

Docket number	File date	Presenter or requester
Prohibited: CP06-365-000 ..... CP06-366-000 ..... CP06-376-000 ..... CP06-377-000 .....	12-5-08	Rory Cox.
Exempt: CP07-62-000 ..... CP07-63-000 ..... CP08-31-000 ..... CP08-31-000 .....	12-3-08 11-24-08 11-24-08	Hon. C.A. Dutch Ruppersberger. Hon. Andrew E. Dinniman. Barbara M. Kelley.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E8-30099 Filed 12-18-08; 8:45 am]

**BILLING CODE 6717-01-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8755-2]

### Delaware; Adequacy Status of the 2008 Reasonable Further Progress Plan for the Delaware Portion of the Philadelphia-Wilmington-Atlantic City 8-Hour Ozone Nonattainment Area Motor Vehicle Emission Budgets

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of adequacy.

**SUMMARY:** In this notice, EPA is notifying the public that we have found that the Motor Vehicle Emissions Budgets (MVEBs) in the Reasonable Further Progress Plan (RFP) submitted as a State Implementation Plan (SIP) revision on June 13, 2007 by the Delaware Department of Natural Resources and Environmental Control (DNREC), are adequate for transportation conformity purposes. As a result of EPA's finding, the State of Delaware must use the MVEBs from the June 13, 2007 RFP Plan for future conformity determinations for the 8-hour ozone standard.

**DATES:** These MVEBs are effective January 5, 2009.

**FOR FURTHER INFORMATION CONTACT:** Martin Kotsch, U.S. EPA, Region III, 1650 Arch Street, Philadelphia, PA 19103 at (215) 814-3335 or by e-mail at: [kotsch.martin@EPA.gov](mailto:kotsch.martin@EPA.gov). The finding is available at EPA's conformity Web site: <http://www.epa.gov/otaq/stateresources/transconf/currrips.htm>.

**SUPPLEMENTARY INFORMATION:** Throughout this document "we," "us," or "our" refer to EPA. The word "budgets" refers to the motor vehicle emission budgets for volatile organic compounds (VOCs) and nitrogen oxides (NO<sub>x</sub>). The word "SIP" in this

document refers to the RFP Plans for the Delaware portion of the Philadelphia-Wilmington-Atlantic City Ozone Nonattainment Area submitted to EPA as SIP revisions on June 13, 2007.

Today's notice is simply an announcement of a finding that EPA has already made. In this notice, EPA is notifying the public that we have found that the MVEBs in the RFP for 2008, submitted on June 13, 2007 by DNREC, are adequate for transportation conformity purposes. As a result of EPA's finding, the State of Delaware must use the MVEBs from the June 13, 2007 RFP Plan for future conformity determinations for the 8-hour ozone standard. This finding has also been announced on EPA's conformity web site: <http://www.epa.gov/otaq/stateresources/transconf/pastsips.htm>. The adequate MVEBs are provided in the following table:

TABLE 1—DELAWARE MOTOR VEHICLE EMISSIONS BUDGETS

Nonattainment area	2008 Reasonable Further Progress	
	VOC (tpd)	NO <sub>x</sub> (tpd)
New Castle County .....	21.35	10.61
Kent County .....	9.68	4.14
Sussex County .....	12.86	7.09

Transportation conformity is required by section 176(c) of the Clean Air Act, as amended in 1990. EPA's conformity rule requires that transportation plans, programs and projects conform to state air quality implementation plans, and establishes the criteria and procedures for determining whether or not they do. Conformity to a SIP means that transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of the national ambient air quality standards. The criteria by which we determine whether a SIP's motor vehicle emission budgets are adequate for conformity purposes are outlined in 40 CFR 93.118(e)(4).

Please note that an adequacy review is separate from EPA's completeness review, and it also should not be used to prejudice EPA's ultimate approval of the SIP. Even if we find a budget adequate, the SIP could later be disapproved. We have described our process for determining the adequacy of submitted SIP budgets in 40 CFR 93.118(f), and have followed this rule in making our adequacy determination.

Dated: December 5, 2008.

**William T. Wisniewski,**

*Acting Regional Administrator, Region III.*

[FR Doc. E8-30207 Filed 12-18-08; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8755-3]

### Pennsylvania; Adequacy Status of the 2008 Reasonable Further Progress Plan for the Pennsylvania Portion of the Philadelphia-Wilmington-Atlantic City 8-Hour Ozone Nonattainment Area Motor Vehicle Emission Budgets

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of adequacy.

**SUMMARY:** In this notice, EPA is notifying the public that we have found that the Motor Vehicle Emissions Budgets (MVEBs) in the Reasonable Further Progress Plan (RFP) submitted as a State Implementation Plan (SIP) revision on August 29, 2007 by the Pennsylvania Department of Environmental Protection (PADEP), are adequate for transportation conformity purposes. As a result of EPA's finding, the Commonwealth of Pennsylvania must use the MVEBs from the August 29, 2007 RFP Plan for future conformity determinations for the 8-hour ozone standard.

**DATES:** These MVEBs are effective January 5, 2009.

**FOR FURTHER INFORMATION CONTACT:** Martin Kotsch, U.S. EPA, Region III, 1650 Arch Street, Philadelphia, PA