

# **PUBLIC NOTICE**

**PM<sub>2.5</sub> CONFORMITY DETERMINATION**

**CONTEE ROAD  
OLD GUNPOWDER ROAD TO US 1**

**CONTRACT NO. PG419B11  
PRINCE GEORGE'S COUNTY  
MARYLAND**

**PREPARED BY:**

**MARYLAND DEPARTMENT OF TRANSPORTATION  
STATE HIGHWAY ADMINISTRATION**

February 27, 2007

In order facilitate improved access from I-95 in the vicinity of Van Dusen Road and to support planned economic development east and west of I-95, the Maryland State Highway Administration (SHA) proposes a 4-lane divided highway between Old Gunpowder Road and Van Dusen Road, with an interchange at I-95. The Selected Alternative locates the Contee Road interchange approximately midway between the I-95/ICC and the I-95/MD 198 interchanges. This maximizes the weaving distance on the CD roads for both interchanges. The Selected Alternate interchange with I-95, utilizes a partial cloverleaf configuration in the southwest and northeast quadrants. Contee Road would be constructed from Old Gunpowder Road, west of I-95, to Van Dusen/Virginia Manor Road, east of I-95. Access is provided to the Sweitzer Lane Business Park via Contee Road. The Selected Alternative will operate at LOS B in the AM, and D in the PM for the signalized intersection at the southbound I-95 ramp to Contee Road. Similarly, the northbound I-95 ramp to Contee Road would operate at LOS A in the AM, and B in the PM. The location of the structure allows for staged construction of the bridge, and would not require closure of existing Van Dusen Road. SHA's Selected Alternate would provide bicycle compatible outside lanes and sidewalks along the entire length of Contee Road; however, pedestrian and bicycle access would be prohibited along I-95.

Construction of the Contee Road Project will be closely coordinated with construction of the ICC. Current ICC planning includes two ICC construction contracts in the vicinity of the Contee Road Project. The limit of construction for ICC Contract C which includes the I-95/ICC interchange and C-D roads is located approximately 2500 feet to the south of Contee Road. The construction for ICC Contract D includes C-D roads from the limit of ICC Contract C south of Contee Road proceeding northerly to the I-95/MD 198 Interchange. Depending on final construction scheduling, a portion of the ICC C-D roads may be constructed as part of the Contee Road project, and/or a portion of the Contee Road Bridge may be constructed as part of ICC Contract D.

The Contee Road project is located in the Washington, DC-MD-VA PM<sub>2.5</sub> nonattainment area, which was designated a nonattainment for PM<sub>2.5</sub> on January 5, 2005 by the U.S Environmental Protection Agency. This designation became effective on April 5, 2005, 90 days after EPA's published action in the Federal Register. Transportation conformity for the PM<sub>2.5</sub> standards applied on April 5, 2006, after the one-year grace period provided by the Clean Air Act.

Projects that require hotspot analysis for PM<sub>2.5</sub> are those projects that are Projects of Air Quality Concern as enumerated in 40CFR93.123 (b)(1):

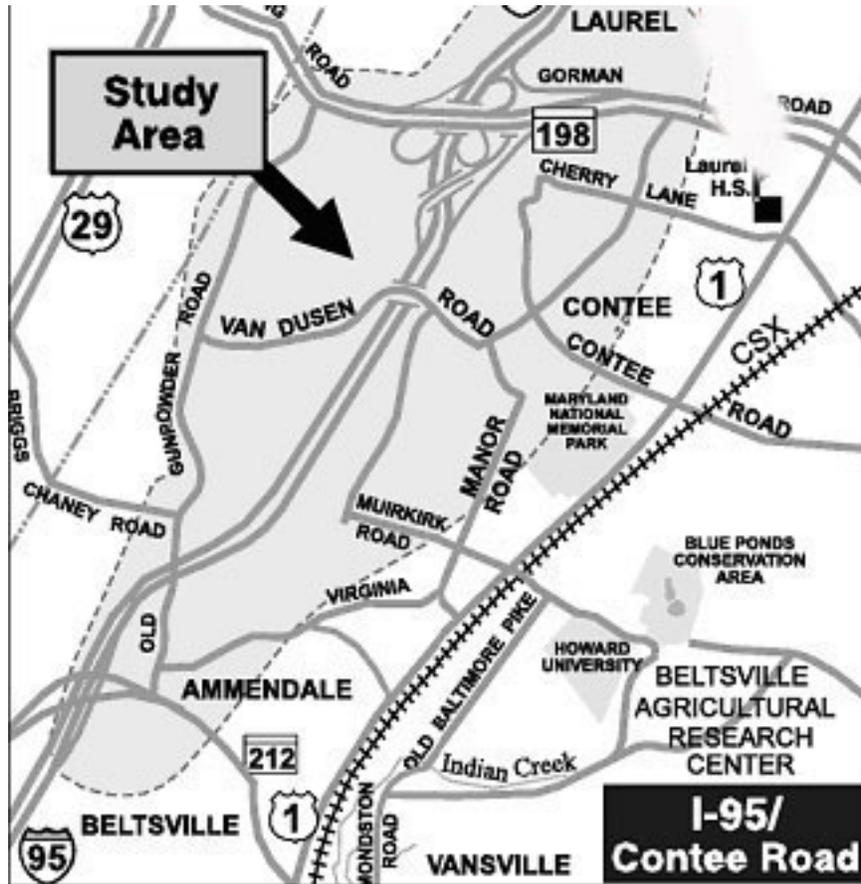
- (i) New or expanded highway projects that have a significant number of or significant increase in diesel vehicles;
- (ii) Projects affecting intersections that are at Level-of-Service D, E, or F with a significant number of diesel vehicles, or those that will change to Level-of-Service D, E, or F because of increased traffic volumes from a significant number of diesel vehicles related to the project;
- (iii) New bus and rail terminals and transfer points that have a significant number of diesel vehicles congregating at a single location;
- (iv) Expanded bus and rail terminals and transfer points that significantly increase the number of diesel vehicles congregating at a single location; and
- (v) Projects in or affecting locations, areas, or categories of sites which are identified in the PM10 or PM2.5 applicable implementation plan or implementation plan submission, as appropriate, as sites of violation or possible violation.

SHA has prepared the following analysis of the proposed interchange:

- I-95/Contee Road Project does not meet the criteria set forth in 40 CFR 93.123(b)(1) as amended to be considered a *project of air quality concern* primarily because the project is an new connector highway primarily used by gasoline vehicles.
- Proposed Contee Road will provide a east/west route from Old Gunpowder Road to Van Dusen Road /US1, and provide a connection to I-95. It will provide access to I-95 for existing and future residential development and local businesses east and west of I-95. Access is provided to the Sweitzer Lane Business Park and the future Konterra via Contee Road. In 2010 (Opening Year) the maximum ADT on Contee Road is 27,400; and

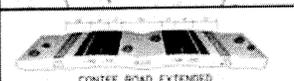
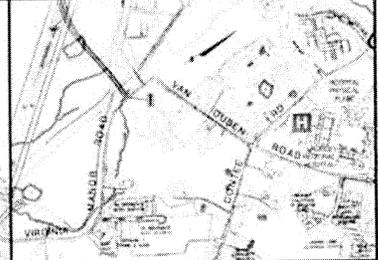
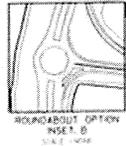
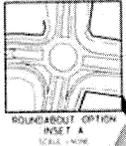
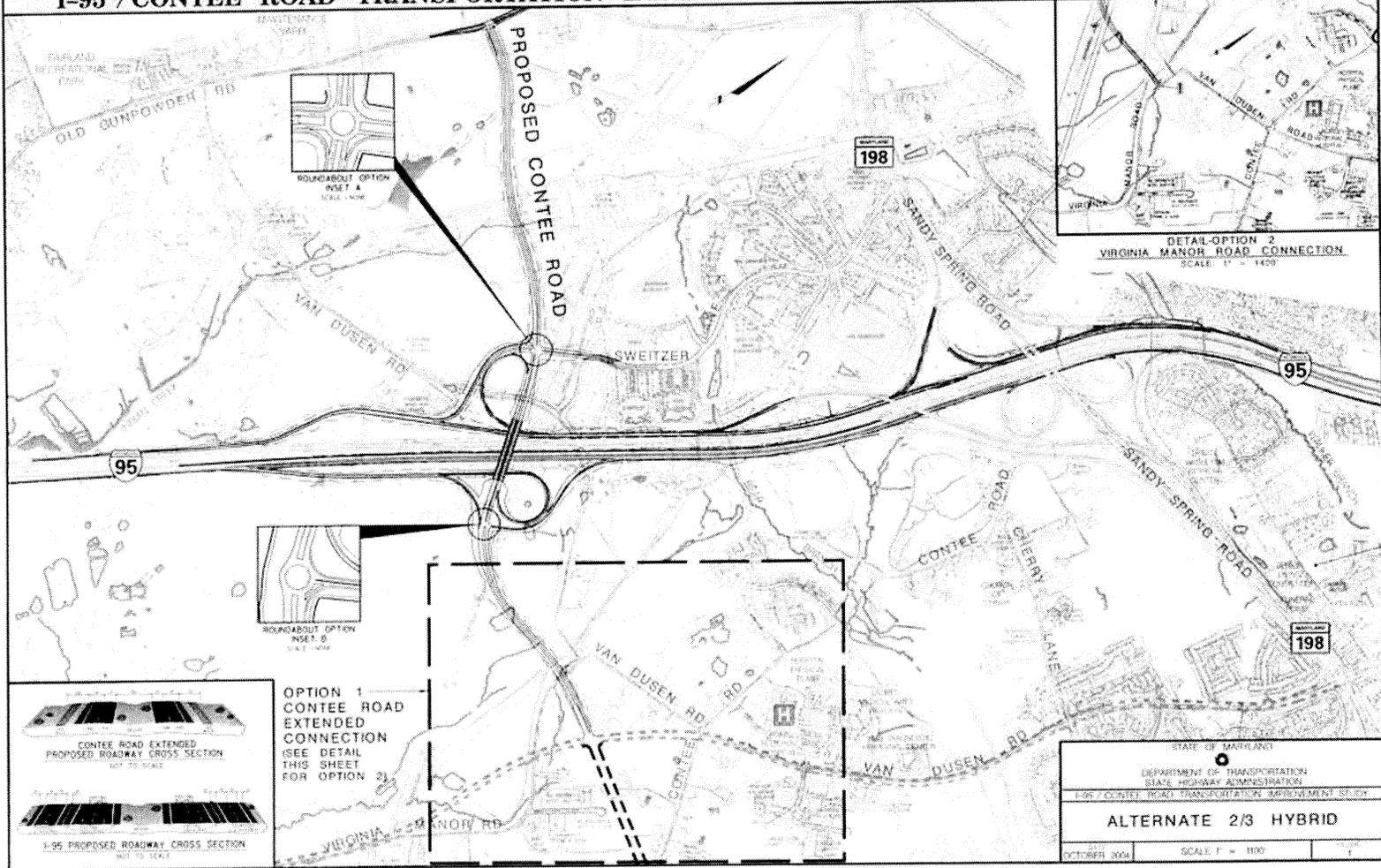
in 2025 (Design year) the maximum ADT on Contee Road is 43,700. The estimated diesel truck percentage 2.45% for both years.

- As clarified in the preamble to the July 1, 2004 revision to the transportation conformity rule (64 FR 40056), the conformity rule requires that project-level analyses consider the year of expected peak emissions from the project. For  $PM_{2.5}$ , this is expected to be a near-term year, such as the first year of operation of the project, because emission rates from vehicles are predicted to decline between the opening year (2010) and the design year (2025) due in part to improvements in tailpipe emissions and national vehicle emissions control programs. In the near year (2010) Contee Road will have 658 trucks per day. Therefore, in conformance with 40CFR93.123(b)(1), Contee Road, which is a new facility, will not have a significant number of trucks
- The primary east-west truck routes in the area are MD 198 to the north, and the Intercounty Connector (ICC) to the south when completed in 2010-2011. These routes, ICC and MD198 via MD28, provide access to I-95 from the Montgomery County including Rockville and Gaithersburg. In addition, these routes provide direct access to businesses and residences along US 29. The Contee Road project will not provide these cross county connections.
- The primary north-south truck route in the area is I-95. The Contee Road project will include an interchange at I-95 with ramps connecting to C-D roads on I-95 between MD 212 and MD198 with a connection to the ICC. These C-D roads will be constructed as part of the ICC and were included in the FEIS and ROD for that project.  $PM_{2.5}$  conformity the ICC including C-D roads is included in the report entitled, "Project-level  $PM_{2.5}$  Conformity Determination for the Intercounty Connector Project in Maryland", which determined that the requirements of 40CFR93 were met. This Conformity Determination is available on the ICC project website ([www.iccproject.com](http://www.iccproject.com)).
- Section 176(c) of the Clean Air Act and the federal conformity rule require that transportation plans and programs conform to the intent of the state air quality implementation plan (SIP) through a regional emissions analysis in  $PM_{2.5}$  nonattainment areas. For the study area, The Metropolitan Washington Council of Governments (MWCOG) performed this analysis. The National Capital Region 2005 Constrained Long Rang Transportation Plan (CLRP) and the 2006-2011 Metropolitan Transportation Improvement Program (MTIP) have been determined to conform to the intent of the SIP. The US Department of Transportation made a  $PM_{2.5}$  conformity determination on the CLRP and the MTIP on February 21, 2006, and thus there is a currently conforming transportation plan and TIP in accordance with 40 CFR 93.114. The current conformity determination is consistent with the final conformity rule found in 40 CFR Parts 51 and 93. The Contee Road project was included in the regional emissions analysis and there have been no significant changes in the project's design concept or scope, as used in the conformity analyses. Therefore the project comes from a conforming plan and program in accordance with 40 CFR 93.115. Conformity to the purpose of the SIP means that the transportation activity will not cause new air quality violations, worsen existing violations, or delay timely attainment of the relevant national ambient air quality standards (NAAQS or "standards").
- Based on the preceding review and analysis, it is determined that the Contee Road project meets the Clean Air Act and 40 CFR 93.109 requirements. These requirements are met for particulate matter without a project-level hot-spot analysis, since the project has not been found **to be a project of air quality concern** as defined under 40 CFR 93.123(b)(1). Since the project meets the Clean Air Act and 40 CFR 93.109 requirements, the project will not cause or contribute to a new violation of the  $PM_{2.5}$  NAAQS, or increase the frequency or severity of a violation.
- By email dated February 2, 2007 the above analysis was approved by FHWA and forwarded to EPA, MDE and MWCOG for Interagency Consultation. On February 5, 2007 email approvals were received from EPA and MDE. FHWA, EPA and MDE agreed that the Contee Road Project is **not a project of air quality concern** as defined in 40 CFR 93.123(b)(1), and therefore, a project level hot-spot analysis is not required. As no other comments were received from Interagency Consultation, this Public Notice will be placed on SHA's website for a 15 day public review and comment period ending March 14, 2007.



# Study Area

# I-95 / CONTEE ROAD TRANSPORTATION IMPROVEMENT STUDY - ALTERNATE 2 / 3 HYBRID



OPTION 1  
CONTEE ROAD  
EXTENDED  
CONNECTION  
(SEE DETAIL  
THIS SHEET  
FOR OPTION 2)

STATE OF MARYLAND		
DEPARTMENT OF TRANSPORTATION STATE HIGHWAY ADMINISTRATION		
I-95 / CONTEE ROAD TRANSPORTATION IMPROVEMENT STUDY		
<b>ALTERNATE 2/3 HYBRID</b>		
DATE OCTOBER 2004	SCALE 1" = 1100'	SHEET 1