Environmental Protection Agency

§ 93.154 Conformity analysis.

Any Federal department, agency, or instrumentality of the Federal government taking an action subject to this subpart shall make its own conformity determination consistent with the requirements of this subpart. In making its conformity determination, a Federal agency must consider comments from any interested parties. Where multiple Federal agencies have jurisdiction for various aspects of a project, a Federal agency may choose to adopt the analysis of another Federal agency or develop its own analysis in order to make its conformity determination.

EFFECTIVE DATE NOTE: At 75 FR 17275, Apr. 5, 2010, §93.154 was revised, effective July 6, 2010. For the convenience of the user, the revised text is set forth as follows:

§ 93.154 Federal agency conformity responsibility.

Any department, agency, or instrumentality of the Federal government taking an action subject to this subpart shall make its own conformity determination consistent with the requirements of this subpart. In making its conformity determination, a Federal agency must follow the requirements in §§93.155 through 93.160 and §§93.162 through 93.164 must provide to the appropriate EPA Regional Office(s), State and local air quality agencies and, where applicable, affected Federal land managers, the agency designated under section 174 of the Act and the MPO within 30 days after making a final conformity determination under §93.158.

EFFECTIVE DATE NOTE: At 75 FR 17275, Apr. 5, 2010, §93.155 was revised, effective July 6, 2010. For the convenience of the user, the revised text is set forth as follows:

§ 93.155 Reporting requirements.

(a) A Federal agency making a conformity determination under §§93.154 through 93.160 and §§93.162 through 93.164 must provide to the appropriate EPA Regional Office(s), State and local air quality agencies, any federal-recognized Indian tribal government in the nonattainment or maintenance area, and, where applicable, affected Federal land managers, the agency designated under section 174 of the Act and the MPO, a 30-day notice which describes the proposed action and the Federal agency’s draft conformity determination on the action.

(b) A Federal agency must notify the appropriate EPA Regional Office(s), State and local air quality agencies and, where applicable, affected Federal land managers, the agency designated under section 174 of the Clean Air Act and the MPO within 30 days after making a final conformity determination under §93.158.

§ 93.165, NI.