

Examples of Projects of That Are Not an Air Quality Concern

Note: The March 2006 final rule also provided examples of projects that would not be covered by 40 CFR 93.123(b)(1) and would not require a PM_{2.5} or PM₁₀ hot-spot analysis (71 FR 12491). However, as noted elsewhere in this guidance, PM₁₀ nonattainment and maintenance areas with approved conformity SIPs that include PM₁₀ hot-spot provisions from previous rulemakings must continue to follow those approved conformity SIP provisions until the SIP is revised.

The following are examples of projects that are not an air quality concern under 40 CFR 93.123(b)(1)(i) and (ii):

- Any new or expanded highway project that primarily services gasoline vehicle traffic (i.e., does not involve a significant number or increase in the number of diesel vehicles), including such projects involving congested intersections operating at Level-of-Service D, E, or F;
- An intersection channelization project or interchange configuration project that involves either turn lanes or slots, or lanes or movements that are physically separated. These kinds of projects improve freeway operations by smoothing traffic flow and vehicle speeds by improving weave and merge operations, which would not be expected to create or worsen PM_{2.5} or PM₁₀ violations; and,
- Intersection channelization projects, traffic circles or roundabouts, intersection signalization projects at individual intersections, and interchange reconfiguration projects that are designed to improve traffic flow and vehicle speeds, and do not involve any increases in idling. Thus, they would be expected to have a neutral or positive influence on PM_{2.5} or PM₁₀ emissions.

Examples of projects that are not an air quality concern under 40 CFR 93.123(b)(1)(iii) and (iv) would be:

- A new or expanded bus terminal that is serviced by non-diesel vehicles (e.g., compressed natural gas) or hybrid-electric vehicles; and,
- A 50% increase in daily arrivals at a small terminal (e.g., a facility with 10 buses in the peak hour).