



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, Washington 98101

OCT 12 2004

Reply To

Attn Of: AWT-107

Mr. Stu Clark, Acting Program Manager
Air Quality Program
Department of Ecology
P.O. Box 47600
Olympia, WA 98504-7600

Re: Yakima PM₁₀ Nonattainment Area Limited Maintenance Plan and Redesignation Request
Transportation Conformity Adequacy

Dear Mr. Clark:

Stu

We have reviewed the Yakima PM₁₀ Nonattainment Area Limited Maintenance Plan and Redesignation Request and found it adequate for transportation conformity purposes. This finding is based primarily on the area meeting the criteria for submitting a Limited Maintenance Plan Policy for Moderate PM₁₀ Nonattainment Areas and the applicable procedures and criteria for adequacy review in the transportation conformity rule, 40 CFR Part 93.118(e)(4). As a result of this adequacy finding, the area automatically meets the budget test for future transportation conformity. This affects future transportation conformity determinations prepared, reviewed and approved by the Yakima Valley Council of Government, Washington State Department of Transportation, Federal Highway Administration and the Federal Transit Administration.

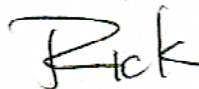
On March 2, 1999, the United States Court of Appeals for the District of Columbia issued a decision on EPA's conformity rule revisions in response to a court case brought by the Environmental Defense Fund. This decision stated that EPA must determine the adequacy of the submitted budget. In response to the court's decision, EPA issued guidance on our new adequacy process on May 14, 1999, which is reflected in the amended transportation conformity rule, July 1, 2004 (69 FR 40004).

On July 8, 2004 the Washington Department of Ecology submitted the Yakima PM₁₀ Nonattainment Area Limited Maintenance Plan and Redesignation Request. We posted an announcement of availability on EPA's adequacy website <http://www.epa.gov/otaq/transp/conform/currsips.htm> and requested public comments by September 27, 2004. We received no comments on the Plan.

We will announce this adequacy determination in the Federal Register. This determination becomes effective 15 days after the Federal Register Announcement.

If you have any questions, please contact Wayne Elson of my staff at (206) 553-1463.

Sincerely,

A handwritten signature in black ink that reads "Rick". The letters are stylized and connected.

Richard Albright, Director
Office of Air, Waste, and Toxics

cc: Don Skone, Yakima Valley Council of Governments
Charlie Stansell, Yakima Regional Clean Air Authority
Mike Boyer, Washington Department of Ecology
Jennifer Bowman, Federal Transit Agency
Dave Leighow, Federal Highway Administration
Cliff Hall, Washington Department of Transportation