



August 12, 2004

Mr. Aristide Biciunas
Executive Director
Chicago Area Transportation Study (CATS)
300 West Adams Street, 2nd Floor
Chicago, Illinois 60606

Dear Mr. Biciunas:

One of the potential projects listed in the 2030 Regional Transportation Plan (RTP) for further study is a proposal to expand the Eisenhower Expressway (I-290) as it passes through the Village of Oak Park. The Village remains deeply concerned about the potential public health and environmental impacts of this potential project. In December 2002, the Village prepared a detailed and comprehensive report on the potential impacts of the potential project, a copy of which was provided to the Chicago Area Transportation Study (CATS).¹ This letter summarizes several scientific and regulatory developments that bear on key issues addressed in our report and have occurred since our report was prepared. We invite your attention to these developments and would appreciate any guidance you can provide on CATS' plans to address them.

Conformity

In our Impacts Report, as well as our comments to CATS on various drafts of the 2030 RTP, we pointed out that new analyses will be required to determine the conformity of the potential I-290 project -- as well as all other major transportation projects in the region -- with new standards for ozone and fine particulate matter (PM). Compliance with the new standards also must be considered in the analyses performed pursuant to the National Environmental Policy Act (NEPA).

On July 1, 2004, EPA issued new rules for determining conformity with the new standards (69 Fed. Reg. 40003). Some elements of the new rules that are likely to affect the analysis for the proposed I-290 project include:

- New conformity determinations for the new ozone and fine PM standards are required within one year after initial nonattainment designations are issued, or conformity will lapse and federal funding will be withheld;
- Conformity determinations for the old (1-hour) ozone standard remain required until the standard is revoked;

¹ Oak Park Eisenhower Citizens Advisory Committee, [Report on the Potential Impacts of the Proposed Eisenhower Expansion](#) (December 2002).

- 2002 is the “baseline year” for determination of ozone and fine PM conformity, meaning that new conformity analyses would be required if transportation emissions are not restricted to 2002 levels;
- New “build/no build” tests are adopted for ozone and fine PM nonattainment areas;
- New rules apply to coordination of conformity determinations in areas that exceed both the old and new ozone standards;
- Fine PM conformity demonstrations are required to consider a wide range of mobile source emissions -- including tailpipe, brake wear, tire wear, road dust and construction dust -- as well as transportation-related emissions of fine PM precursors such as NO_x, VOCs, sulfur oxides and ammonia;
- New road construction would be required to comply with fine PM nonattainment SIP provisions;
- Fine PM conformity determinations are required to include “hot spot” analyses.

New Ozone Nonattainment Designations

New ozone conformity requirements will soon be a reality in the area of the potential I-290 project. On April 15, 2004, federal EPA adopted nationwide nonattainment designations for the new ozone standards. Cook and DuPage Counties, among others in the Chicago area, were designated as nonattainment areas for the new ozone standards. Accordingly, under the new rules discussed above, conformity in these counties will lapse if new analyses demonstrating conformity for current and future projects are not completed by April 15, 2005. In making the nonattainment designation, EPA accepted the recommendations of IEPA, which drew the following conclusions with respect to Cook and DuPage:

Cook County. Cook County is the only county in northeastern Illinois where current air quality data (2000-2002) does not meet the 8-hour ozone standard. Cook County is currently designated nonattainment for the 1-hour ozone standard. In terms of precursor emissions, Cook County has the highest levels of both VOC and NO_x emissions of any of the ten counties in the CMSA. Demographically, Cook County has the highest population, the highest population density, and the largest acreage of urban land cover of all the counties in the CMSA. Cook County should be included in the Chicago nonattainment area for the 8-hour standard.

DuPage and Will Counties. Both DuPage and Will Counties are currently designated nonattainment for the 1-hour ozone standard. DuPage and Will Counties have higher levels of precursor emissions than any of the counties in the Chicago CMSA except Cook County. DuPage County is second only to Cook County in total population, population density and total urban land cover. Similarly, Will County has a relatively high population, population density, population growth and urban land coverage. The IEPA, therefore, recommends that DuPage and Will

counties be included in the Chicago nonattainment area for the 8-hour ozone standard.²

These findings reflect a great deal of progress in reducing Chicago area ozone concentrations, which has been gained with many years of effort at great cost. However, the data in the IEPA report indicate that while only a few exceedances of the new standard have thus far been monitored in the region and only in Cook County, the monitoring results in all counties are on the edge of nonattainment (see, e.g., Table 2). It appears that any significant increase in emissions from new projects would push these counties clearly into nonattainment status. As noted, Cook and DuPage Counties are the primary regional sources of ozone precursor emissions that contribute to ozone concentrations in the other surrounding counties. Further, as federal EPA has pointed out, these findings do not reflect the emissions data for 2003. EPA has requested the 2003 data as quickly as possible, noting that "EPA believes that breathing unhealthy levels of ozone and ozone transport is a serious regional air quality problem."³

More recently, on June 27, 2004, federal EPA designated the Chicago area, including Cook and DuPage counties, as nonattainment for the fine PM standards. As with ozone, EPA accepted the IEPA nonattainment recommendations for the fine PM standards.⁴ The IEPA findings indicate that Cook and DuPage counties clearly are not attaining the standards:

Cook County. Current air quality data (2000-2002) at several monitoring locations in Cook County do not meet the PM_{2.5} annual standard. Cook County is currently designated nonattainment for the one-hour standard, and IEPA has recommended that it be designated as an 8-hour ozone nonattainment area, also. Cook County has high levels of precursor emissions, generally the highest emissions of any of the ten counties in the CMSA. Demographically, Cook County has the highest population, the highest population density, the largest area of urban land cover and the highest levels of vehicular traffic of all the counties in the CMSA. Cook County should be included in the Chicago nonattainment area for the PM_{2.5} standard.

DuPage and Will Counties. Both DuPage and Will Counties currently are designated nonattainment for the one-hour standard, and have been recommended for inclusion in the 8-hour ozone nonattainment area by the IEPA. Air quality at monitoring stations in both counties exceed the annual PM_{2.5} air quality standard. DuPage and Will Counties have high levels of precursor emissions . . . the IEPA therefore recommends that DuPage and Will Counties be included in the Chicago nonattainment area for the PM_{2.5} standard.

Accordingly, new plans for attainment of both the ozone and fine PM standards in Cook and DuPage counties must now be prepared, and new conformity analyses are required

² IEPA, "Recommended Nonattainment Boundaries in Illinois for the 8-Hour Ozone National Ambient Air Quality Standard" (July 7, 2003).

³ Letter to Governor Blagojevich from Thomas V. Skinner, Regional Administrator (December 8, 2003).

⁴ IEPA, "Recommended Nonattainment Boundaries in Illinois for the PM_{2.5} National Ambient Air Quality Standard" (February 11, 2004).

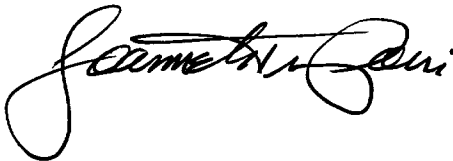
for both within the next year. We are very interested in CATS' plans for implementing these new requirements with respect to the potential I-290 project as well as other projects in the region.

Public Health Studies

Apart from conformity and nonattainment designations, recent scientific findings continue to suggest that traffic emissions pose significant public health problems in the area of the potential I-290 project. U.S. EPA is nearing completion of a revised PM Criteria Document that details the latest available scientific information on the health and environmental effects of fine PM. The current draft of the updated document supports and enhances many of the points we made in our 2002 Impacts Report with respect to the public health and environmental effects of fine PM emissions from increased traffic. We intend to provide a more thorough analysis of the new PM Criteria Document when it is issued in final form. However, we note here that the revised Criteria Document reports that the 2003 reanalysis of the effects of auto pollutants in the Chicago area continues to find that "in Cook Co., all the pollutants were associated with mortality."⁵ We are also attaching, for your consideration, a summary of important new studies on the health effects of traffic pollution that were published in 2003.

These recent developments appear to confirm that traffic emissions in the Chicago area remain a substantial public health and environmental concern. We continue to believe that the pending studies of the potential I-290 project should include a thorough analysis of these and other significant impacts in an Environmental Impact Statement, followed by adoption of measures necessary to ensure that they are fully mitigated if the project is allowed to proceed. As stated above, we would appreciate any information that you can provide on CATS' plans for addressing these issues with regard to all transportation projects in the region but particularly with respect to the potential I-290 project.

Sincerely,
VILLAGE OF OAK PARK



Joanne E. Trapani
Village President

⁵ See the discussion of Moolgavkar (2003) in Air Quality Criteria for Particulate Matter, Fourth External Review Draft, Revised Chapter 8, pp. 8-49-51 (June 2004).