



State of Ohio Environmental Protection Agency

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November 1, 2005

900Z - AON

Howard R. Maier, Executive Director
Northeast Ohio Areawide Coordinating Agency
1299 Superior Avenue
Cleveland, Ohio 44114

Dear Mr. Maier:

Enclosed is one signed copy of the Northeast Ohio Areawide Coordinating Agency (NOACA) SIP Planning Memorandum of Understanding (MOU). Each MOU signatory will receive a signed copy under separate cover.

Please contact me at (614) 728-1743 or sam.macdonald@epa.state.oh.us if you have questions.

Sincerely,

Sam MacDonald
Environmental Specialist 2
Division of Air Pollution Control

Enclosure: Signed copy of NOACA area SIP Planning MOU

pc: Rich Nemeth, Cleveland DAQ w/enclosure
Joel Lucia, Lake County GHD w/enclosure
Lynn Malcolm, Akron RAQMD w/enclosure

sm//NOACA/MOU102705

Bob Taft, Governor
Bruce Johnson, Lieutenant Governor
Joseph P. Koncelik, Director



**MEMORANDUM OF UNDERSTANDING
AMONG
THE OHIO ENVIRONMENTAL PROTECTION AGENCY,
THE CLEVELAND DEPARTMENT OF PUBLIC HEALTH, DIVISION OF AIR
QUALITY, THE AKRON REGIONAL AIR QUALITY MANAGEMENT DISTRICT,
THE LAKE COUNTY GENERAL HEALTH DISTRICT -
AIR POLLUTION CONTROL UNIT,
THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY (NOACA)**

- WHEREAS**, USEPA declared NOACA's five counties (Lorain, Cuyahoga, Lake, Geauga and Medina) to be in nonattainment of the eight-hour ozone Nation Ambient Air Quality Standard (NAAQS) effective June 15, 2004; and
- WHEREAS**, USEPA has declared Cuyahoga, Lake, Lorain, Medina, Portage, Summit, and portions of Ashtabula (Ashtabula Township) Counties to be in nonattainment of the fine particles (PM2.5) NAAQS effective April 5, 2005; and
- WHEREAS**, USEPA has set a deadline of June 2007 for submission of a plan to attain the ozone standard by June 2010; and has set a deadline of April 2008 for submission of a plan to attain the small particles standard by April 2010; and
- WHEREAS**, NOACA is the designated Metropolitan Planning Organization for Cuyahoga, Geauga, Lake, Lorain, and Medina Counties, and
- WHEREAS**, pursuant to Section 174 of the Clean Air Act Amendments of 1990, NOACA was designated by as the organization certified by the State of Ohio to cooperate with Ohio EPA in the development of a plan for attainment of ozone air quality standards, and
- WHEREAS**, the Ohio Environmental Protection Agency (OEPA) has the overall responsibility for submittal of an adequate Ohio State Implementation Plan (SIP), and the authority to designate an organization of elected officials to prepare portions of the implementation plan for a sub-state region; and to initiate with all signatory parties of this agreement a consultation process which includes provisions for: Information dissemination to and education of relevant organizations and individuals on, at least, all elements of the SIP; provide an opportunity for regular and frequent involvement of affected governmental organizations and elected officials in development of all elements of the revised SIP which affects their area; and to provide an opportunity for joint resolution by affected

governmental organizations and individuals of key issues in the development of the revised SIP, as described below, and

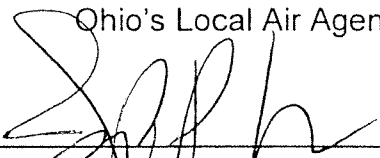
- WHEREAS,** the Cleveland Division of Air Quality (DAQ) is responsible for maintaining a comprehensive air pollution control program throughout Cuyahoga County, governed by agreement between OEPA and with the Cleveland Department of Public Health, and
- WHEREAS,** the Akron Regional Air Quality Management District (ARAQMD) is responsible for maintaining a comprehensive air pollution control program throughout Medina County, governed by agreement with OEPA and with the Medina County Board of Health, and
- WHEREAS,** the Lake County General Health District (Lake County Health) is responsible for maintaining a comprehensive air pollution control program throughout Lake and Geauga Counties, governed by agreement with OEPA and with the Lake County General Health District, and
- WHEREAS,** NOACA has been designated by local, state, and federal agencies as the intergovernmental review agency responsible for notification functions, areawide water quality management planning functions under Section 208 of the Federal Water Pollution Control Act; and as the Metropolitan Planning Organization for Cuyahoga, Geauga, Lake, Lorain, and Medina Counties under the Federal Highway Act of 1962 and the Urban Mass Transit Act of 1964, as amended and having been designated as the agency responsible for preparing transportation components of the ozone and particulate matter implementation plans for Cuyahoga, Geauga, Lake, Lorain, and Medina Counties and submitting the plan to OEPA, in accordance with Section 174 of the Clean Air Act, as amended, and was responsible for the 1978, 1982, 1993, and 1995 revisions to the Ohio SIP for said counties, and
- WHEREAS,** the Akron Metropolitan Area Transportation Study AMATS has been designated the Metropolitan Planning Organization for Summit and Portage Counties and will be responsible for coordinating the transportation components of SIP planning effort in those counties, and
- WHEREAS,** key issues in the development of the SIP include determination of the proportion of emissions reductions to come from point, areas, and mobile source control strategies; selection of point, area, and mobile source control strategies; and determination of responsibilities among state and local governments for implementation and enforcement, particularly where commitment of local resources will be necessary; and procedures for preconstruction review of major stationary sources of air pollution. Preparation of such procedures includes the development of allocation programs for allowable emission increments for attainment areas, and

growth increments or banked emissions reductions for non-attainment areas; transportation-related planning procedures and control measures, other than those related to transportation applicable to non-attainment areas; measures for prevention of significant deterioration of air quality, air quality maintenance measures and any other measures required under Part D of the Act.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. NOACA shall identify and recommend, as appropriate, plan elements relating to control of air pollution emissions from mobile sources for implementation by appropriate agencies.
2. OEPA and the responsible local air agencies shall prepare plan elements relating to control of air pollution emissions from point sources, for implementation by ARAQMD, Cleveland DAQ, and Lake County Health. Such plan elements shall be prepared with input from the other signatory parties to this agreement.
3. OEPA shall prepare plan elements relating to programs for the inspection and maintenance of motor vehicles and retrofit of heavy duty motor vehicles for implementation by state agencies, and shall be responsible for involving affected state-level governmental agencies and interested citizen groups at the state level. Such plan elements shall be prepared with input from the other signatory parties to this agreement.
4. NOACA shall coordinate a public stakeholder process to advise on plan elements for be proposed elements for inclusion in the region's SIP.
5. The planning process to prepare the implementation plan shall be in accordance with the detailed division of planning tasks and responsibilities set forth and as may be revised from time to time in Appendix A of this Memorandum of Understanding and with air quality control programs funded under Section 105 of the Clean Air Act. It is further understood that the extent of work undertaken within this process shall be proportional to, and contingent upon, the availability of funds. NOACA's funded planning tasks will be incorporated in its annual Overall Work Program.
6. Various addenda to this Memorandum of Understanding will be developed as necessary to detail the specific procedures for consultation on differing facets of regulatory activity and air quality planning. Addenda will be made a part of this Memorandum of Understanding after mutual agreement in writing of all the signatories when they are developed. Activities to be covered by future addenda are:

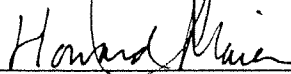
- a) Develop an expanded process for integration of all affected governmental organizations into the air quality planning process. This should include a procedure for selection of control strategies, and determination of responsibilities for implementation of adopted measures.
- b) Expand public information process.
- c) Develop procedures to obtain resolutions of commitment from political subdivisions identified in the SIP as responsible for implementation.
- d) Identify and document the integration of air quality goals into the Transportation Planning Process process.
- e) Develop a procedure for allocation of growth increments in attainment areas and banked emissions from offsets in non-attainment areas.
- f) This Memorandum of Understanding when properly signed and executed shall supersede the Memorandum of Understanding among NOACA, Northeast Ohio's Local Air Agencies, and OEPA dated November 20, 1991.



10/27/05

Joseph P. Koncelik, Director
Ohio Environmental Protection Agency

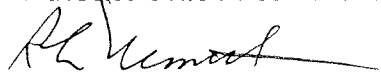
Date



8/5/05

Howard R. Maier, Executive Director
Northeast Ohio Areawide Coordinating Agency

Date



August 4, 2005

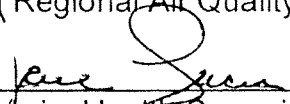
Rich Nemeth, Commissioner
Cleveland Division of Air Quality

Date



Lynn Malcolm, Administrator,
Akron Regional Air Quality Management District

Aug. 31, 2005
Date



Joel Lucia, Health Commissioner
Lake County General Health District

Aug 8, 2005
Date

APPENDIX

DESCRIPTION, TARGET DATE, AND AGENCIES RESPONSIBILITY FOR MAJOR ACTIVITIES IN THE OZONE AND SMALL PARTICLES AIR POLLUTION REDUCTION PLANNING IN NORTHEAST OHIO

Activities	Target Dates	Responsible Planning Activities
I. Develop abatement target (and dates) for point, mobile and area sources	2/28/06	OEPA
II. Update inventory of point source HC, NO _x , SO ₂ , primary fines and other emissions	ongoing	OEPA
III. Identify and quantify SO ₂ , NO _x and HC area source emissions for baseyear	ongoing	OEPA
IV. Update inventory of HC, and NO _x mobile source emissions	09/30/05 and update every 3 years thereafter	NOACA
V. Identify necessary control strategies using photochemical grid modeling	01/31/06	OEPA
VI. Analyze alternate transportation control measures (TCMs) to achieve reduction in HC, PM and NO _x emissions	ongoing	NOACA
VII. Analyze and select measures to achieve targeted reductions in HC from point sources (RACT)	12/31/05	OEPA

Activities Continued	Target Dates	Responsible	Planning Activities
VIII. Analyze and select measures to achieve any necessary targeted reduction in HC, NOx, and PM mobile sources.	1/31/06	NOACA,	
IX. Monitor ambient levels of SO2, and PM2.5 and ozone in non-attainment area.	Continuous	CDAQ, ARAQMD LCGHD OEPA	
X Recommend transportation components concerning NOACA's five counties for 2007 Ozone SIP	02/15/06	NOACA	
XI. Prepare 2007 SIP for Ashatabula,Cuyahoga,Geauga, Lake, Lorain, Summit, Portage and Medina Counties, incorporating attainment plans for 8-hour ozone standard.	06/15/07	OEPA	
XII. Prepare 2008 SIP for Ashatabula,Cuyahoga, Lake, Lorain, Summit, Portage and Medina Counties, incorporating attainment plans for PM _{2.5} ozone standard.	06/15/07	OEPA	
XIII Prepare long range transportation plans which are in conformity triennially or as needed with the SIP, quantifying expected HC, NOx. PM and CO reduction impacts of projects included therein.	ongoing	NOACA	
XIII. Conduct public involvement component of air quality planning program in NOACA's five county portion of the non-attainment area.	ongoing	NOACA	