hour ozone standard and the measured ozone concentrations. EPA found, however, that several more years of monitored data and implementation of the Regional NO_x Program were needed before a true mid-course review of the attainment demonstration could be made. Therefore, on February 4, 2002 (67 FR 5170), EPA approved New York's further commitment to perform a mid-

³Memorandum, "Policy Guidance on the Use of MOBILE6 for SIP development and Transportation Conformity," issued January 18, 2002. A copy of this memorandum can be found on EPA's Web site at <http://www.epa.gov/otaq/transp/traqconf.htm>.

⁴Memorandum, "Clarification of Policy Guidance for MOBILE6 SIPs in Mid-course Review Areas," issued February 12, 2003. A copy of this memorandum can be found on EPA's Web site at <http://www.epa.gov/otaq/transp/traqconf.htm>.

⁵Memorandum, "Conformity Guidance on Implementation of March 2, 1999 Conformity Court Decision," issued May 14, 1999. A copy of this memorandum can be found on EPA's Web site at <http://www.epa.gov/otaq/transp/traqconf.htm>.