



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

JUN 23 2009

Pedro J. Nieves Miranda
President
Puerto Rico Environmental Quality Board
Apartado 11488
San Juan, PR 00910

Dear Mr. Nieves,

On March 31, 2009, your agency submitted a limited maintenance plan (LMP) as the maintenance plan in support of the redesignation request for the Municipality of Guaynabo PM10 nonattainment area. This state implementation plan (SIP) revision shows that the Municipality of Guaynabo meets the criteria for establishing a limited maintenance plan and that PM10 emissions are not expected to increase such that the PM10 National Ambient Air Quality Standard would be exceeded over the timeframe of the maintenance plan.

The transportation conformity rule (40 CFR 93) requires that the U.S. Environmental Protection Agency (EPA) conduct a public process and make an affirmative decision on the adequacy of motor vehicle emissions budgets ("budgets") contained in SIP submittals before they can be used by metropolitan planning organizations in transportation conformity determinations. The limited maintenance plan does not set budgets but rather renders budgets as not constraining for the life of the plan. Transportation conformity determinations conducted under the LMP are assumed to satisfy the "budget test" requirement of the transportation conformity rule (40 CFR 93.118) without the need for a regional emissions analysis. This letter is to inform you that we have completed the required public comment period on the adequacy of the limited maintenance plan. In accordance with the procedures and criteria for determining adequacy as outlined in the transportation conformity rule (40 CFR 93.118(e)(4) and 40 CFR 93.118(f)), we are finding the limited maintenance plan for the Municipality of Guaynabo PM10 maintenance area adequate for transportation conformity purposes. This means that the previously approved 1993 budgets will be treated as not constraining for the duration of the maintenance plan and the Puerto Rico Departamento de Transportación y Obras Públicas will no longer be required to conduct a regional emissions analysis to satisfy transportation conformity requirements.

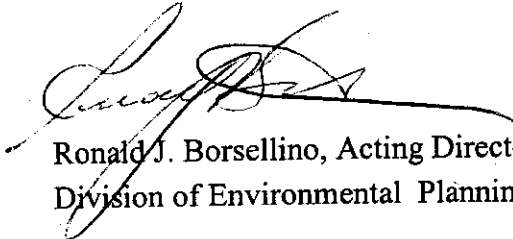
This finding will become effective for conformity determinations 15 days after EPA publishes an announcement of the adequacy determination in the Federal Register. We will be publishing the Federal Register notice announcing our adequacy finding in the near future.

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If you have further questions, please feel free to contact Marina Castro, of my staff, at (212) 637-3713.

Sincerely,



Ronald J. Borsellino, Acting Director
Division of Environmental Planning and Protection

cc: A. Berrios, PREQB
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