

**SYNOPSIS OF
THE PROPOSED AMENDMENTS TO THE RULES OF THE
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION
RELATING TO AIR QUALITY, CHAPTER 391-3-1**

Rule 391-3-1-.15, "Transportation Conformity," is being added.

Purpose: The Transportation Conformity rule is being added to incorporate the Transportation Conformity requirements of the Clean Air Act. Transportation Conformity requires an evaluation of emissions that result from transportation plans, programs, and projects in areas that fail to attain the National Ambient Air Quality Standards (NAAQS).

Main Features: A new rule is added to Chapter 391-3-1 to incorporate the requirements of Section 176(c)(4)(E) of the Clean Air Act for Transportation Conformity. Revisions to the Clean Air Act and Title 40 Code of Federal Regulations Part 93 require that States revise their State Implementation Plans to implement the new Transportation Conformity requirements. This rule references a separate document that details the specific procedures required by 40 Code of Federal Regulations Part 93.

**STATEMENT OF RATIONALE
Rules for Air Quality Control**

Rule 391-3-1-.15 – Transportation Conformity

The basis of this paragraph is to specify a rule that incorporates the Clean Air Act requirements for Transportation Conformity. The rule references the applicable Statute and Federal regulations and references a separate document, the Transportation Conformity Manual. The manual contains the specific details that identify the affected agencies, their responsibilities, and the procedures they are to follow to determine the conformity of plans, programs, and projects in nonattainment areas. Conformity means that affected actions shall not contribute to, increase the frequency or severity of or delay the attainment of the NAAQS in any area. The purpose of this revision is to specify the Georgia interagency consultation, enforcement, and enforceability procedures for the determination of conformity of metropolitan planning organization (MPO) plans, programs and projects. This requirement was previously implemented by a Memorandum of Agreement between the State, Federal, and regional agencies affected by the Federal transportation conformity rule.

This revision will formally adopt, as required by the Clean Air Act, the transportation conformity procedures that are currently followed by the affected agencies and will impose no new restrictions on the affected agencies. There will be no increased costs to the public.