



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

Reply To
Attn Of: OAQ-107

Mr. Dennis Ossenkop
Federal Aviation Administration
Northwest Mountain Region
1601 Lind Ave, S.W.
Renton, Washington 98055-4056

JUN 06 1996

Dear Mr. Ossenkop:

This letter supplements our March 18, 1996 comments on the Final Environmental Impact Statement for Proposed Master Plan Update Development Actions at Seattle-Tacoma International Airport (final EIS) and it details our concerns with this and adjacent projects regarding air quality. Our review is in accordance with our responsibilities under Section 309 of the Clean Air Act (CAA) and the National Environmental Policy Act (NEPA).

We continue to have concerns about future air quality around the airport as well as the air quality analysis in the final EIS. Our comments are based primarily on conformity with the State Implementation Plan as required by the Clean Air Act (CAA) and cumulative impacts from other projects around the airport.

The conformity analysis in the final EIS is a draft conformity analysis. While we have been discussing this with FAA and other agency representatives in recent weeks, the draft EIS did not contain such an analysis and therefore this is the first formal opportunity EPA has had to comment on this issue. The intent of our comments is to provide the information needed for a final conformity analysis that will meet the requirements of the CAA.

The conformity provisions of the CAA mandate that any federal agency proposing a project in a nonattainment or maintenance area for air pollutants must demonstrate that the project conforms to the State Implementation Plan for pollutants of concern. Because with the project, the final EIS shows an increase in the severity of exceedances of the National Ambient Air Quality Standard for carbon monoxide (CO) at two intersections near the Seatac Airport, we believe the draft conformity analysis does not support your conclusion that the project conforms to the State Implementation Plan (SIP).

In order to demonstrate conformity with the SIP, the final conformity analysis should include the following items.

1. Creation of an emissions inventory that includes: (a) all reasonably foreseeable direct and indirect emissions for the pollutants of concern for the year of peak construction

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emissions prior to 2000¹, the years 2010 and 2020; (b) emissions from sources such as construction and haul vehicles, associated increased congestion; and (c) mobile emissions associated with the use of regular gasoline.

2. An air quality analysis that compares the "no project" and "with project" air quality impacts for the years stated in item one above.
3. Appropriate mitigation measures--if the "with project" scenario results in an increase in either the frequency or severity of exceedances above the levels in the "no project" scenario, measures should be developed to mitigate these impacts.
4. Commitments from appropriate governmental entities to conduct adequate, specific and enforceable mitigation measures that will prevent any increase in the severity or frequency of predicted exceedances of the National Ambient Air Quality Standards (NAAQS). Since the increased modeled exceedances occur at intersections outside of airport property, it may be necessary to obtain commitments to conduct these mitigation measures from other agencies or local authorities.

We have discussed our comments with the Washington Department of Ecology (WDOE) and the Puget Sound Air Pollution Control Agency (PSAPCA). All three agencies believe that monitoring is needed to assess the actual air quality near the airport and to determine the measures needed to mitigate any adverse air quality impacts from the project. Accordingly, we support the comments set out in WDOE's and PSAPCA's letters. In particular, we support the steps identified in PSAPCA's comment letter for establishing a monitoring program, which could be used for subsequent modeling and air quality analysis.

EPA understands that several major projects are proposed for the area around the airport, including the extension of SR 509 which will connect to the airport at the south end. We are concerned that cumulative air quality impacts from these projects are not understood. For this reason, we believe the Record Of Decision (ROD) should contain a more comprehensive cumulative impacts analysis, including a commitment to working with other agencies to implement a short-term and long-term air quality monitoring program that will accurately reflect baseline conditions and reflect the changes in air quality as several proposed projects in and around the Seatac Airport are developed.

We expect that the FAA and the Port of Seattle will address these issues as well as provide commitments to work with regional and local authorities to ensure that air quality standards are not violated around Seatac Airport. EPA, along with WDOE and PSAPCA, is committed to continue to work with FAA and the Port on developing appropriate monitoring, modeling and air quality analyses.

¹ Because conformity requirements for "worst case analysis" differ from NEPA requirements, analysis of emissions during the year of highest impact is required.

Des Moines Creek Business Park, the Federal Detention Center, the Seatac Hotel, the City of Seatac improvements to three miles of International Boulevard near Seatac Airport, the proposed CTI campus and the 28/24th Arterial.

We noted several inconsistencies in projected air quality for the same intersections in the EIS's for the aforementioned projects. This variability underscores the need for additional coordination between project leads. The inconsistencies are as follows:

- 1) The modeling results for air quality in the Seatac final EIS conflict with those from the draft EIS for the SR 509/South Access Road Corridor Project at two intersections (both EIS's used the same models). The two EIS's model conflicting results for existing conditions and future action alternatives at South 188th and International Blvd., and South 200th and International Blvd. for the average CO concentrations indicated on page 4-7 in the SR 509 EIS, as compared with the same analyses on page IV.9-11H in the Seatac final EIS. Both analyses model CO violations for existing conditions, but for future action alternatives the Seatac analysis shows modeled CO violations where the SR 509 analysis does not.
- 2) Modeled air quality impacts at South 200th and International Blvd. are shown in the South Aviation Support Area Final EIS (pages 4-106 to 109 and 112), the 28/24th Street Arterial Final EIS (page 3.22) and the CTI Final EIS (page 4-7, 8). The results vary for each project ranging from 5.0 to 13.3 parts per million CO.

The ROD should clearly indicate that the FAA has taken all of these local projects into consideration when modeling air impacts. The data from modeling should be available to other agencies so that their analyses will be consistent with FAA's. Data sharing will contribute to a better overall air modeling analysis that will also assure a more comprehensive cumulative impacts presentation.

Attachment to the Environmental Protection Agency Air Quality Comments
On the Proposed Master Plan Update Development Actions
at Seattle-Tacoma International Airport

General Conformity

The conformity provisions of the Clean Air Act mandate that any federal agency proposing to conduct a project in a non-attainment or maintenance area make a determination that its project would not:

- (i) cause or contribute to any new violation of any standard in any area;
- (ii) increase the frequency or severity of any existing violation of any standard in any area; or
- (iii) delay timely attainment of any standard or any required interim emission reductions or other milestones in any area.

Through Section 176(c) of the Federal Clean Air Act, Congress established a higher test for federal agencies and the expenditure of federal money than is the case for non-federal public or private entities. The conformity provisions require a federal agency to affirmatively find that its actions will not worsen air quality conditions in areas that have previously violated the National Ambient Air Quality Standards (NAAQS). EPA recognizes that the modeling used to determine carbon monoxide impacts at intersections is for screening purposes to predict worst-case scenarios. However, the conformity provisions require that a federal agency ensure that worst-case pollutant impacts with its project are no worse than the worst-case pollutant impacts without such a project.

The general conformity rules establish certain public notification and comment procedures that a federal agency must follow when making a conformity determination (58 FR 63214, November 30, 1993). The conformity determination contained in the Final EIS is the draft conformity finding, and implies that it may be modified after the public comment period. The FAA has stated that the final conformity determination will be included in the Record of Decision for this EIS. While the draft conformity analysis does not support a conformity determination, the final determination could, based upon a corrected emissions inventory and commitment to appropriate mitigation measures.

Mitigation Measures

Section 93.160 of the general conformity rule sets forth the requirements for enforceable mitigation measures that must be taken when an increase in the frequency or severity of exceedances is modeled. This section states:

- (a) Any measures that are intended to mitigate air quality impacts must be identified and the process for implementation and enforcement of such measures must be described, including an implementation schedule containing explicit timelines for implementation.
- (b) Prior to determining that a Federal action is in conformity, the Federal agency making the conformity determination must obtain written commitments from the appropriate persons or agencies to implement any mitigation measures which are identified as conditions for making conformity determinations.

FROM : D WAGNER

FAX NO. : 306 2411553

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Given the EIS's projected increases in the severity of exceedances of the CO NAAQS, mitigation measures meeting the requirements of 93.160 are necessary in order to demonstrate conformity.

Changes in Mitigation Measures

It should be noted that the general conformity rule also foresees situations where mitigation measures may need to be modified in the future due to changed circumstances. Section 93.160 (e) establishes the mechanism where mitigation measures may be modified so long as the new mitigation measures continue to support the conformity determination. While the mitigation measures need to be clearly specified, they may be changed, if needed.

The results from a monitoring program, such as the type identified in the EPA, WDOE, and PSAPCA comment letters of June 6, 1996, may form the basis for modifying mitigation measures. Air quality analysis based on such monitoring and related modeling could demonstrate that mitigation measures committed to in order to demonstrate conformity were no longer needed, or that different or additional measures were appropriate.

Alternative to Mitigation Measures

One alternative approach to determining conformity that would not necessarily include mitigation measures might be a phased development of the project. With this option, FAA would grant a full approval for certain projects that are proposed in the FEIS while conditionally approving implementation of other projects contingent upon further environmental analysis. This assumes that the projects are truly separable, and therefore that the FAA would be able to show conformity for each of the major subsets of proposed projects. It should be noted that both the general conformity rule and NEPA regulations identify criteria for determining when projects can be assessed separately. Both sets of criteria would need to be met. If this approach is used, then the monitoring program supported by EPA, WDOE, and PSAPCA would be useful to support the modelling that would be required to demonstrate conformity for the conditionally approved projects. Elements of such an approach are set out in the PSAPCA letter to FAA, dated June 6, 1996.

Cumulative Impacts

The Council on Environmental Quality Regulations for Implementing the Provisions of The National Environmental Policy Act state in 40 CFR Part 1502.16(a) and (b) that the Environmental Consequences section of an EIS will include discussions of direct effects and their significance and indirect effects and their significance (section 1508.8). According to 40 CFR Part 1508.8, cumulative impacts are considered "effects" and should therefore be discussed in this section of the EIS. A Cumulative Impact is the effect "on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time." (Section 1508.7) We believe the ROD should reflect consideration of the cumulative impacts of the following projects since they may affect one another: Seatac expansion, the SR 509 proposal, the South Aviation Support Area, the

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Detailed comments are enclosed, and if you have any further questions please contact me at (206) 553-1234 or Anita Frankel, Director of the Office of Air Quality at (206) 553-0218. Thank you for the opportunity to review this document.

Sincerely,

Anita Frankel
for Chuck Clarke
Regional Administrator

Enclosure

- cc: Doug Brown, Ecology
- Paul Carr, Ecology
- Barbara Hinkle, Port of Seattle
- Gene Peters, Landrum and Brown
- Mary Vigilante, Synergy Consultants
- Dennis McLerran, PSAPCA
- Brian O'Sullivan, PSAPCA