

APPENDIX II

***AGREEMENT OF COOPERATION BETWEEN
THE LICKING COUNTY AREA TRANSPORTATION
STUDY (LCATS) AND THE MID-OHIO REGIONAL
PLANNING COMMISSION (MORPC)
RE: AIR QUALITY***

MEMORANDUM OF UNDERSTANDING BETWEEN THE MID-OHIO REGIONAL PLANNING COMMISSION, THE LICKING COUNTY AREA TRANSPORTATION STUDY, THE OHIO ENVIRONMENTAL PROTECTION AGENCY AND THE OHIO DEPARTMENT OF TRANSPORTATION DEFINING THE INTERAGENCY CONSULTATION PROCESS IN ACCORDANCE WITH CHAPTER 3745-101 OF THE OHIO ADMINISTRATIVE CODE.

The 1990 Clean Air Act Amendments (CAAA) classified Franklin, Delaware and Licking counties as a marginal nonattainment area for ozone. The CAAA and resulting federal regulations require the nonattainment area to perform specific tasks which will lead to air quality improvements. These tasks include development of an implementation plan (SIP) to improve air quality and air quality analysis of Transportation Plans, Transportation Improvement Programs (TIPs) and projects for conformity with the SIP. These tasks are generally divided among agencies of the state and the metropolitan planning organizations (MPOs) within the nonattainment area.

The Ohio Environmental Protection Agency (Ohio EPA) has issued transportation conformity rules, Ohio Administrative Code (OAC) 3745-101-01 through 3745-101-20, in accordance with CAAA regulations, 40 CFR Part 51 Subpart T, issued November 24, 1993. These OAC rules define the process required of nonattainment and maintenance areas to perform air quality conformity determinations. In addition, the rules outline an interagency consultation process (OAC 3745-101-04) which must be undertaken on air quality items. For the Columbus nonattainment area, the participants in the interagency consultation process are as follows:

The Mid-Ohio Regional Planning Commission Columbus Area Transportation Study Policy Committee (MORPC), the MPO for the Columbus metropolitan area
The Policy Committee of the Licking County Area Transportation Study (LCATS), the MPO for the Newark urbanized area
Ohio EPA central office
Ohio EPA Central District office, the local air agency
Ohio Department of Transportation, including central office and Districts 5 and 6
Central Ohio Transit Authority
United States Environmental Protection Agency Region 5
Federal Highway Administration Region 5
Federal Highway Administration - Ohio Division office
Federal Transit Administration Region 5

These rules require an interagency consultation process for the development of the SIP, TCMs in the SIP and revisions to the SIP. Consultation is also required in the development of Transportation Plans, TIPs, amendments to these and the process of conformity determinations on Transportation Plans and TIPs.

The interagency consultation process described in OAC 3745-101-04 will be followed with the following items further defined for the Columbus nonattainment area,:

1. Rule 3745-101-04 Section (B) outlines the general factors to be followed in the consultation process. The documents and agencies responsible for the documents in accordance with Section (B)(2) for the Columbus nonattainment area are as follows:
 - a. Ohio EPA is lead agency responsible for development of the State Implementation Plan (SIP), revisions to the SIP and any TCMs in the SIP.
 - b. LCATS is the lead agency responsible for development of the LCATS planning area Transportation Plan and Transportation Improvement Program and any amendments or revisions thereto.

- c. MORPC is the lead agency responsible for development of the Columbus Area Transportation Study planning area Transportation Plan and Transportation Improvement Program and any amendments or revisions thereto.
 - d. Conformity determinations are made for the entire nonattainment area. MORPC will be the lead agency responsible for making the conformity determination of Transportation Plans and Transportation Improvement Programs for the nonattainment area.
2. Interagency consultation will be through the MORPC Transportation Advisory Committee (TAC). Meeting notices will indicate when items subject to the interagency consultation process will be discussed, when draft and final documents will be available and provide at least quarterly reports on air quality issues, All agencies which are part of the consultation process will receive the meeting notices. At a minimum, these notices will be directed to the following locations:

MORPC	Director of Transportation
LCATS	Transportation Study Director
Ohio EPA central office	Environmental Specialist, Air Pollution Control
Ohio EPA Central District office	Director, Air Pollution Control
ODOT central office	Administrator, Office of Technical Services
ODOT Districts 5 and 6	District Deputy Directors
Central Ohio Transit Authority	Director of Service Development
U.S. EPA Region 5	Environmental Engineer, Regulation Development Section, Air Enforcement Branch
FHWA Region 5	Metropolitan Planning and Air Quality Specialist
FHWA Ohio Division office FTA Region 5	Division Administrator Transportation Representative

LCATS and Ohio EPA will provide MORPC with information to include in the quarterly report on items for which LCATS and Ohio EPA are responsible as well as timely advance notice as to when such items should be on the meeting agenda. Other participants will provide information as needed.

3. Section (B)(5) identifies specific roles and responsibilities of participants in the consultation process, These shall be as described with the following clarification:

ODOT will perform modeling and air quality analysis for portions of the nonattainment area which are covered by regional models maintained by ODOT. ODOT will provide the results to MORPC. MORPC will perform the air quality analysis for portions of the nonattainment area not covered by the models maintained by ODOT. For these areas, ODOT will provide HMPS

ODOT will perform modeling and air quality analysis for portions of the nonattainment area which are covered by regional models maintained by ODOT. ODOT will provide the results to MORPC. MORPC will perform the air quality analysis for portions of the nonattainment area not covered by models maintained by ODOT. For these areas, ODOT will provide HPMS data to MORPC. Until a regional model for Licking County is completed, LCATS will submit all projects which need to be included in the conformity analysis to ODOT and MORPC. After a Licking County regional model is developed, ODOT will perform the air quality analysis and provide the results to LCATS and MORPC. MORPC will combine the air quality analysis results and prepare the

conformity documentation for the entire nonattainment area.

4. Section (C) identifies specific items that must be addressed through the consultation process. The lead agency preparing the document will address each of these issues in the draft document which will be available to participants through TAC in accordance with Section (B)(6).
5. Conflict resolution between state agencies or between state agencies and an MPO will be as defined in Section (D).
6. Technical meetings and other contact among participants will be initiated as necessary to disseminate or obtain necessary information, provide comments and respond to comments.

Specific air quality consultation issues not addressed in this Memorandum of Understanding (MOU) are to be addressed as stated in OAC 3745-101-04. All previous agreements relating to air quality issues addressed by OAC 3745-101-04 and this MOU are superseded by OAC 3745-101-04 and this MOU.

We the undersigned agree to consult on air quality issues as set out in OAC 3745-101-04 and as specified in this MOU. This agreement is effective on the date of the last signature.

SIGNATORIES

William C. Habig
William C. Habig, Executive Director
Mid-Ohio Regional Planning Commission

Date: 9/20/95

Jerry Bruns
Jerry Bruns, Executive Director
Licking County Area Transportation Study

Date: 10-2-95

Donald R. Schregardus
Donald R. Schregardus, Director
Ohio Environmental Protection Agency

Date: _____

Jerry Wray
Jerry Wray, Director
Ohio Department of Transportation

Date: 10-30-95