

## MEMORANDUM OF UNDERSTANDING

### AIR QUALITY ANALYSIS FOR ENVIRONMENTAL DOCUMENTS

WHEREAS, the Nebraska Department of Roads (NDOR) has prepared detailed air quality analyses for inclusion in environmental documents on major Federal-aid highway projects with Average Daily Traffic (ADT) volumes of more than either 15,000 vehicles per day in the year of project construction or 30,000 vehicles per day in the 20<sup>th</sup> year following project construction.

WHEREAS, the goal of the Federal Highway Administration (FHWA) and the NDOR is to provide safe, efficient, and environmentally compatible surface transportation corridors for Nebraskans through the design of projects that mitigate congestion.

WHEREAS, the goal of the air quality program at the Nebraska Department of Environmental Quality (NDEQ) is to achieve and maintain attainment with the National Ambient Air Quality Standards and to protect air quality in areas that have air cleaner than the standards from any significant deterioration.

WHEREAS, the NDOR annually publishes the Nebraska Surface Transportation Program Book that includes highway construction projects planned five or more years into the future.

WHEREAS, the US Environmental Protection Agency imposes motor vehicle engine, fuel economy, and fuel standards designed to reduce the impact from mobile sources on air quality.

WHEREAS, the NDOR, FHWA and NDEQ expect the vehicle fleet in Nebraska to improve through the retirement of older vehicles in the fleet.

WHEREAS, the experience between the NDOR, the NDEQ, and the FHWA, using currently approved air quality analysis tools, indicates highway construction projects with projected ADT volumes of less than 100,000 vehicles per day should not have significant adverse impacts on air quality, while projects with projected ADT volumes of more than 100,000 vehicles per day may have significant adverse air quality impacts.

THE THREE PARTIES THEREFORE AGREE that the preparation of detailed air quality analyses, for inclusion in an environmental document, are necessary for major Federal-aid projects with a projected ADT volume exceeding 100,000 vehicles per day in the 20<sup>th</sup> year following the project construction.

IT IS FURTHER AGREED that if NDEQ determines that a detailed air quality analysis is warranted for a project not meeting the above ADT threshold, it will be accomplished after a formal written request, with justification, is submitted to the NDOR. All such

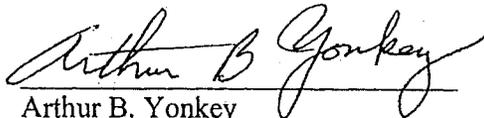
requests shall come from the NDEQ Deputy Director of Programs or his designee. The NDEQ will send a copy of the request to the FHWA.

IT IS FURTHER AGREED that the NDOR, NDEQ, and FHWA will meet at least annually to discuss future highway projects, potential environmental issues, and other issues of common interest. Such meeting will be initiated by the NDEQ and planned to be held in August or September of each year.

IT IS FURTHER AGREED that this Memorandum of Understanding may be terminated or amended as necessary. If any party wishes to terminate or amend the agreement, they will provide advance notice and an explanation to the other parties.

Upon execution of this Memorandum of Understanding, the Air Quality Analysis for Environmental Documents agreement implemented May 25, 1994 is terminated.

Nebraska Department of Roads

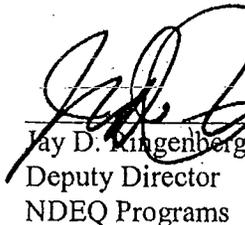


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11-1-2004

Date

Nebraska Department of  
Environmental Quality

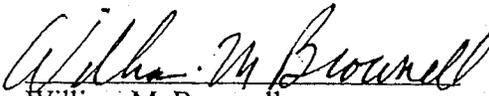


Jay D. Ringenberg  
Deputy Director  
NDEQ Programs

10-1-2004

Date

Federal Highway Administration



William M. Brownell  
Division Administrator  
FHWA Nebraska Division

11/5/2004

Date

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