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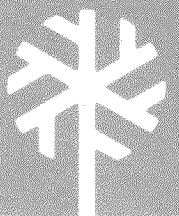
final environmental statement

FES 76-10

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INDEPENDENCE

AREA F



NATIONAL HISTORICAL PARK / PENNSYLVANIA

not 1/6

DEPARTMENT OF THE INTERIOR

F E S 76-10

FINAL

ENVIRONMENTAL STATEMENT

INDEPENDENCE NATIONAL HISTORICAL PARK

"AREA F"

Prepared by
Mid-Atlantic Regional Office
National Park Service

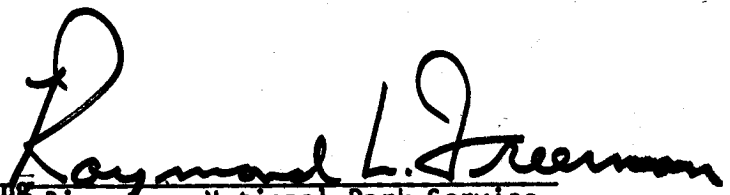

Acting Director, National Park Service

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SUMMARY

() DRAFT

(X) FINAL

ENVIRONMENTAL STATEMENT

United States Department of the Interior, National Park Service,
Mid-Atlantic Region

1. Type of action: (X) Administrative () Legislative
2. Brief description of action: The proposed action is to implement the legislative requirements of Public Law 93-477 which amends the act authorizing Independence National Historical Park, Philadelphia, Pennsylvania. The amendment authorizes Federal acquisition of 1.348 acres of land in Philadelphia. It further authorizes the Secretary of the Interior to enter into an agreement with the City of Philadelphia to develop a public parking facility on the acquired property.
3. Summary of environmental impact and adverse environmental effects:
 - a. Increase the probability that the visual and architectural character of the Old City Historic District can be retained.
 - b. Demolition of two 19th Century structures.
 - c. The acquisition of 1.026 acres of private properties; removal of approximately \$12,487 from city tax rolls.
 - d. Provision of 550 parking spaces will alleviate a tight parking situation and facilitate visitor use.
 - e. Concentration of vehicular traffic, resulting in higher noise and pollution locals.
4. Alternatives considered:
 - a. Provide no parking facilities for the visitor center (no action).
 - b. Provide a visitor center at Independence Mall with parking nearby.
 - c. Provide the visitor parking at a location other than "Area F".
5. Comments have been requested from the following:

See attached sheet.
6. Date Statement Made Available to CEQ and the Public:

Draft: 10/5/73

Final: MAR 1 1976

5. Comments have been requested from the following:
(continued from previous page)

FEDERAL

- *Advisory Council on Historic Preservation
- Department of the Interior
- *Bureau of Outdoor Recreation
- *Environmental Protection Agency

STATE

- *Department of Environmental Resources
- *Office of State Planning and Development (State Clearing House)
- *Pennsylvania Department of Transportation
- Pennsylvania Historical and Museum Commission

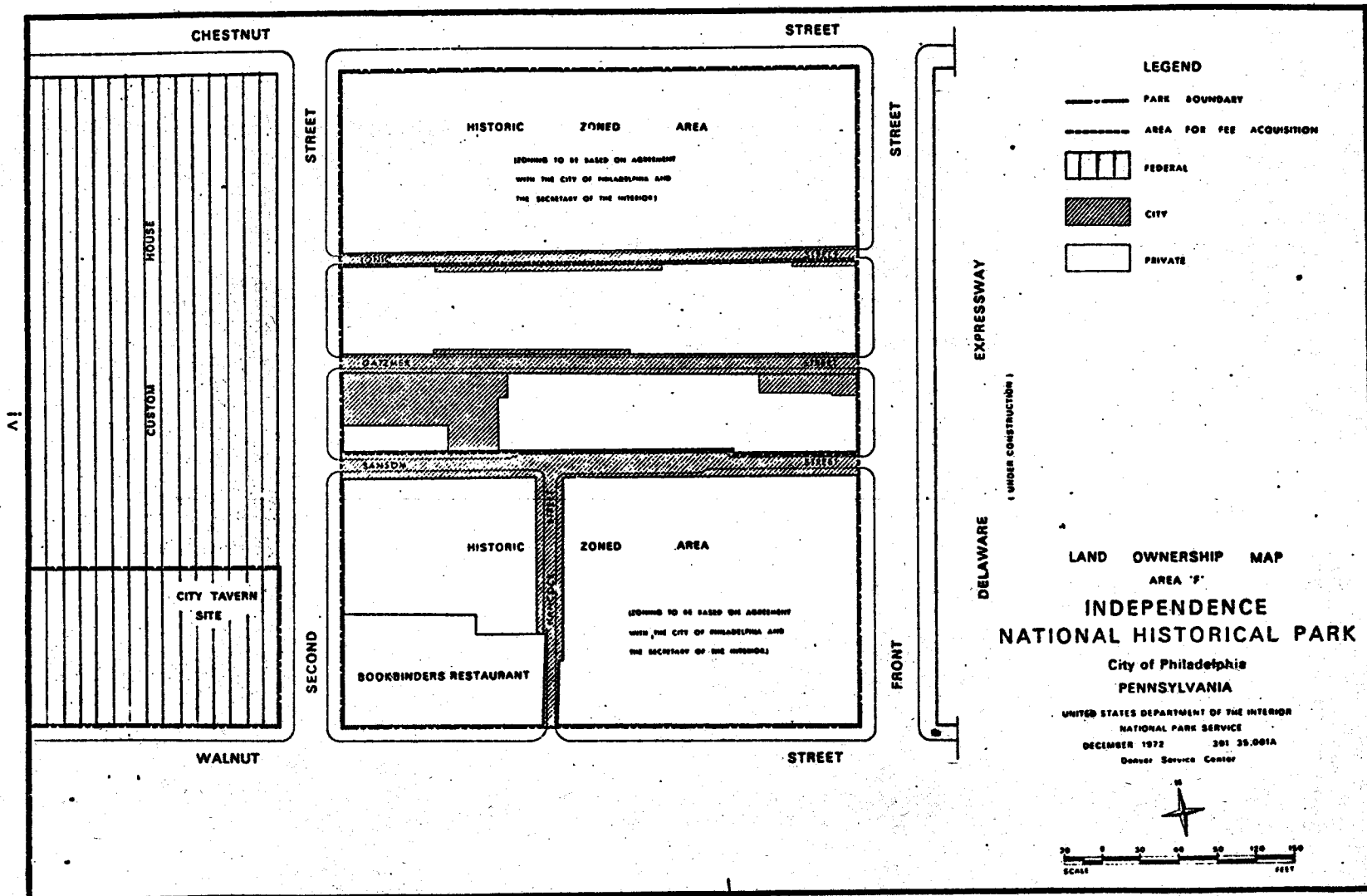
MUNICIPAL

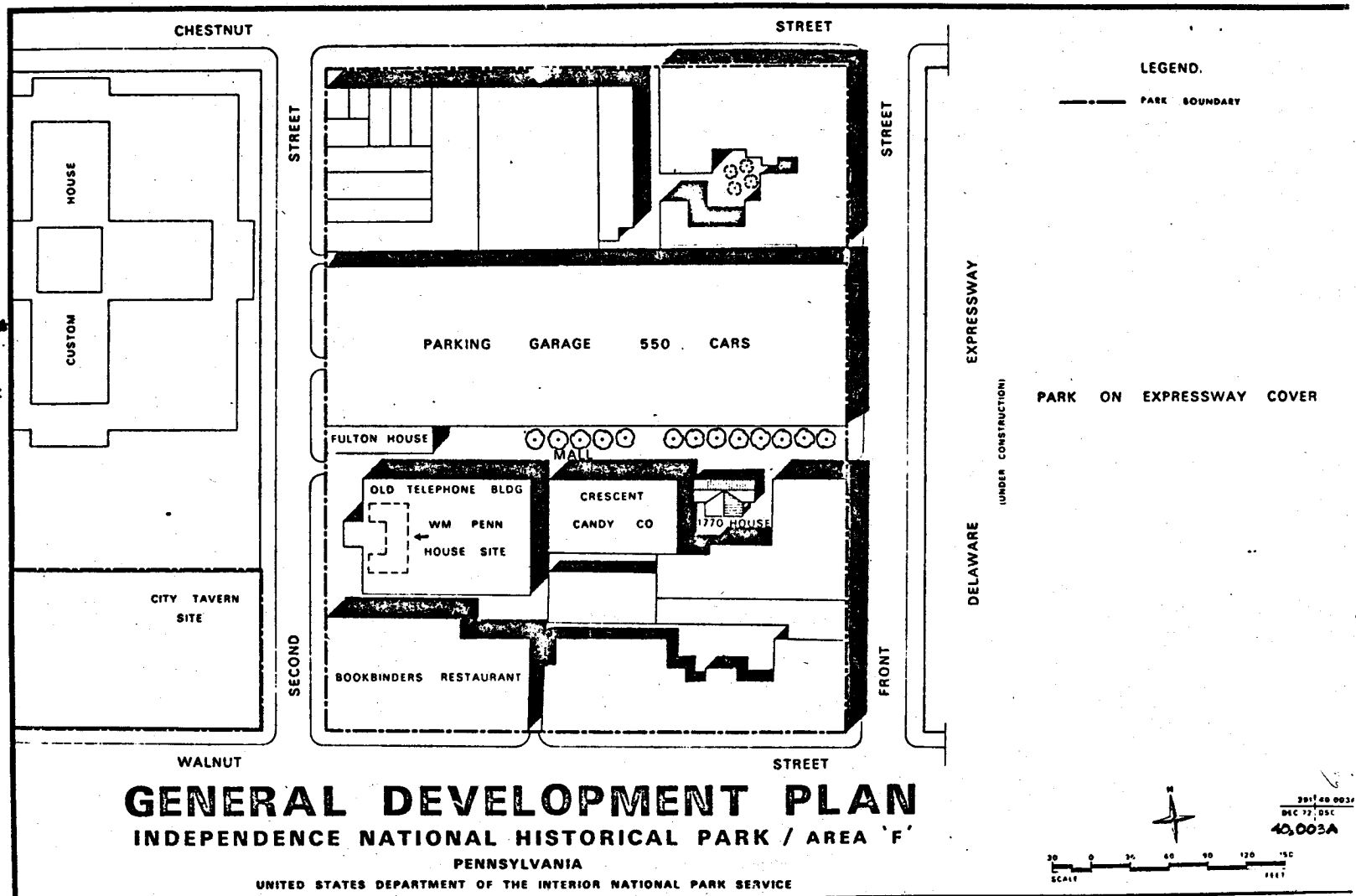
- *City of Philadelphia
- City Air Management Services
- Delaware Valley Regional Planning Commission
- (Metropolitan Clearing House)

Other

- Independence National Historical Park Advisory Commission
- *Old Philadelphia Development Corporation
- *Philadelphia Historical Commission
- *The Philadelphia Convention and Tourist Bureau
- *The Philadelphia Parking Authority

*Comments received and attached.





ON MICROFILM

I. DESCRIPTION OF THE PROPOSAL

This proposal is to implement the legislative requirements of Public Law 93-477, which amends the Act authorizing establishment of Independence National Historical Park (P.L. 80-795). The amendment authorizes addition of that part of the block bounded by Chestnut, Walnut, Second and Front Streets and known as "Area F". A copy of Public Law 93-477 is appended (A). This block is part of the Old City Historic District entered on the National Register of Historic Places on May 5, 1972, after nomination by the State of Pennsylvania.

More specifically, the amendment authorizes the Secretary of the Interior to acquire that portion of the block bounded by Ionic, Second, Sansom and Front Streets and containing 1.348 acres. It authorizes the Secretary to enter into an agreement or contract with the City of Philadelphia under which the City shall develop, improve, maintain and operate a portion of the acquired lands as a public parking facility for visitors to Independence National Historical Park. Upon amortization of the City's investment in construction of the facility, title to the parking structure will pass to the Federal Government. With respect to the remainder of the block, the Secretary's authority to acquire by condemnation is suspended during the time the City of Philadelphia has in force and applicable to such property a duly adopted, valid zoning ordinance approved by the Secretary. The Secretary is not to approve a zoning ordinance which contains any provisions he may consider adverse to the preservation and development of Independence National Historical Park. A zoning ordinance proposed by the Philadelphia City Planning Commission to meet this provision is appended (B). This appended draft ordinance is currently under consideration pending:

- a. City of Philadelphia approval to remove two of the three existing streets from the City Plan.
- b. Approval of the Philadelphia Parking Authority's construction plans for a parking garage.
- c. Approval of the Independence National Historical Park Concept Plan for "Area F".

Acquisition of the 1.348 acres has begun. While acquisition is in progress, an agreement whereby the Philadelphia Parking Authority will construct a parking garage with a capacity for approximately 550 cars will be negotiated with the objective of starting construction in October 1976. Design of the parking garage is subject to the approval of the Secretary.

In the interim a temporary surface parking lot of approximately 150 car capacity will be operated in "Area F" by the Philadelphia Parking Authority.

In the course of this work, two of the four structures now on the land to be acquired in fee will, according to current planning, be demolished. The exceptions are the 1765 Thomas Bond House and to a degree the structure at 114 South Front. Its facade and the adjoining bridge across Ionic Street are to be saved. The interior of the 114 South Front Street structure is to be adopted into the design of the parking facility. The four structures are more particularly identified and described in Section II, DESCRIPTION OF THE ENVIRONMENT. A strip along the south side of the property, including Sansom Street, will be developed as a pedestrian mall connecting Independence National Historical Park with the waterfront and the Penn's Landing development. Gatzmer Street, an eight-foot wide alley running through the center of the proposed acquisition from Front to Second Street, will be vacated.

It is planned that the remainder of the block remain in private ownership subject to land controls that will perpetuate the historic appearance and scale. The Philadelphia Planning Commission is also working on a special set of regulations, sign controls and related measures to assure that rehabilitation of all structures within the Old City Historic District is sensitive to and compatible with their historic and architectural character. In the event that zoning acceptable to the Secretary of the Interior is not adopted, or acceptable zoning is not enforced, the Secretary will then have the authority to acquire the remainder of "Area F".

The permanent parking facility has not yet been designed but the Philadelphia Parking Authority had an economic feasibility study prepared in 1970. This study estimated construction costs for such a facility in 1973 would total \$2,609,000. Annual net income

was estimated to be about \$265,000. A cost income summary was then prepared which shows the project to be feasible. The report is appended (D). The functional plan mentioned in it, however is omitted. Note that the feasibility study is based on a six-level structure to park 15 buses and 597 cars, all above ground, with about 9,500 sq. ft. of commercial space at street level along Sansom Street, and on the site being provided without cost. This statement includes discussion of the possibility of putting one or two levels of parking underground (mitigating measures below). Construction cost differentials for this have not been determined, but, if undergrounding two stories would add substantially to construction costs, and if interest rates at the time of construction are high, a longer amortization period of Federal funding of those costs attributable to underground construction might be necessary to assure economic feasibility.

Also, the size of the proposed structure is fixed within relatively narrow limits. Allowing 350 sq. ft. per car to provide for structural supports, access ramps and so forth, and adding 9,500 sq. ft. for commercial space and 6,000 sq. ft. for 15 buses, some 225,500 sq. ft. are required to assure economic feasibility. Assuming a six-level structure, one acre is the minimum amount of ground the structure will cover.

INTERRELATIONSHIPS WITH OTHER PROJECTS

Independence National Historical Park: The establishment of this property, which is listed in the National Register of Historic Places, was authorized by Public Law 80-795, approved June 28, 1948, "for the purpose of preserving for the benefit of the American people as a national historical park certain historical structures and properties of outstanding national significance located in Philadelphia, Pennsylvania and associated with the American Revolution and the founding of the United States . . ."

This Act has since been amended on eleven occasions to adjust authorized boundaries, authorize additional land acquisition and increase the legislative ceiling on appropriations for development and land acquisition. The ceiling of \$11,200,000 was increased to \$12,792,000 by enactment of the latest legislation. ●

The Park authorized by and developed pursuant to this legislation consists of a four block area running from Sixth to Second Street between Chestnut and Walnut Streets together with several small outlying areas. Independence Mall State Park, the three blocks between Fifth and Sixth Streets and Chestnut to Race has recently come under National Park Service operation. A special use permit for this operation has been negotiated between the Commonwealth of Pennsylvania and the National Park Service until such time that the outstanding capital improvement bonds are retired; the Mall area then will be transferred to the Federal Government in fee simple title.

Planning for development and management of Independence National Historical Park has been in progress since 1950, and has culminated in a Master Plan prepared by an interdisciplinary team, guided by a steering committee composed of National Park Service officials, Dr. S. K. Stevens of the Pennsylvania Historical and Museum Commission, Mr. William Forrey of the Pennsylvania Bureau of State Parks, Mr. Paul L. Thomas of the Pennsylvania Department of Highways and Mr. Edmund L. Bacon, Philadelphia City Planning Commission. The Master Plan was approved in 1971.

The Master Planning effort dealt throughout with Independence National Historical Park both as an operating entity and as a catalyst and an integral part of the revitalization of downtown Philadelphia.

As the Master Plan evolved, five key and interrelated factors became apparent which had to be considered for the Park to adequately fulfill both its purpose and its role in center city redevelopment.

1. Because the turnpike traffic from both east and west feeds directly into Sixth Street, Independence Square receives the full impact of motor-borne visitation. This is precisely the location where traffic impact is least desirable in terms of interpretation and where parking is most nearly impossible to provide.

2. A survey by the city made in the late 1960's noted that 30,000 parking spaces then served the 140,000 vehicles entering center city Philadelphia each day and estimated that an additional 92,000 spaces will be needed to serve the 365,000 vehicles expected by 1985.
3. Since the Park may be the visitors' first and only planned stop in Philadelphia, the National Park Service has an obligation to provide information concerning other visitor attractions available in Philadelphia as well concerning the Park's resources.
4. The Park is playing a useful and dynamic role in sparking redevelopment of the historic heart of Old Philadelphia and is serving as an outstanding example of careful historic preservation. During the present era the Park must concentrate its primary operation's effort on interpretation of the events and ideas that made these buildings historic. The purpose of the Park's interpretive program will be to offer the visitor a well-rounded picture of the period of the American Revolution, including the period of the establishment of government under the Constitution.
5. The Park has worked with the City to assure that "Area F", a crucial link between the historical park and the revitalized riverfront, provides necessary visitor services while retaining its historic character.

Alternative methods of working these factors into the fabric of the Park were considered in arriving at the Master Plan recommendations. These alternatives are discussed in Section VIII, ALTERNATIVES.

The planning process revealed a highway traffic pattern which placed visitors at Independence Square, would be altered by the

planned and programmed construction of I-95, the Delaware Expressway, which, with an exit at Vine Street, would tend to introduce visitors to the eastern portion of the Park. The planned enlargement and upgrading of the subway station at Second and Market Streets would produce the same tendency for visitors arriving by that mode of public transportation.

These transportation developments were considered in combination with the following considerations: the need to minimize impact on historical values preserved in the Park; continued urban revitalization; desirability of spreading visitor impact throughout the Park rather than concentrating it on Independence Square; the opportunity to strengthen interpretation by introducing visitors to the major historic sites and structures in the order in which the structures hosted great events (City Tavern to Carpenters Hall to Independence Hall to Congress Hall); the desirability of gaining control of the block between the Park and Penn's Landing and providing both a physical and visual link between the two; and the opportunity to cooperate with the City to revitalize the "Area F" block in a manner which would encourage retention of most of its surviving structures. All these considerations led to a Master Plan recommendation to build an interpretive center within the Park at the southeast corner of Third and Chestnut Streets and to provide, in conjunction with the City, a parking facility in "Area F" to serve both Park visitors and residents and commercial activities nearby. Thus, the recommended action is in accord with the proposed Master Plan.

Construction of the interpretive facility has already been the subject of consultation with the Advisory Council on Historic Preservation and of the procedures required by NEPA, and construction is completed.

OLD PHILADELPHIA HISTORIC DISTRICT

The recommended action is also related to the Old Philadelphia Historic District. The project details for revitalization of this district are being worked out by the Old Philadelphia Development Corporation, the City Planning Commission, the Philadelphia Historical Commission and others.

The Old City Historic District, more particularly described herein under Section II, DESCRIPTION OF THE ENVIRONMENT, includes the seventeen block area roughly bounded by Front, Walnut, Fifth and Wood Streets. This is an area of small wholesalers, retailers and jobbers who conduct business in a structural mixture of 19th Century bars, restaurants and institutions. This district comprises approximately 812 structures, of which two percent are institutional, twenty percent are vacant, fifty percent are commercial, twelve percent are storage or warehouse, seven percent are industrial and nine percent are residential or miscellaneous. Approximately seventy-five percent of the total space above the first-floor level is vacant or dead storage. Of the 812 structures, some eighty percent are in neither very poor nor very good condition, but are rehabilitable.

Philadelphia, like all large American cities, has in recent decades suffered from a declining property tax base and greatly increased governmental costs. Its public school system has been teetering on the brink of bankruptcy for several years.

As did other large cities, in the early 1950's Philadelphia launched a massive urban renewal effort to upgrade decaying sections and develop new ratables. New office structures rose west of City Hall, new apartments and new public housing were built, and development of vacant lands in the Eastwick section of South Philadelphia was undertaken. Most notably, in the Society Hill area between Walnut and Lombard Streets from Sixth Street to the Delaware River, urban renewal has changed a decaying residential area into an area of restored 18th and 19th Century residences, modern town houses and three apartment towers which make it the most desirable residential neighborhood in the City.

In many ways the Old Philadelphia Historic District is the commercial equivalent of Society Hill before renewal began. A few 18th and many 19th Century structures survive, although most are deteriorated and under-utilized, they do have restoration potential. City agencies hope to do here what has been done in Society Hill in reversing the trend of deterioration. Through historic district zoning and Historic Commission Ordinance enforcement, providing off-street parking and off-street truck

loading and unloading space and providing technical assistance and moral support, the City hopes to encourage property owners to restore and maintain the historic structures, develop uses for their upper floors, including residential use, and in general to restore the district to prosperity and economic viability. If the effort is successful, it will be the first time that so large an area of primarily 19th Century commercial buildings has been restored and put to viable use rather than flattened and replaced by modern structures.

This effort may or may not succeed. The necessary zoning ordinance may or may not pass. The establishment of parking and off-street loading areas essential to profitable commercial use may or may not be effective to encourage the profitable rehabilitation of buildings, including finding viable uses for their upper floors. The City of Philadelphia may or may not be able to provide the public funds needed to spark the restoration program. Even if the effort is successful, architecturally significant buildings may have to be demolished to provide vital parking and off-street unloading, or individual owners may decide to replace old structures with new ones of the same dimension. However, without such a program the area will almost certainly deteriorate to the point where clearance and rebuilding will be the only course of action.

"AREA F"

"Area F" is part of this historic district, and is regarded by the City as an opportunity to prove that its concept for the district can work. The project could provide the impetus to get the entire effort off to a successful start. The proposed parking facility would not only serve Park visitors but could also serve visitors to other nearby historic sites, some of which are Registered National Historic Properties, i.e. Christ Church, Betsy Ross House. The presence of these visitors should provide a source of potential customers for neighboring businesses.

In compliance with the provisions of Section 106 of the Historic Preservation Act of 1966 and the Advisory Council's Procedures for Compliance issued pursuant thereto, the State Historic Preservation Officer and the Advisory Council on Historic Preservation have been consulted. The Council staff prepared a

a proposal to mitigate or remove the effect of the projected action on the Old City Historic District. The National Park Service has concurred with this proposal and a Memorandum of Agreement has been achieved.

DELAWARE EXPRESSWAY I-95

The proposed action is also related to the consturct of the Delaware Expressway I-95, which will pass just east of and parallel to Front Street. The section of this highway between Chestnut Street and Delancey Street will be depressed and covered. The cover will be landscaped to provide an attractive link to Penn's Landing. This highway, with an exit at Vine Street, will change traffic patterns so that many Park visitors will arrive at the east portion of the Park first. This section is under construction with completion originally planned for by 1976, but now scheduled for completion by 1980 or 1981.

VINE STREET EXPRESSWAY

Distinct from I-95 but closely related to it is the proposed Vine Street Expressway. This expressway, to be attained by widening Vine Street, will connect the Schuylkill Expressway, which brings traffic from the west bound Pennsylvania Turnpike into Philadelphia and the Benjamin Franklin Bridge, which brings traffic from New Jersey into Philadelphia. An interchange at the Philadelphia end of the Benjamin Franklin Bridge will connect the Vine Street Expressway - Benjamin Franklin Bridge route with I-95 and provide off-ramps from both routes onto the city streets.

Virtually all visitors traveling to Independence National Historical Park by private car will arrive either via the Vine Street Expressway; over the Benjamin Franklin Bridge; or by I-95 with an exit via the ramp complex, which is approximately four blocks north of the proposed parking facility. Visitors coming from the north and south on I-95; from the west on the Vine Street Expressway; and from the east over the Benjamin Franklin Bridge will exit via ramps leading to Sixth Street. They will then be directed by signs to drive south on Sixth Street to Chestnut Street, east on Chestnut to Second Street, and then south on Second Street to the parking facility.

PENN'S LANDING

Penn's Landing will be separated from "Area F" only by the Delaware Expressway I-95, which in this area will be depressed and covered; this project extends along the Delaware River from Market Street south to Lombard and covers about 25 acres, much of it filled land.

Plans call for development on the covered expressway of 300,000 sq. ft. of museum space; 400,000 sq. ft. of office space; 150,000 sq. ft. of recreational/commercial space; 300 motel/hotel units, 250 apartment units and 1,500 parking spaces. Fill has been completed and construction began in early 1974.

This project will assure the future of that section of river-front visible from "Area F", and will become a major visitor attraction.

Visitors attracted to Penn's Landing, employees and customers of commercial establishments in revitalized "Area F", and residents may compete with visitors to Independence National Historical Park for space in the proposed parking garage.

The fee system will be used to assure availability of space for visitor parking. Long-term parking, such as would be required by employees of local businesses, will be discouraged by a relatively high fee for extended parking. This type of fee structure has been applied to the parking lot operated by the National Park Service at Third and Chestnut Streets and has proved effective.

II. DESCRIPTION OF THE ENVIRONMENT

The project area and its surroundings have been evolving as a part of the heart of Philadelphia since English settlement of Philadelphia began about 1680. While the first City Plan provided for a rectangular City running from the Delaware River to the Schuylkill River, actual settlement patterns did not conform to this ideal. From the time of the first settlers, who lived in caves dug into the banks just east of "Area F", for over a hundred years the City grew both north and south along the waterfront, extending inland only very gradually. Not until the early 19th Century did development reach, and then cross, Broad Street some fifteen blocks west of the Delaware River.

"Area F" and its environs were affected by and still reflect this pattern of growth. From the beginning the Delaware waterfront, lined with wharves, was the focus of economic activity. Immediately behind the waterfront, between it and Front Street, were the warehouses and counting houses required by water-borne commerce. West of Front Street lay a two or three block wide zone of residential development. Here, typically, windsor chair makers, draymen caulkers, coopers, tanners, instrument makers and others stored their goods and wares, or the goods and wares of others, in the basement of their two or three-story brick houses built in rows. They kept shop on the first floors and resided on the upper floors. West of this zone lay many of the public buildings of the City and the more spacious brick homes of Philadelphia's wealthy families - a sort of suburb. The "suburbs" gradually moved westward toward Broad Street, and the trades zone moved westward behind it. This general pattern prevailed into the 19th Century.

As the 19th Century progressed, urban growth and development brought about its usual changes, as the two and three-story houses were replaced with four and five-story commercial buildings, until, by the late 19th Century, "Area F" and its environs were a welter of 18th Century structures interspersed among 19th Century commercial buildings.

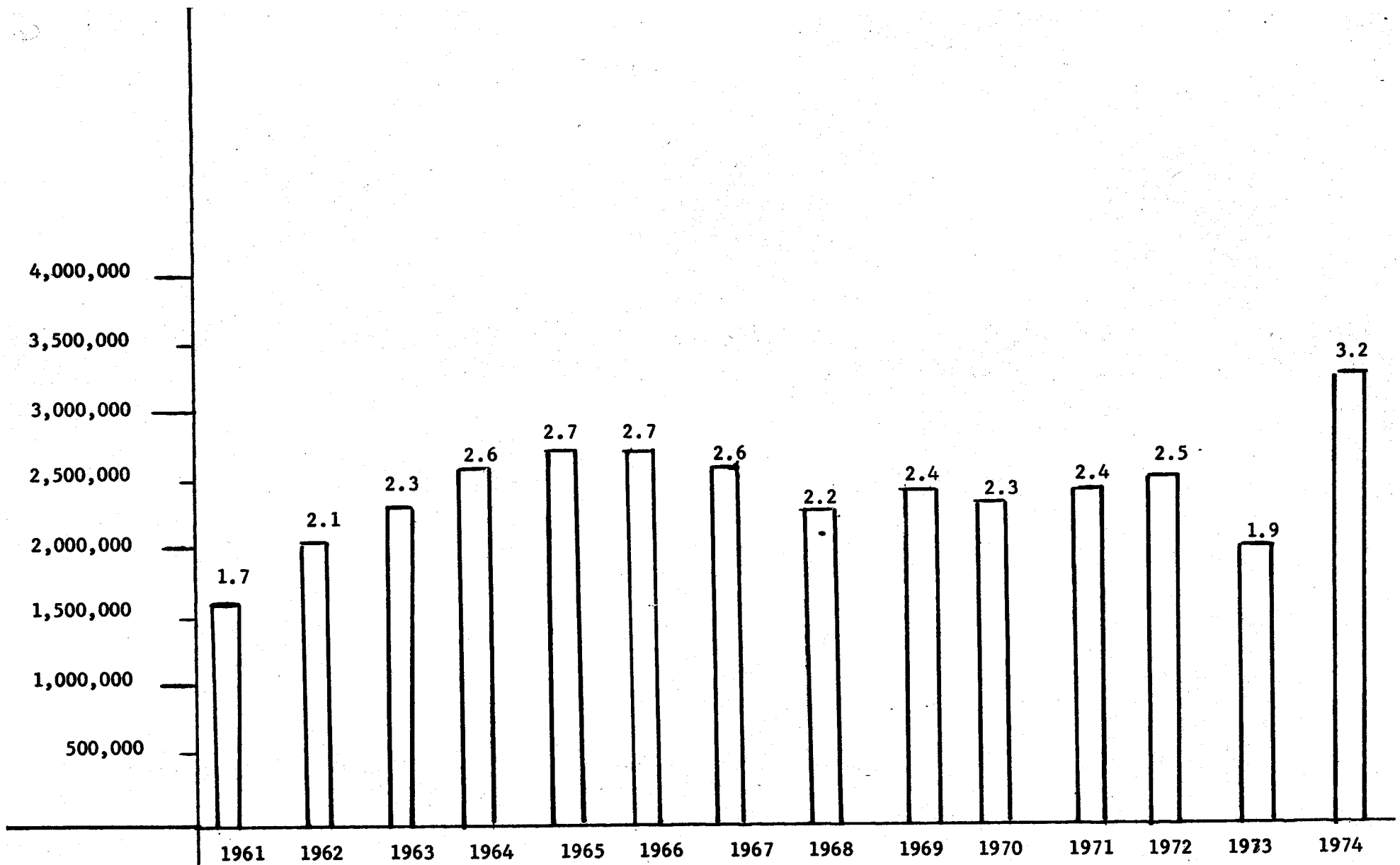
At the same time, manufacturing, banking and finance eclipsed shipping, and the business heart of Philadelphia moved westward, leaving the waterfront area to decline. This decline continued into the 1940's, to be reversed only by a series of urban projects. Some, such as the Society Hill redevelopment, are complete; some such as Independence National Historical Park and Penn's Landing are in progress; the Old City Historic District is yet in the initial stages.

To the south of "Area F" lies Society Hill, with its mixture of 19th and 20th Century office buildings, modern apartment towers, new town houses, and fastidiously restored 18th and early 19th Century houses. Society Hill is a historic district which has been entered on the National Register of Historic Places.

Immediately west of "Area F" lie the four blocks of Independence National Historical Park, with some 30 sites and structures associated with the period of the American Revolution and the establishment of the Federal Government. Here, a confusion of deteriorating 19th Century structures have been cleared away to provide a fire break around the historic dwellings, to provide a dignified setting for them, and to facilitate public access to the buildings and public understanding of the structures and the events for which they were the setting. In a related project, the Commonwealth of Pennsylvania has cleared and landscaped the three blocks lying north of Independence Hall to create Independence Mall.

Independence Park was visited by 3,286,000 people in 1974 (charts pages 11-3 and 11-4). Over 80 percent of these visitors arrived by car, parking on adjacent streets or on commercial lots. Perhaps another 10 percent arrived by bus, and a small percentage arrived by subway or on foot.

To the north and northwest lies the remainder of the Old City Historic District, an area of small wholesalers, retailers, and jobbers keeping shop in 18th Century and 19th Century buildings; with a few small and medium sized industries, branch banks, bars, luncheonettes, restaurants, and such historical remains as Christ Church and Christ Church Cemetery, Betsy Ross House, Elfreth's Alley, and Friend's Arch Street Meeting House mixed in. Here,



**TOTAL VISITATION
INDEPENDENCE NATIONAL HISTORICAL PARK**

***Columnar figures are reflected
in millions of visitors**

1,000,000

900,000

856,210

800,000

700,000

600,000

500,000

400,000

300,000

200,000

100,000

137,096

72,606

INDEPENDENCE HALL

CARPENTER'S HALL

FIRST BANK OF THE U.S.*

1974

VISITATION TO MAJOR BUILDINGS
INDEPENDENCE NATIONAL HISTORICAL PARK

*Closed for Restoration
Sept. 1, 1974

4-11

sparked by the projects mentioned above the Franklin Court development just constructed within the 300 block of Market Street and the new United States Mint at Fifth and Arch Streets - change is occurring. A Holiday Inn has been opened at Fourth and Arch Streets and several modern multi-story office buildings have been built along Market Street between Third and Fifth Streets. All of these sites were formerly occupied by four and five story 19th Century structures. At the same time, Loxely Court and the Old German area on the east side of Fourth Street have been restored. A copy of the site description from the National Register nominating individually listed structures is appended (D).

As for "Area F" itself, all but one of the properties facing Front Street between Ionic and Sansom have been cleared within the past three years. This cleared area is used for parking. The western half of the Walnut Street frontage is taken up by the 19th Century structures and a new building in 18th Century style of the Bookbinder's Restaurant complex. The remainder of the block is typical of the entire historic district in character and use - an area of 19th Century buildings, four to seven stories, used as offices, retail outlets, restaurants or for storage. A few are vacant, and more have vacant and unused upper stories. A change in use seems to be beginning, as seven new restaurants have opened in the Chestnut Street buildings within the past few years.

Of these structures, none has been placed on the National Register as an individual structure, nor is any except the Thomas Bond House being considered for individual listing. Structures known as 110-114 Chestnut Street, 120 Chestnut Street, 126-138 Chestnut Street, 103-109 Walnut Street, 121-127 Walnut Street, 105 South Second Street, 117-129 South Second Street, 135 South Second Street, 102-114 and 136 South Front Street and 108 and 110 Sansom Street have all been certified as historic buildings by the Philadelphia Historical Commission. This certification was based on architectural character rather than association with events or personages of historical significance.

123 South Second Street is the Yoh Building a late 19th Century brick industrial building of five or six stories, well designed but not of great distinction.

110 Ionic Street is an early 19th Century four story brick warehouse of no design distinction but typical of early buildings in this area which are rapidly disappearing. 114 South Front Street is a four story brick commercial warehouse building with granite piers on the first story and is one of a line of similar buildings in the block. The building to the north bridges Ionic Street and abuts this building above the first floor.

129 South Second Street is the Bond House built about 1765 and is a typical three story corner row house. It was for a time the home of Thomas Bond, one of the founders of American medicine.

Of the 1.348 acres proposed for acquisition, 0.322 acres is owned by the City of Philadelphia. Negotiations for acquisition of the remaining 1.026 acres of property in private ownership have begun. Total assessed valuation of the private properties in 1975 is \$256,800 and the taxes totaled approximately \$12,487. There are no natural or historic values or natural resources on or under these private properties.

Considerable archeological investigation has been completed in the Park and in the areas cleared for I-95 and Penn's Landing. The "Area F" block can be expected to provide new information because its early use and development differed from those adjacent areas. As the site of the first settlement in Philadelphia, the block between Front and Second Streets can be expected to provide archeological evidence or new data on 18th Century building techniques and urban life in general.

Limited data as to air pollution levels for "Area F" are available. A short term (1/18-24/73) measurement from a van was made by the City at Eighth and Market Streets. As is stated in the report of May 1973, "Measurement of Street Level Pollutants" prepared for Air Management Services - the van was parked on the south side of Market Street, 180 feet east of Eighth Street. The traffic counters were used to measure Market Street traffic only. This traffic was the basis for the ratios of cars to trucks and buses. A diesel air compressor operating on Market

Street during working hours may have affected the readings. Odors from buses were quite noticeable, and apparently the buses also produced a gray low-level haze. A few of the people waiting for buses, especially those on the bus islands, could be seen averting their faces from this material.

Generally pollution from mobile sources accounts for 85 percent of total City-wide carbon monoxide emissions, 66 percent of total hydro-carbon emissions, 29 percent of total nitrogen oxide emissions, and an undetermined amount of particulate matter emissions. The City of Philadelphia Air Management Services' measurements show that the Federal standard for carbon monoxide is exceeded at the 20th and Race Streets station on 16 occasions per year. A 47 percent reduction in peak pollution levels will be required to meet EPA standards for 1977. City air-quality experts report that if standards for carbon monoxide are met, other auto-related pollutants will also fall below EPA standards.

Even allowing for the effects of improved automobile emission controls, attainment of EPA standards will require a reduction of pollution from mobile sources in the range of 30 percent. Moreover, the reduction must be achieved by methods which do not reduce the City's competitive position in attracting business and residents.

Following requirements of the Environmental Protection Agency the Commonwealth of Pennsylvania in co-operation with the City's Air Management Services developed a comprehensive transportation plan to control air pollution in Philadelphia.

After considering such alternatives as conversion of buses and taxi fleets to natural gas, work schedule changes, by-passing through traffic, traffic flow improvement and automobile inspection and maintenance, Air Management Services developed a plan based on mass transit improvements, with traffic restraints as a last resort. In essence, this plan is for a viable mass transportation system which can effectively compete head to head with the private car as a means of travel into and within the City. Specific aims include creating a pass system so that passengers can pay a flat weekly or monthly price for all mass transit travel; developing a network of exclusive bus and trolley

lanes to allow buses feeding rail and subway lines to move unimpeded by auto traffic; expanding mass transit capacity; making transfers at modal points easier by reducing waiting time, providing fringe parking, and strictly enforcing existing parking regulations. If it becomes necessary to restrict automobile access, such restriction should be aimed primarily at the commuter, perhaps through a tax on all cars parked before 9:30 a.m.

Specific plans for implementation are the responsibility of the City departments and regional planning and transportation agencies. As noted in Section IX, CONSULTATION AND COORDINATION of this statement, Air Management Services feels that the recommended parking garage does not conflict with this plan.

PROBABLE FUTURE ENVIRONMENT WITHOUT THE PROPOSAL

Existing use of the fee acquisition portion of "Area F" is as parking, business offices, warehouse space, or no use. The remainder of the block is used for restaurants, business offices, or retail outlets, with much of the upper story space unused. With the impending development of Penn's Landing, which will place the block between two major visitor attractions, it is almost inconceivable that these uses will continue unaltered.

Without the recommended action, this block would in a few years be used for its economically highest and best purpose. Book-binder's restaurant would undoubtedly remain. If the City enacts its historic district zoning, some of the existing buildings would be retained and rehabilitated. Vacant ground would be built upon, and probably some existing structures would be replaced by new commercial buildings. A developer has already expressed interest in building a new hotel at Front and Walnut. Without historic district zoning, most of the existing structures would probably be replaced, including probably some new hotel or motel construction.

III. ENVIRONMENTAL IMPACT OF THE PROPOSED ACTION

The proposed project has two major areas of impact. The first is the impact of the proposed legislation as a whole on Project "Area F" and the Old City Historic District; the second is the impact of that part of the proposal which relates to fee acquisition and development of a parking facility and pedestrian mall in the area bounded by Front, Sansom, Second and Ionic Streets.

The impact of the proposal as a whole will increase the probability that the visual and architectural character of the Old City Historic District can be retained. At the same time the District's role in the economy of the City can be strengthened. This impact should be particularly felt within those portions of "Area F" not proposed for fee acquisition. As noted above, addition of "Area F" to Independence National Historical Park has been under consideration for over a decade, and in that time City planning agencies have based their activities on this assumption.

At present the City Planning Commission is well advanced with a program for revitalization of the Old City Historic District, combined with plans for historical district zoning and special design controls intended to encourage retention; careful and accurate restoration; and adaptation and economically feasible use of the many 18th and 19th Century structures in the historic district. Enactment of the "Area F" legislation is viewed by the City as a desirable adjunct to this program. The program should have a major impact on the historic district. While arresting the trend of demolishing 18th and 19th Century structures to make room for more functional, more easily maintained and (at present) more profitable modern structures, it will encourage compatible and economically viable adaptive use of the old structures.

The second area of impact will result from the acquisition of 1.348 acres of land and development on it of a parking facility and pedestrian mall.

FIRST, implementation of this element of the proposal will necessitate demolition of two of the four present structures. The Bond House and rear addition to it will be retained. The interior of the structure at 114 South Front Street will be

modified to adapt that space for the purposes of the parking facility. The bridge across Ionic Street which is formed by 112 and 114 South Front Street and the facade of the 114 South Front Street structure are significant historic architectural features and will be preserved. All of these structures date from the 19th Century. Concomitant with this impact is that of creating a gap in the Second Street facade, a facade whose visual character is now greater than the sum of its parts. This character will be reduced by the recommended action.

SECOND, this block probably contains archeological remains of 18th Century structures which once stood there. These remains most likely are primarily wells and privy pits. Such remains elsewhere within the vicinity have proved a rich source of the artifacts of 18th Century urban life. If the proposed garage is built on a slab or slightly below grade, the archeological remains will be inaccessible during the life of the building. If the structure extends one or two stories below grade, archeological remains will be destroyed unless a program of salvage archeology is initiated. While salvage archeology will assure preservation of any artifacts which may be present and provide knowledge from scientific excavation, the necessity to excavate now means that any new techniques hereafter developed cannot be utilized at this location.

THIRD, provision of 550 parking spaces will facilitate visitor use of Independence National Historical Park and ameliorate a serious parking situation. Previously ample parking existed in the area south and east of "Area F". With the development of Penn's Landing, this parking has been eliminated, and the 1500 parking spaces proposed within Penn's Landing will be no more than sufficient to serve that project's activities.

FOURTH, construction of the facility will have a visual impact of its own. Careful design can reduce any adversity of this impact, but it is unlikely that the structure will have the charm of the older buildings it will replace. If it is built no higher than the existing buildings, the new structure should not adversely affect use of the other structures in "Area F" which back into Sansom and Ionic Streets, since the limited distance between the back of these buildings and the new structures restricts the angle

of the view. Seen from across Second Street and from Penn's Landing, the new structures will very probably detract somewhat from the present visual quality of the block.

FIFTH, the presence of the structure will result in somewhat higher emission and noise levels. The parking structure will not in itself attract automobile traffic to Independence National Historical Park - visitors come to see Independence Hall and the Liberty Bell, and they will continue to come whether or not the garage is built unless automobiles are banned from center city. It is likely that, without the garage, the average visitor during times of peak use would drive farther looking for a place to park than he will have to drive to reach the proposed garage. Nevertheless, on a peak day in the Bicentennial era, an estimated 1,100 cars will use the structure. These vehicles will emit pollutants and create noise. Increased emissions will adversely affect neighboring buildings by discoloring paint more rapidly and by causing more rapid discoloration and erosion of masonry surfaces.

Analysis of the impact of emissions and noise resulting from the proposed parking facility must also take into account the presence nearby of Penn's Landing, which will be a major traffic generator, and of the Delaware Expressway. While the latter will be covered adjacent to the parking garage, emissions will have to be vented somewhere in the vicinity.

Implementation of the proposal will require relocation of one owner-occupied and three tenant-occupied businesses. One firm, the Yoh Company, was previously displaced during land acquisition for Independence National Historical Park. Implementations will remove property with an assessed valuation of approximately \$12,487 per year in tax revenue.

Since parking garages are normally unheated, and restrooms are provided only for staff and will be tied into the existing city sewage system, no pollution except that resulting from any increase in electrical generating capacity needed for lighting the structure will result. A certain temporary amount of noise pollution and emissions from construction equipment and dust will be caused by demolition and construction.

The City of Philadelphia Air Management Services has considered this project from two points. It has stated that under Section 3-206 of the Air Management Code, Air Management Services must review the ventilation system for any underground garages. Since the details of this facility are not yet available, Air Management Services has no comments on this aspect.

Through coordination with the Air Management Services it was determined that quantitative analysis of the effect of this facility on local air contaminant levels must be provided before Air Management Services can give final approval. At this time, under Air Management Regulation X, Complex Source Review, adopted by the Air Pollution Control Board (APCB) on October 16, 1973, Air Management Services is interested in the facility as it may affect air quality. Under the original Regulation X, Air Management Services could not get involved with the project because of its relatively small size. However, with the revised Regulation X, the size of parking facilities to be reviewed by Air Management Services has been specified as those with 500 or more parking spaces.

The Air Management Services further state that "the proposed parking facility may have a significant impact on the air quality in the area of Independence National Historical Park. Building the garage may result in improved or degraded air quality depending on how the facility is controlled. Experience has shown that a parking facility in an urban area, does in itself attract automobile traffic. As the supply of parking space increases, more local visitors (and commuters and shoppers) will drive to Independence Park, and the temporarily relaxed parking situation will soon tighten. This would result in higher vehicle miles traveled and, of course, higher pollutant levels throughout the City. This is not consistent with the City's over-all transportation plan."

Since the park may be the visitor's first and only planned stop in Philadelphia, the National Park Service, as well as the City of Philadelphia, has an obligation to provide safe and convenient parking for these visitors.

This apparent conflict would be resolved by giving cars from outside the Delaware Valley priority for parking spaces. This

practice, combined with progressive parking rates or parking time limits to discourage commuter usage would result in reducing cruising times for non-residents. Local traffic volume would not be stimulated by the improved parking situation for tourists. Vehicle discrimination would not be stimulated by the improved parking situation for tourists. Vehicle discrimination would not be unfair especially when the City implements its mass transit improvements since Delaware Valley residents will have convenient mass transportation available while tourists will be traveling mostly by the automobile and will be limited by time. In this case, the new parking facility would complement the transportation plan by decreasing congestion and reducing vehicle miles traveled and, therefore, result in improved air quality.

IV. MITIGATING MEASURES INCLUDED IN THE PROPOSED ACTION

A program of salvage archeology will be undertaken to locate, record and salvage artifacts from any cultural remains on the site. This program will be directed by a professional archeologist experienced in urban archeology, and will be undertaken prior to site clearance and construction.

The impact of relocation on the four businesses will be ameliorated by the provisions of Public Law 91-464, the Uniform Relocation Assistance and General Property Acquisition Act of 1970. Equivalent space is available in the vicinity.

Noise, dust and construction equipment will be limited insofar as possible by inserting and enforcing specifications to this end in the demolition contracts. The City will be encouraged to do the same in the construction contract for the parking facility.

In designing the interim surface parking and the permanent parking structure, an effort will be made to minimize the impact of this facility on the character of the Historic District.

The proposed structure will be no higher than the height limitation contained in the proposed Historic District Zoning Ordinance (55 feet). Consideration will be given to placing one or two levels below ground, if this can be done without endangering economic feasibility, or if Federal funds can be obtained to make up any additional costs involved. No design will be approved which, in the judgment of the Secretary, is out of keeping with the character of the remaining structures in the block.

The effect of emissions from vehicles using the facility on Philadelphia's air quality can be mitigated only as part of a larger plan for controlling vehicles within the City. Such a plan is being implemented and was described in Section II, DESCRIPTION OF THE ENVIRONMENT. The City's Air Management Services have assured the National Park Service that the proposed parking garage does not conflict with this plan, and since the facility will be designed and built by a City agency, Air Management Services will have to approve the design, thus assuring consideration of air quality concerns. As the City's comprehensive program for control of vehicular air pollution is refined and implemented, the National Park Service will cooperate in any way it can.

**V. ANY ADVERSE EFFECTS WHICH CANNOT BE AVOIDED SHOULD
THE PROPOSAL BE IMPLEMENTED**

Demolition of several 19th Century structures cannot be avoided if the proposed action is implemented.

An increase in noise and auto emissions in the vicinity cannot be avoided if this proposal is implemented.

A break in the historical continuity of the block cannot be avoided with the implementation of the proposal. A change in the visual character of the Second Street facade of the block cannot be avoided, and a change in the visual character of the Front Street facade will occur as the existing gap is filled in by the eventual parking structure.

Any loss in knowledge resulting from archeological investigation using present techniques as against any improved techniques which may become available in the future cannot be avoided if the project is implemented.

The relocation of four businesses and removal of property assessed at \$256,800 from Philadelphia's tax rolls cannot be avoided if the project is implemented.

VI. THE RELATIONSHIP BETWEEN LOCAL SHORT-TERM USES OF MAN'S ENVIRONMENTS AND THE MAINTENANCE AND ENHANCEMENT OF LONG-TERM PRODUCTIVITY

The fee acquisition portion of "Area F" is being used for parking, business offices, warehouse space, or no use. The remainder of the block is used for restaurants, business offices, and retail outlets. Much of the upper story space in this area is unused.

With the recommended action, the fee-acquisition land will be devoted to a parking facility, remaining open spaces in the block will be developed in a manner compatible in scale with existing structures, and most of the 19th Century buildings outside the fee-acquisition area, hopefully, will be restored and economically viable uses found for them. The parking garage may prove to be a relatively short-term use if public transportation replaces the private car as a major means of travel within the next three or four decades. If so, it would be amortized, and could be replaced with a new and more viable facility.

Thus, the recommended action will lead to a long-term future in which a parking facility is provided and the existing buildings in the remainder of the block are retained as opposed to a long-range future without the project in which development of the block would be dictated by economic considerations limited, if at all only by zoning.

**VII. ANY IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS
OF RESOURCES WHICH WOULD BE INVOLVED IN THE
PROPOSED ACTION SHOULD IT BE IMPLEMENTED**

The difference between economic benefits from future land use determined by market considerations and those by redevelopment limited in accordance with the proposed action will be irreversibly foregone if the project is implemented. The money and material required to construct the parking garage will be irreversibly committed if the project is implemented. While archeological research will be done, any knowledge which might be produced by future archeological techniques over those presently available will be irretrievably lost.

VIII. ALTERNATIVES TO THE PROPOSED ACTION

During development of the Master Plan for Independence National Historical Park, several alternatives to the recommended action were proposed. These included (1) providing a visitor center with no parking, (2) providing a visitor center on Independence Mall with parking nearby and (3) providing parking elsewhere in the vicinity of "Area F". A visitor center has been constructed on the southeast corner of Third and Chestnut Streets. The environmental affects of alternatives considered to meet parking requirements are as follows:

1. Provide no parking for the visitor center, relying on curb parking, private lots, and eventually mass transit, including mass transit connections with peripheral parking for visitors to center City. Under this alternative, no additional land would be acquired for Independence National Historical Park, and no buildings would be demolished. Noise and vehicle emissions would not be changed, but they would not be concentrated as cars approach a single parking facility. Since visitors would park wherever they could find space, they would continue to enter the park at every point between Second Street and Sixth Street.

Traffic congestion around the park would increase. Possibly, demand for off-street parking would lead to development of private lots on presently vacant ground or on the site of obsolescent structures. The City's program for encouraging private redevelopment of the Old City Historic District would lose whatever impetus they will gain from implementation of the plan for "Area F". The environmental effect of this fact is impossible to quantify, but if these plans are not successful, far more than two 19th Century structures will be lost to deterioration or to private replacement. Finally "Area F" would have that future dictated by economic considerations limited only by zoning and height restrictions. As Penn's Landing takes shape, pressures to replace the structures now standing in the block might very well lead to demolition of many of the existing buildings and their replacement with modern more functional and more profitable construction.

2. To provide a visitor center on Independence Mall with parking nearby is no longer a valid alternative. The site was preempted by its selection as the site for the Liberty Bell Pavilion.

With the exception of the Pavilion, the integrity of Independence Mall will continue to be preserved under National Park Service operation of the area.

3. Provide visitor parking at a location other than "Area F". Under this alternative a parking facility would be provided either north of Chestnut or south of Walnut at some point between Third Street and Front Street. The area north of Chestnut is part of the Old City Historic District and there is no vacant area large enough to accommodate a facility without demolition of several structures. The character of existing development is similar to "Area F". The environmental impacts would be the same as those resulting from the recommended action, except that "Area F" would be left for private development controlled only by zoning and the assurance of a visual and physical link between Independence National Historical Park and Penn's Landing would be foregone.

The block south of Walnut between Third and Second Streets is broken by the irregular course of Dock Street. To provide the necessary space for a 550 car facility it would be necessary to build over Dock Street or to acquire new residential or commercial structures built as part of the Society Hill urban renewal project. Dock Street is a historic street resulting from covering and paving Dock Creek in the 18th Century, and will become a major traffic artery with the opening of I-95. Construction of a facility along Walnut Street would place the facility broadside to Independence National Historical Park, would require demolition of one 20th Century office building and relocation of its occupants, and would require obliteration of Dock Street, which in turn would create a grave traffic circulation problem and violate the historic street pattern.

The block south of Walnut between Second and Front Streets is vacant. It was dropped from consideration early in the planning process since City authorities would oppose its use for parking and because the planned use is part of the comprehensive plans for redevelopment of Society Hill and National Park Service Planners did not wish to impinge on such a widely acclaimed and successful program. It is extremely unlikely that acquisition of this property by the Park Service would be authorized by Congress.

The environmental effects of this project would include loss of a potentially valuable resource to the City, as well as a loss of

desired addition to the City's pool of overnight accommodations. No demolition would be required. Archeological remains would be similar to those to be expected in "Area F", and could be salvaged in the same way. A parking facility on this site would support adaptive uses of "Area F". Otherwise, impact of this alternative on "Area F" and the Old City Historic District would be the same as those of Alternative (1).

IX. CONSULTATION AND COORDINATION WITH OTHERS

Preparation of the Master Plan in which the proposed action was recommended was thoroughly coordinated. The Commonwealth of Pennsylvania's Historical and Museum Commission, Department of Highways and Bureau of State Parks were represented on the Master Plan steering committee as was the City of Philadelphia's Planning Commission. City Planning Committee staff were consulted during plan formulation. The Independence National Historical Park Advisory Commission was also consulted, and reviewed the completed plan. The plan was also presented to and discussed with a wide range of historical groups including:

- American Institute of Architects
- Carpenters Company
- Colonial Philadelphia Historical Society
- Daughter of Founders and Patriots of America
- Descendant's of the Signers of the Declaration
- Garden Club of Philadelphia
- Greater Philadelphia Movement
- Independence Hall Association
- Independence Hall Chapter, DAR
- Junior League
- Penn's Tavern Historical Society
- Pennsylvania Society of Sons of the Revolution
- Society Hill Civic Association
- Thomas Lieper Chapter, DAR

Preparation of the draft and final environmental impact statements was coordinated with the Advisory Council on Historic Preservation, the State Historic Preservation Officer, the Philadelphia City Planning Commission, the Philadelphia Historical Commission and the Old Philadelphia Redevelopment Corporation.

Discussion of air quality of the proposal was coordinated with the Office of Planning and Research, Department of Environmental Resources, Commonwealth of Pennsylvania and with Air Management Services, Department of Public Health, City of Philadelphia. We were advised the Commonwealth is in the earliest stages of implementing the national ambient air quality standards which include procedures by which the Commonwealth reviews wide range of authority to prevent the development of such sources or causes where necessary to insure that the standards are maintained.

National Park Service staff then met with Air Quality Services and were provided with copies of the plan for attaining and maintaining ambient air quality standards. The plan is now under review by City officials. The Air Quality Service advises that the proposed parking garage is not in conflict with this plan.

RESPONSE TO COMMENTS RECEIVED

The following is a list of comments received on the draft environmental impact statement. A copy of each of the comments is included in the Appendix of this statement.

U. S. Department of the Interior
Bureau of Outdoor Recreation
Advisory Council on Historic Preservation
Environmental Protection Agency
Commonwealth of Pennsylvania
Office of State Planning and Development (State Clearinghouse)
Department of Environmental Resources
Department of Transportation
City of Philadelphia
Philadelphia Historical Commission
Philadelphia Convention and Tourist Bureau
Philadelphia Parking Authority
Old Philadelphia Development Corporation
Pennsylvania Society of Sons of the Revolution
The Carpenters' Company of the City and County of Philadelphia

Bureau of Outdoor Recreation

Comment: We have reviewed the subject statement from an outdoor recreation viewpoint and find the statement has adequately described the impact on the outdoor recreation opportunities available within the project area.

Advisory Council on Historic Preservation

Comment: Memorandum of Agreement is approved and the National Park Service has completed the consultation requirements of the National Historic Preservation Act of 1966.

Environmental Protection Agency

Comment: The draft statement does not provide adequate information on local ambient air quality or the pollution to be expected from the garage's operation.

Response: Philadelphia is generally meeting the national ambient air quality standards for sulphur dioxide, carbon monoxide and nitrogen dioxide, however, standards for ozone, hydrocarbons, and particulates are being exceeded regularly. A chart displaying current air quality measurements is attached as Appendix F.

The effects of emissions from vehicles which will be using the parking facility is interrelated with the effects of vehicular traffic in the city generally. A comprehensive citywide plan is being implemented to control vehicle travel and thereby emissions. Consultation with the city Air Management Services has revealed that the parking lot proposal is compatible with the plan.

Comment: Vehicular access routes to the parking facility include Chestnut Street from Sixth to Second Streets. City plans exclude traffic on this section for the Bicentennial.

Response: The present City plan restricts private vehicular access on Chestnut Street between Eighteenth and Eighth Streets only. The City advises that it does not presently plan to extend the Chestnut Street Transitway until after the Bicentennial.

Comment: Reassessment of the 80 percent figure for visitors arriving by automobile is needed, since the energy crisis.

Response: Visitation to the park has increased since the energy crisis and the distribution of visitation has remained consistent with 80 percent arriving by automobile. Hence, we do not find reason to adjust the 80 percent figure.

Comment: The Federal sponsor has a responsibility to minimize noise impact of demolition and construction.

Response: The Federal sponsor will insist on the same noise standards as used in Federal construction contracts as the structure is being built for the Federal sponsor.

Comment: The parking facility might be, as an alternative, an air-rights structure over I-95 Delaware Expressway.

Response: The cover over the I-95 Delaware Expressway was not designed to have structures built on it and it is unlikely

that the cover could sustain such stress. The alternate location would not permit a recessed facility which would minimize its visual intrusion. The cover will be a landscaped corridor and a structure sited there would disrupt the aesthetics of the park-like area.

Comment: A preferential fee structure for Park visitors could be implemented in existing commercial parking facilities in the vicinity.

Response: This alternative is simply not feasible as the existing facilities are already used to capacity. Even if the City plan to restrict commuter traffic in private vehicles were implemented the existing facilities would continue to be used to capacity by commercial visitors in the adjacent wholesale business community.

Commonwealth of Pennsylvania, Office of State Planning
and Development

Comment: Attached are comments of Departments of Environmental Resources and Transportation. These are considered the official response of the State Clearing House.

Response: See the comments below.

Commonwealth of Pennsylvania, Department of Environmental
Resources

Comment: Special attention should be given to the design of the parking garage to minimize any visual degradation of the area.

Response: Architectural features will be incorporated into the facade of the garage to minimize visual intrusion.

Comment: An air pollution permit will be necessary for the parking garage.

Response: An application for such a permit will be made.

Commonwealth of Pennsylvania, Department of Transportation

Comment: We have reviewed the Draft EIS and have no comments.

Philadelphia Historical Commission, Philadelphia

Comment: Retention of the visual effect of Ionic Street should be considered.

Response: The Memorandum of Agreement between the National Park Service and the Advisory Council on Historic Preservation in provision No. 3 agrees that maintenance of the facade of 114 South Front Street will be considered in the design for the parking garage. This consideration would preserve the visual effect of Ionic Street.

Comment: A thorough archeological exploration of the site be conducted and a report published.

Response: This exploration will be conducted as the property is acquired.

Comment: The fee system for parking that assures space for Park visitors as outlined in the statement needs to be implemented.

Response: Such a fee system that charges high rates for long-term use will be used to encourage use by Park visitors.

City of Philadelphia, Convention and Tourist Bureau

omment: We consider additional parking adjacent to the new Visitor Center vital to the master plan of the Park itself, as well as the entire waterfront and Penn's Landing area. Having studied carefully the advantages of a parking facility in "Area F" along with the Alternatives, we most heartily endorse such a parking facility.

City of Philadelphia, Parking Authority

Comment: We have reviewed your draft Environmental Statement on "Area F" and found it to contain an excellent description of the area.

Old Philadelphia Development Corporation

Comment: Following comprehensive presentations on the draft Impact statement for "Area F", our Executive Committee unanimously endorsed the project.

The Carpenters' Company of the City and County of Philadelphia

Comment: The base proposal is preferable to the alternatives and provides a reasonable solution to the problem. If the resulting architecture of the parking garage is up to the opportunity in regard to its street facades, the result should be quite acceptable.

**RESPONSES TO
DRAFT ENVIRONMENTAL STATEMENT**



IN REPLY REFER TO:

United States Department of the Interior

BUREAU OF OUTDOOR RECREATION

NORTHEAST REGIONAL OFFICE

Federal Building - Room 9310

600 ARCH STREET

Philadelphia, Pennsylvania 19106

August 15, 1975

MID ATLANTIC REGION		Initial and Date
Director		
Deputy Director		
Evaluation		
Public Affairs		
Park Management		
Coop Activities		
Fed State Dvt Asst		
Prot Services		SSB
Lands		
Administration		
EEO		
Personnel		
Programs		
Finance		
Property		
Curator		

Memorandum

To: Regional Director, Mid-Atlantic Region, NPS

From: DEPUTY Regional Director, Northeast Region, BOR

Subject: Review of the draft environmental statement for the proposed Independence National Historical Park, Area F, Philadelphia, Pennsylvania (DES 73-61)

This responds to your memorandum of August 11, 1975 requesting our review of the subject statement. Unfortunately, we did not receive the statement in October, 1973, so we did not have the opportunity to comment at that time.

We have reviewed the subject statement from an outdoor recreation viewpoint and find the statement has adequately described the impact on the outdoor recreation opportunities available within the project area.

Anthony M. Corbisiero
ANTHONY M. CORBISIERO



File under Independence

ADVISORY COUNCIL
ON
HISTORIC PRESERVATION
WASHINGTON, D.C. 20240

NORTHEAST REGION		Initial and Date
SEP 28 1973		
☒	Dir	
☒	Asst Dir. Admin. Serv.	
☒	Asst Dir. Operations	
☒	Asst Dir. Coop. Affairs	
September 25	Asst. Dir. Pub. Affs.	
	Public Affairs	
	Ch. Finance & Control	
	Ch. Name	
	Ch. Property	
	Asst. Dir. Prof. Services	
	Ch. Land Acquisition	
	Ch. Ops. Evaluation	
	Asst. to Dir. Mgmt. Servs.	
	Programs & Budget	
	Organ. Dev. & Manpower	

Mr. Chester L. Brooks
Director, Northeast Region
National Park Service
143 South Third Street
Philadelphia, Pennsylvania 19106

Dear Mr. Brooks:

The Advisory Council is pleased to inform you that the Memorandum of Understanding for the Old City Historic District, in Philadelphia, Pennsylvania, has been approved by the Chairman of the Advisory Council. This completes the Section 106 process and the National Park Service may proceed with the proposed development of a parking facility. A copy of the Agreement is enclosed.

The Council appreciates your cooperation in the resolution of this matter and commends your contribution to the preservation of our national heritage.

Sincerely yours,

Ken Tapman

Ken Tapman
Director, Office of Compliance

Enclosure

Forwarded to <i>Philadelphia</i>
from Northeast Regional Office
for <i>information</i>
By: <i>E. L. X</i> Date: <i>9-28-73</i>

IX-10

THE COUNCIL, an independent agency of the Executive Branch of the Federal Government, is charged by the Act of October 15, 1966, with advising the President and Congress in the field of Historic Preservation, commenting on Federal, federally assisted, and federally licensed undertakings having an effect upon properties listed in the National Register of Historic Places, recommending measures to coordinate governmental with private activities, advising on the dissemination of information, encouraging public interest and participation, recommending the conduct of special studies, advising in the preparation of legislation, and encouraging specialized training and education, and guiding the United States membership in the International Centre for the Study of the Preservation and the Restoration of Cultural Property in Rome, Italy.

ADVISORY COUNCIL
ON
HISTORIC PRESERVATION
WASHINGTON, D.C. 20240

MEMORANDUM OF AGREEMENT

WHEREAS, the National Park Service, Department of the Interior, in accordance with the Master Plan for Independence National Historical Park (approved June 4, 1971), proposes to develop a parking facility, in conjunction with the City of Philadelphia, within the sector defined as "Area F" by the said plan; and,

WHEREAS, the National Park Service, Department of the Interior, has determined that this undertaking will affect the Old City Historic District, a property listed on the National Register of Historic Places, and, pursuant to Section 106 of the National Historic Preservation Act of 1966, has requested the comments of the Advisory Council on Historic Preservation; and,

WHEREAS, pursuant to the procedures of the Advisory Council (Federal Register, November 14, 1972, pages 24146-24148), representatives of the Advisory Council, the National Park Service, and the Pennsylvania State Historic Preservation Officer have consulted to determine the nature of the effect of the proposed undertaking; now,

THEREFORE:

It is mutually agreed that implementation of this undertaking, in accordance with the attached "National Park Service Proposal for the Independence National Historical Park 'Area F' Project, Old City Historic District, Philadelphia, Pennsylvania," will satisfactorily mitigate the potential adverse effects upon the Old City Historic District.

Robert R. Sawyer, Jr. 9/9/73
(date)
Executive Secretary
Advisory Council on Historic
Preservation

Colin B. ... 8-12-73
(date)
Regional Director
Northeast Region
National Park Service

S. H. ... (date) 8/1/73
Chairman
Advisory Council on Historic
Preservation

John ... (date) 8/29/73
Pennsylvania State Historic
Preservation Officer

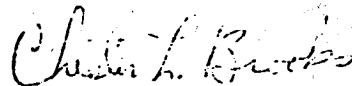
1X-10A

THE COUNCIL, an independent agency of the Executive Branch of the Federal Government, is charged by the Act of October 12, 1966, with advising the President and Congress in the field of Historic Preservation, commenting on Federal, federally assisted, and federally licensed undertakings having an effect upon properties listed in the National Register of Historic Places, recommending measures to coordinate governmental with private activities, advising on the dissemination of information, encouraging public interest and participation, recommending the conduct of special studies, advising in the preparation of legislation, and encouraging specialized training and education, and guiding the United States membership in the International Center for the Study of the Preservation and the Restoration of Cultural Property in Rome, Italy.

NATIONAL PARK SERVICE
PROPOSAL FOR THE INDEPENDENCE NATIONAL
HISTORICAL PARK "AREA F" PROJECT,
OLD CITY HISTORIC DISTRICT, PHILADELPHIA, PENNSYLVANIA

Pursuant to Section 106 of the National Historic Preservation Act of 1966 and the provisions of Executive Order 11593 "Protection and Enhancement of the Cultural Environment" (May 13, 1971), the National Park Service will undertake the following actions with respect to projected action within the sector defined as "Area F" in the Master Plan for Independence National Historical Park (approved June 4, 1971), an area lying within the boundaries of the Old City Historic District, which is listed on the National Register of Historic Places.

1. The National Park Service will support legislation authorizing (1) acquisition by the federal government of property within "Area F," bounded by Second, Front, Sansom and Ionic Streets, and (2) the construction thereon by the City of Philadelphia of a parking garage.
2. At the earliest stage of planning, the design or designs for the proposed parking garage will be submitted to the Advisory Council on Historic Preservation for review and comment, in accordance with Section 106 of the National Historic Preservation Act of 1966 and the provisions of Executive Order 11593, "Protection and Enhancement of the Cultural Environment" (May 13, 1971).
3. Such design or designs will consider the maintenance of the facades of Numbers 125 and 127 South Second Street, especially the former, as well as the facade of the building at Number 114 South Front Street.



Chester L. Brooks
Regional Director
Northeast Region

IX-10B

49 July 26, 1973



United States Department of the Interior

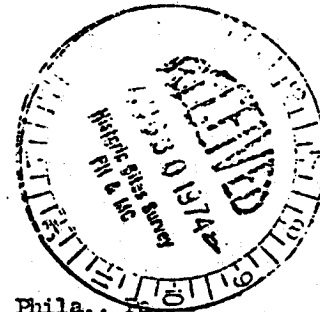
NATIONAL PARK SERVICE

MID-ATLANTIC REGION
143 SOUTH THIRD STREET
PHILADELPHIA, PA. 19106

IN REPLY REFER TO:

A8031
MAR(PHA)

Rec'd 9/18
[Signature]



Mr. William J. Wewer
Historic Preservation Officer
Commonwealth of Pennsylvania
P.O. Box 1026
Harrisburg, Pa. 17120

Re: Area "F" Project, Old City Historic District, Phila., Pa.

Dear Mr. Wewer:

On August 24, 1973 you approved a proposed agreement between the National Park Service and the Advisory Council on Historic Preservation, relative to the development of the proposed Area "F" Parking Facility. A copy of that agreement is enclosed.

You will note that Item 3 obligates the National Park Service to "consider the maintenance of the facades of numbers 125 and 127 South Second Street, especially the former, as well as the facade of the building at number 114 South Front Street."

114 South Front Street has been retained and will be.

It is in relation to "125 and 127 South Second Street, especially the former" that we write.

In December, 1973, the Girard Bank sent an officer and its architects to the Architectural Committee of the Philadelphia Historical Commission. They told the Committee that the Bank was negotiating to purchase 308 and 310 Market Street. 308 was a non-descript two-story structure with a 1950's front on it. However, 310 Market had its lower two floors of cast-iron. Its design was very similar to the cast-iron of the lower two floors of 125 South Second Street. The Bank came to the Architectural Committee to request the right to demolish both 308 and 310 Market Street. This would have lost 310's two-story cast-iron facade, which has been certified by the Historical Commission. The Bank's representatives explained that they wanted to erect a new building occupying both sites. Since they saw no way to duplicate the 310 cast-iron front as the facade



IX-11

Save Energy and You Serve America!

for 308 Market Street, they wanted to destroy the 310 front. The Architectural Committee suggested that it might be possible to have the cast-iron front from 125 South Second Street donated to the Bank to use as the facade of 308 Market Street. The dimensions were correct. The design was very similar. Having the two fronts next to each other would have given both of them more meaning. The Historical Commission approved the Architectural Committee's recommendation. The Bank was very receptive to the idea and negotiations were entered into to try to work this out.

You will recall that on January 2, 1974 our Regional Historical Architect, Henry Magaziner, phoned you about this. At that time you told him that since the transfer of the 2nd Street front to the Market Street building would make possible the preservation of the Market Street front, you would endorse the proposal. When everything was worked out, a new agreement was to be drawn up involving the Pennsylvania Historic Preservation Office, the Advisory Council and the National Park Service.

Approximately once a month, Henry Magaziner checked with the Bank's architect to see whether the time was ripe for drafting the new formal agreement. In April he was told that "It looks like the problems were being worked out. But there is no definite answer yet."

On May 15, the Philadelphia Historical Commission notified Henry Magaziner that it had received a request for a demolition permit for 125-127 South Second Street. They were to be demolished for the Philadelphia Redevelopment Authority, the owners. He asked that the permit not be signed as yet. Even though the deal with the Bank looked like it was being worked out, the cast-iron lower floors of 125 would have to have large numbers painted on them and then photographs would have to be taken of the building before demolition. Also, the National Park Service wanted to commission an architect to make an HABS drawing of the two fronts prior to their demolition.

The numbering, the photographs, and the HABS drawing were completed. Then, early in June, the two buildings came down with Historical Commission approval. The cast-iron lower two floors of 125 were demolished by hand for later re-erection elsewhere.

On June 11, Henry Magaziner again checked with the Bank's architect. The Bank still had not definitely settled with the property owners. However, three weeks later we learned that the Bank was abandoning any idea of acquiring 310. Apparently, it could not reach an agreement with the owners of that property. By this time 125 was down and stored temporarily on a site owned by Independence National Historical Park.

Meanwhile, Dr. Richard Tyler, Historian of the Philadelphia Historical Commission, shared our fears that the cast-iron parts might easily disappear, since they were stored in public view on an open lot. He tried very hard to find a developer who could use the parts immediately but he could find no such person. Then he contacted Decker and Borowsky, developers who work almost exclusively in the old cast-iron part of the city. They, too, had no immediate use for the front. But they felt that they would be able to incorporate it into one of their buildings within the foreseeable future. In order to protect the parts from "mysterious disappearance" and eventually have them re-erected, Dr. Tyler concurred with Decker and Borowsky on the following conditions:

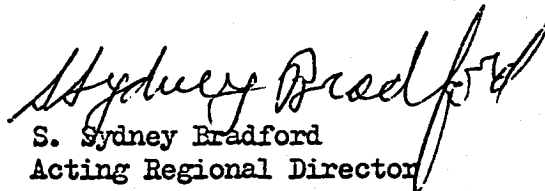
1. The developers would accept the parts as a donation from the Redevelopment Authority.
2. They would store them inside.
3. Within approximately three years, they would re-erect them on a building in the cast-iron area of the city using them in an appropriate manner.
4. Before doing this, they would submit their drawings for this reuse to the Architectural Committee of the Historical Commission for the Committee's approval.

We discussed all of the above with Ms. Ann Webster Smith of the Advisory Council on Historic Preservation, pointing out the need for revision to the agreement which exists between us and the Advisory Council. Ms. Smith felt that she would be willing to enter into a new agreement but first wanted to be sure that you concurred with the actions which we, the Philadelphia Redevelopment Authority, and the Philadelphia Historical Commission have taken on behalf of saving the front.

Our Historical Architect, Henry Magaziner, AIA, feels strongly that the cast-iron front applied to a small scale building in the area where Decker and Borowsky are working would have far more architectural meaning than it ever would have had as an isolated mask to the proposed large scale garage. This view is shared by the Architectural Committee of the Philadelphia Historical Commission and the Historic Preservation Committee of the Philadelphia Chapter, American Institute of Architects.

We trust that you will concur with the action which has been taken to date, and that you will indicate that concurrence by signing a copy of this letter and returning it to us.

Thank you for your cooperation.


S. Sydney Bradford
Acting Regional Director
Mid-Atlantic Region

Enclosure

Approved:


William J. Vewer
Historic Preservation Officer
Commonwealth of Pennsylvania

cc:

Dr. Richard Tyler, Historian, Philadelphia Historical Commission
Mr. Augustine Salvitti, Executive Director, Philadelphia Redevelopment
Authority

MID ATLANTIC REGION		Ink: and Date
AGENCY 4 1974		
	Director	
	Deputy Director	
	Evaluation	
	Public Affairs	
	Park Management	
	~~State Activities~~	
	~~Red State Pub Affs~~	
	Prof Services	
	Lands	
	Administration	
	EEO	
	Personnel	
	Programs	
	Finance	
	Property	
	~~DOT~~	

The draft EIS provides no quantification on the expected pollution related to the parking garage's operation. Further description of predicted impacts is warranted, especially in light of the EIS-stated concern for revitalization of the various populous activities in Area F and the Historical District. The final statement should include at least a burden (tons/day) analysis of expected pollutants as part of the description of air quality impacts.

Air Quality - Indirect Impacts Related to Transportation

The draft EIS's description of the project's operation raises questions about indirect impact on air quality related to transportation issues and vehicular circulation.

- 1) Principal vehicular access routes for client motorists are described (on page 10) as including the use of Chestnut Street from Sixth to Second Street. This appears to be inconsistent with city-sponsored plans (presently under review by EPA) to exclude private vehicles from this section of Chestnut Street as one part of the transportation proposals for the Bicentennial. The final statement should clarify this apparent conflict. ✓
- 2) A modal split of over 80% visitation by automobile (on page 6) appears to be the framework for estimation of future parking needs for Independence National Historical Park. We understand these projections were prepared prior to recent manifestations of the energy crisis; nonetheless, we think the final EIS might discuss whether such projections warrant reassessment due to increasing development of mass transit to meet goals of energy conservation and improved urban air quality.

EPA is responsible for monitoring and control of new indirect air pollution sources and our proposed regulations become effective on January 1, 1975. We are enclosing a copy of the regulations for your information.

Noise Impacts Related to Construction

The draft statement indicates that the city will be "encouraged" (page 54) to observe noise level regulations during construction. We feel that in executing the proposed action the Federal sponsor has a more specific responsibility in minimizing noise impacts, especially in light of immediately adjacent noise-sensitive activities essential to the rejuvenation of Area F which the draft statement advocates.

Therefore the final statement should express commitments to contractual conditions for all parties in both demolition and construction which include:

- 1) compliance to all local, state, and Federal noise regulations, and
- 2) use, whenever necessary, of the most advanced "state of the art" construction noise-abatement techniques to minimize the noise impact on sensitive receptors.

Study of Alternatives

The CEQ guidelines for the environmental review process require the study of reasonable alternatives to minimize negative environmental impacts. In our review of this project we have determined two added alternatives which could minimize negative environmental impact and, we believe, warrant further study.

1) I-95 Site Location Alternative

The parking garage facility might be located as an air-rights structure over I-95. (see attachment C) The space adjoining the north side of Chestnut Street would be; 1) adjacent to the expanded pedestrian and transit facilities on the Chestnut Street "Transitway" project, 2) only one block further away from the new visitor-orientation center and 3) have suitable space (northward) for future expansion. The Area F portion of the Historical District would be far less affected by the noise, air and traffic impacts related to the garage's construction and operation.

2) Limited Action Alternative

The fee structure preferential to Park visitors (discussed on page 11) would be implemented in other local parking facilities. These added parking spaces for Park visitor use would substitute for the need for the proposed garage. Such an action would preclude the garage's impacts on Area F. Furthermore, not building the garage would help maintain the present overall level of parking in the area; the resulting disincentive to metropolitan auto commutation would be consistent with the vehicle-mile reduction goals of the city's Transportation Control Strategies.

We hope this review will assist in the preparation of the Final Environmental Impact Statement. We wish to apologize for the late date

of this review; as you know we did not receive the draft statement until January 17, 1974. Please contact us if you have any questions.

Sincerely yours,

Nicholas M. Ruha

Nicholas M. Ruha

Chief

EIS & Wetlands Review Section

Enclosures

- (a) Definition of Codes for the General Nature of EPA Comments
- (b) Indirect Source Regulations
- (c) Map of I-95 Air Rights Site Alternative

WITHOUT ENCLOSURES - WOULD NOT XEROX

DEFINITION OF CODES FOR THE GENERAL NATURE
OF EPA COMMENTS

ENVIRONMENTAL IMPACT OF THE ACTION

LO--Lack of Objection

EPA has no objections to the proposed action as described in the draft impact statement; or suggests only minor changes in the proposed action.

ER--Environmental Reservations

EPA has reservations concerning the environmental effects of certain aspects of the proposed action. EPA believes that further study of suggested alternatives or modifications is required and has asked the originating Federal agency to reassess these aspects.

EU--Environmentally Unsatisfactory

EPA believes that the proposed action is unsatisfactory because of its potentially harmful effect on the environment. Furthermore, the Agency believes that the potential safeguards which might be utilized may not adequately protect the environment from hazards arising from this action. The Agency recommends that alternatives to the action be analyzed further (including the possibility of no action at all).

ADEQUACY OF THE IMPACT STATEMENT

Category 1--Adequate

The draft impact statement adequately sets forth the environmental impact of the proposed project or action as well as reasonable alternatives available to the project or action.

Category 2--Insufficient Information

EPA believes that the draft impact statement does not contain sufficient information to assess fully the environmental impact of the proposed project or action. However, from the information submitted, the Agency is able to make a preliminary determination of the impact on the environment. EPA has requested that the originator provide the information that was not included in the draft statement.

Category 3--Inadequate

EPA believes that the draft impact statement does not adequately assess the environmental impact of the proposed project or action, or that the statement inadequately analyzes reasonable available alternatives. The Agency has requested more information and analysis concerning the potential environmental hazards and has asked that substantial revision be made to the impact statement.

for
signature
register

ATTACHMENT B

MONDAY, FEBRUARY 25, 1974
WASHINGTON, D.C.

Volume 39 □ Number 38

PART III



ENVIRONMENTAL PROTECTION AGENCY



AIR PROGRAMS; APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Review of Indirect Sources

IX-17

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL
PROTECTION AGENCY

SUBCHAPTER C—AIR PROGRAMS

PART 52—APPROVAL AND IMPLEMENTATION
OF IMPLEMENTATION PLANS

Review of Indirect Sources

On May 31, 1972 (37 FR 10612), the Administrator of the Environmental Protection Agency published his initial approvals and disapprovals of state implementation plans submitted pursuant to section 110 of the Clean Air Act, as amended in 1970. Shortly thereafter, Natural Resources Defense Council, Inc. (NRDC) and various other petitioners challenged the Administrator's approvals in the United States Court of Appeals for the District of Columbia Circuit on several grounds, including the contention that the plans approved were not adequate to insure maintenance of the ambient air quality standards once such standards were attained.

As to this issue, the Court ruled in *NRDC v. EPA*, 475 F.2d 968 (D.C. Cir. 1973), that the record before the court was insufficient to ascertain whether the Administrator had made a state-by-state determination as to plans' adequacy regarding maintenance. Accordingly, the Court ordered the Administrator to review the maintenance provisions of all approved state implementation plans and to disapprove those plans which (1) did not contain measures necessary to assure maintenance of the primary standards after the statutory attainment date, and (2) did not analyze maintenance in a manner consistent with the Administrator's regulations.

Upon further review, the Administrator determined that no state plan contained all of the measures necessary to assure maintenance of the standards and that no plan had adequately analyzed the impact of growth on air quality maintenance for any significant period of time into the future. Accordingly, on March 8, 1973 (38 FR 6279), the Administrator disapproved all state plans with respect to maintenance of standards.

In the notice of disapproval, the Administrator noted that several mechanisms already available under the Act and in regulations would serve to mitigate the impact of overall community growth on air quality maintenance. For instance, maintenance was partially insured by the then-existing provisions of 40 CFR 51.18, which required each state plan to have adequate procedures to review, and where necessary prevent, the construction or modification of any stationary source of air pollution at a location where emissions from that source would result in interference with the attainment or maintenance of a national standard. Emission performance standards for new major stationary sources promulgated under section 111 of the Act and emission standards for motor vehicles promulgated under section 202 of the Act will also serve to mitigate the impact

of growth. Moreover, a valuable tool to ensure maintenance exists in the requirements in section 110 of the Act that pollutants in the ambient air be continually monitored and that the Administrator shall call for the revision of inadequate state implementation plans whenever monitoring or other information indicates this to be necessary.

The Administrator determined, however, that such measures alone would not be adequate to ensure maintenance, particularly for pollutants emitted largely by motor vehicles in the context of increased use resulting from general urban and commercial development. Accordingly, the Administrator determined that the new source review procedures noted in the preceding paragraph should be expanded to cover not only stationary sources but also "complex" or "indirect" sources of air pollution—facilities which do not themselves emit pollutants, but which attract increased motor vehicle activity and thereby may cause violations of an implementation plan's transportation control strategy or may prevent or interfere with the attainment or maintenance of an ambient air quality standard.

Thus, all state implementation plans were disapproved on March 8, 1973, because of their failure to sufficiently assess and provide for maintenance of standards, and specifically for their failure to provide for the above-mentioned "complex" or "indirect" source review. In a separate action on March 8 (38 FR 6290), the Administrator issued an advance notice of proposed rulemaking stating his intention to modify his regulations for preparation of state implementation plans contained in 40 CFR Part 51 in order to give further guidance to the states in the preparation of approvable indirect source review measures. In a timetable approved by the D.C. Circuit Court, the Administrator then proposed such new guidelines on April 18, 1973 (38 FR 9599), and promulgated final guidelines on June 18, 1973 (38 FR 15834).

Specifically, these "guidelines" involved amendments to 40 CFR 51.11 and 51.18. Section 51.11 was amended so that a state implementation plan could not be fully approvable unless the state had legal authority to conduct "indirect" source review as well as "direct" (stationary) source review. Section 51.18 was amended to specify in detail the substantive and procedural matters which must be dealt with by states in developing approvable indirect source measures.

The Administrator noted in the April 18 preamble that even such a source-by-source review might not be adequate to assure area-wide maintenance: "The purpose of the review and determination procedures required under 40 CFR 51.18 [new stationary and indirect source review] is primarily to insure that the national standards will not be violated in the vicinity of a major new facility." The Administrator recognized that in the long run, greater attention to the overall impact of growth on regional air quality would be needed to fill

in gaps left by a source-by-source review scheme.

In the June 18, 1973, final promulgation of the guidance regulations amending 40 CFR Part 51, the Administrator determined, in response to public comments, that a comprehensive growth analysis should be specifically required of the states in order to make the maintenance provisions of implementation plans fully acceptable. It was the Administrator's conclusion that indirect source review, while "a necessary addition" to an overall strategy for assuring maintenance, could be considered only an additional tactic in such strategy, "because source-by-source analysis is not an adequate means of evaluating, on a regional scale, the air quality impact of growth and development." Furthermore, for pollutants such as hydrocarbons and nitric oxide, which affect air quality through complex atmospheric reactions resulting in the formation of photochemical oxidants and nitrogen dioxide, analytical tools that can be used with confidence to predict the air quality impact of a single source are not now available.

Accordingly, the Administrator promulgated additional regulations amending 40 CFR 51.12. States must comply with these regulations before their implementation plans can be regarded as fully approved with respect to air quality maintenance. Generally such regulations require states to identify by March 18, 1974, those areas that may exceed any national standards within the next ten years; to develop and submit to the Administrator by June 18, 1975, an analysis of the impact of projected growth on air quality in such regions; and to adopt such measures as may be necessary to assure that growth and development will be compatible with maintenance of the national standards. Only when such plans are finally approved can the Administrator consider the maintenance portions of state plans complete. Thus, indirect source review procedures are a necessary but insufficient element in a comprehensive strategy for air quality maintenance.

Further, in accordance with the order of the D.C. Circuit Court, the Administrator allowed States until August 15, 1973, to submit indirect source review procedures for approval. For those states which submitted nothing or whose plans could not be approved, the Administrator proposed on October 30, 1973 (38 FR 29893), Federal regulations for review of indirect sources. Since the public did not have adequate opportunity to comment on the seven plans that had been received by that date, no state indirect source procedures could be approved.

The Administrator is further required by the Court's order, as most recently modified on February 13, 1974, to promulgate final regulations no later than February 15, 1974. This rulemaking is, therefore, being carried out pursuant to the schedule approved by the D.C. Circuit Court in order to provide indirect source review procedures as one element in an overall strategy for maintenance which all state implementation plans are

required to contain. State plans shall remain disapproved as to maintenance pending final submission and approval of the growth analyses and other necessary measures noted above.

Based on a preliminary review of the seven plans which had been submitted by October 30, 1973, three (Alabama, Florida, and Guam) appeared approvable and, thus, no proposal was made for those three States on October 30. The Alabama and Florida plans were proposed for public comment in the October 26, 1973, FEDERAL REGISTER (38 FR 24007-08) and the Guam plan as proposed on January 9, 1974 (39 FR 1454). In each case, the Administrator has reviewed the plan submissions to ascertain whether adequate legal authority exists, as required by 40 CFR 51.11, whether a public hearing was held, as required by 40 CFR 51.4, and whether the plan meets the detailed requirements for indirect source review contained in 40 CFR 51.18. The Administrator has also reviewed the written comments submitted in response to the proposals. Criticism of the submissions focused upon the size criteria for determining which indirect sources would be subject to review, the effective dates, and the failure to specifically address the issue of non-deterioration. Similar comments were submitted with respect to the Administrator's October 30 proposal and are discussed in subsequent paragraphs of this preamble.

The Florida and Guam plans for indirect source review are fully approved below. The Alabama plan for indirect source review has been determined to be approvable in all respects except that the necessary public comment procedures were not included in regulatory form. The Administrator is, therefore, promulgating a corrective regulation for Alabama relating solely to public comment procedures. Since these procedures are clearly required by 40 CFR 51.18 and the regulation merely gives legally enforceable form to the procedures spelled out by the State in its submission, the Administrator finds good cause for promulgating such a correction without having proposed it.

To date, EPA has received 14 officially submitted state plans for review of indirect sources. Five (Connecticut, Kentucky, New Hampshire, Vermont and Virginia) have been or will shortly be proposed for public comment on their approvability and remain disapproved until the Administrator completes his evaluation. Seven of the state plans (Alabama, Idaho, Maine, New York, North Carolina, Oregon, and Washington) contain deficiencies which are specifically identified below. The Administrator is aware that several of these states are working to correct the deficiencies; if changes are submitted and found approvable, the regulations promulgated for these states will be revoked. Only the Florida and Guam indirect source review procedures can be fully approved at this time.

Modification to the Proposed Regulations Made in Response to Public Comments. Many individual citizens, environ-

mental groups, corporations, commercial associations, and governmental agencies participated in the rulemaking process by submitting written comments or testifying at public hearings held on the October 30, 1973, proposed regulations. While it would be impossible to respond to every point, a number of the major comments are discussed below. Many of the alleged deficiencies in the basic approach of the proposed regulations as reflected in public comments were based upon an inadequate understanding of the purpose of these regulations. They are intended to provide one element in an overall strategy of air quality maintenance, including new stationary source review, new source performance standards, the Federal motor vehicle control program, and the comprehensive growth plans which the states must develop. As explained earlier, the Administrator has determined that a source-by-source review approach, while necessary to assure maintenance, must be accompanied by more inclusive long term growth analyses.

Many of the comments focused critically upon the size criteria for determining which indirect sources would be subject to the review process. One comment frequently made was that the sizes set forth (1,000 parking spaces, 20,000 vehicles per day for highways, etc.) were too large and that much smaller sources should be reviewed in order to assure maintenance. The Administrator has determined that the facilities to be reviewed should be limited to those most likely to cause air quality problems. In administering the Act, the Administrator must choose workable tactics considering sound and rational allocation of resources. In the Administrator's judgment, the relatively minimal benefits to be gained by reviewing smaller sources would be greatly outweighed by the resulting detrimental diversion of manpower and resources needed to implement other important aspects of the Act. Accordingly, it has been determined that air quality problems associated with an aggregation of smaller sources can be dealt with more effectively and efficiently through the comprehensive growth plans to be submitted by June 1975 than through source-by-source reviews under these indirect source regulations.

Several comments were also received from State agencies generally urging consideration of smaller size categories. As emphasized in the October 30 proposal, the size of an indirect source subject to these regulations has been determined in a nationwide context and cannot reflect special local conditions, such as a desire to include other environmental or social considerations in the review. The Administrator supports and encourages the enactment of more restrictive indirect source provisions and regulations by states where the needs, conditions, and/or public desire so indicate.

Other comments criticized the basic approach of reviewing facilities based upon strict size criteria such as size of associated parking areas. These com-

ments made the point that size alone is not the determinative factor as to whether a particular facility will cause air quality problems; and that much more relevant factors concern trip inducement, the design of parking areas, the "tenant-mix" of shopping complexes, and others. Several of those who commented also construed the proposed regulations to mean that the principal purpose is to regulate the size of the associated parking lot. It should be emphasized that parking lot size is used only as a convenient, easily defined parameter which serves as a "triggering mechanism" for determining whether a source is subject to review. When a source is being reviewed under the regulations, factors relating directly to air quality impact will be utilized in making the final determination.

Several comments were received criticizing the use of a trip inducement test as being too indefinite a standard to use for determining whether a facility is subject to review. These comments pointed out that in many cases, a developer could not determine with confidence whether his facility is subject to review, since the trip inducement criterion requires that he estimate, several years into the future, how many vehicle trips his facility would induce during peak traffic conditions. Although many developers assess trip inducement as an integral part of their market analysis, a developer should not be placed in legal jeopardy should the actual trips induced upon completion exceed his initial calculations. The Administrator has concluded that a "trip inducement" review test would cause much uncertainty as well as substantial enforcement problems. Thus, the trip inducement standard is not included in the regulations promulgated below, with parking facility size being the only indicator of the need for review of sources other than highways and airports.

Some commentators criticized the regulations for not specifically addressing the problems of "non-deterioration." The agency proposed separate regulations for non-deterioration on July 16, 1973 (38 FR 18986). Due to the large number of comments received and the importance of this issue in relation to air quality, land use policies, and the country's economy, the Agency has not yet completed its rulemaking on non-deterioration. Because several basic approaches are still being considered, an attempt to reflect non-deterioration considerations in the indirect source regulations would be premature. However, it is EPA's intent that indirect source and significant deterioration regulations will be consistent with one another. Specific relationships will be addressed in regulation to be promulgated on significant deterioration.

Public comments also criticized the use of the distinction between "designated" and "non-designated" areas for determining the size of facilities which would be subject to review, on grounds that such distinction would violate the Act's intent that no significant deterioration of air quality be permitted in any area

of the country, in that the division would impact to the extent that more heavily than other areas. Accordingly, attempts to design these regulations to coincide with a "non-deterioration" policy would be premature. Moreover, the criterion for review in these regulations is whether the facility would interfere with attainment or maintenance of the national standards. Because of generally lower "background" levels in non-urban areas and in keeping with the purpose of these regulations, which is to review sources most likely to cause significant air quality problems, it is the Administrator's judgment that it is not necessary to review the same size source in non-urban areas as in urban areas.

In the regulations promulgated below, the use of "designated areas" for determining which areas of the country shall be subject to more restrictive source exemption provisions has been dropped and the Standard Metropolitan Statistical Area boundaries have been retained for this purpose. This is done to eliminate the confusion that could result if an area were designated as an air quality maintenance area (AQMA) for one pollutant but not for another. This should result in more areas of the country being subject to the lower cut-off limits than under the AQMA approach. In appropriate circumstances, the Administrator will consider requests by the States to use area designations other than SMSA's for determining the geographic applicability of the more restrictive exemption provisions.

With respect to highways, it is the Administrator's judgment that air quality problems would rarely be caused outside of urbanized areas. Highways generally connect one or more urbanized areas somewhere along their length and the regulation is written so as to focus the review on the most critical points along the highway, where the traffic volume and "background" concentrations are the greatest.

Many comments which criticized the size cutoffs for review as being too large argued that the regulations would encourage the development of many small facilities to escape indirect source review, thereby encouraging "urban sprawl" with resulting environmentally detrimental effects. It was urged by some that the Administrator should encourage rather than discourage some large developments such as regional shopping centers which, because they offer a consumer "one-stop" shopping for a large variety of goods and services, might actually result in a net decrease in area-wide vehicle miles of travel.

The Administrator certainly does not intend and does not believe that the encouragement of small, strip-type developments will be the effect of these regulations. First, it should be stressed that the primary purpose of the regulations is to ensure that proposed projects are designed and located in a manner consistent with air quality requirements. If the proposed project would interfere with a national standard, changes in the design, or extension of mass transit, should be considered. Only if a project cannot be made compatible with air quality requirements would it be necessary to prevent its construction. Furthermore, as long as there are economic incentives favoring development of large projects, the Administrator does not believe that developers of larger projects will change their scope of operations solely for fear of indirect source review. As is discussed below, developers will be encouraged to submit their plans for indirect source review at the earliest stage in the development process that the required information becomes available. Thus, applicants should be able to obtain guidance and a final determination from the reviewing agency at a point where total projected investment and expenditures for the source will be quite low, and will usually be able to make necessary design modifications so that a large indirect source can receive formal approval.

Some comments criticized the regulations for requiring analysis of only carbon monoxide effects for most sources and requiring photochemical oxidant, hydrocarbon, and nitrogen dioxide analysis only for highways and airports. Others stated that the highway cutoff numbers were too low to conduct adequate area-wide oxidant analysis for all highways subject to review. As stated in the preamble to the October 30, 1973, proposed indirect source regulations, it is the Administrator's judgment that adequate analytical techniques do not exist at this time to predict with confidence the effects of a single source on area-wide oxidant levels, except for extremely large sources which have an obvious area-wide impact on emission levels such as airports and large highways.

In the Administrator's judgment, using presently available analytical techniques, the impact on area-wide emission levels of hydrocarbon and nitrogen oxides resulting from all highway projects subject to review may not be sufficient to provide the basis for denial of an application. Therefore, the analysis with respect to photochemical oxidants and nitrogen dioxide for highways has been modified in regulations promulgated below. Only highways with an anticipated average annual daily traffic (AADT) volume of 50,000 or more vehicles per day, or modifications resulting in an increase of 25,000 vehicles per day, would be reviewed for their impact on photochemical oxidants or nitrogen dioxide. The regulation also provides that where a specific highway section is part of a roadway network which has been analyzed and found fully acceptable by EPA with respect to maintenance of the national standards for photochemical oxidants and nitrogen dioxide, then an oxidant or nitrogen dioxide analysis is not required for individual segments of such EPA-approved roadway network. The mechanism for EPA air quality analysis of proposed area-wide urban transportation plans and programs is established by the Federal

Highway Administration (23 CFR Part 770), which provides that area-wide transportation plans be reviewed annually by the appropriate EPA Regional Administrator to determine their consistency with the approved implementation plan. This process is scheduled to be implemented by April 1, 1974.

Many comments criticized the June 13, 1973, effective date contemplated by the October 30, 1973, proposal as being an unjustified deferral. Others, however, argued that a longer time would be more appropriate. As explained in the preamble to the proposal, the deferral was considered necessary to allow state and local reviewing agencies adequate opportunity to make preparations for implementing the procedures prescribed by the regulations. (As will be explained below, while the regulation being promulgated today is written in terms of the "Administrator" performing the review, it is hoped that before the effective date, the Administrator will have delegated his reviewing authority to many state and/or local agencies or that the states will have submitted approvable procedures of their own.)

In light of recent firm Congressional guidance contained in amendments to the Clean Air Act included in the conference committee's version of the Energy Emergency Act (S. 2589), and in the report prepared by the Committee to accompany such amendments,¹ the Administrator has concluded that it is the intent of Congress that these regulations, with respect to parking facilities, not be applicable to indirect sources which have started construction prior to January 1, 1975. While the Congressional guidance does not apply to airports and highways, it is the Administrator's judgment that, for compelling administrative reasons and because of the need to improve the Agency's data base, reviews of airports and highways should also apply only to facilities which have started construction on or after January 1, 1975. The Administrator believes that such across-the-board deferred applicability is consistent with the analysis of growth presently contained in the implementation plans. Most implementation plans generally analyzed and allowed for growth at least until 1975, thereby making the implementation of these maintenance regulations most appropriate for the period after 1975.

The Administrator recognizes that many projects may presently be in the planning stages, but will not start actual construction until after January 1, 1975. If the Agency does not begin to implement the review procedures prior to

¹ For further details as to the development of these amendments and the Administrator's response thereto, see 39 FR 1848, January 15, 1974. It should be noted that the January 15 notice announcing the deferral of the effective date of the indirect source review procedures does not affect the schedule established on June 18, 1973 (39 FR 15831), for designation of air quality maintenance areas and the analysis and development of control strategies for such areas.

January 1, 1975, developers of such projects would be in the difficult position of either continuing to commit money and effort to a project which might later require redesign, reconstruction, or suspending further work pending approval in 1975. To avoid such problems, the Administrator will begin to implement the review procedures on July 1, 1974, for any project which will commence construction after January 1, 1975, on a voluntary basis for those developers wishing to seek review. This approach is consistent with the recent Congressional guidance without producing inequitable delays or uncertainties for developers.

The deferral of the date for implementation of the review procedures until July 1, 1974, will allow the agency time within which to develop and publish general technical and design guidelines for distribution to applicants who will be seeking review under the regulations. Such guidelines will provide needed assistance to applicants in preparing the material required to be submitted by the regulation and in designing the traffic-related aspects of their sources so as to have the least possible adverse effect on air quality and the greatest possible chance for approval. The deferral will also allow greater opportunity for states to develop their own indirect source review procedures. Especially because these regulations inherently involve issues of land use, the Administrator feels that review should be carried out whenever possible at the state and local levels where land use decisions have traditionally been made.

Many comments were received regarding the approach to exempting projects at some stage in the development short of the commencement of actual construction. The proposed regulation provided that an applicant who had entered into a "general construction contract" prior to the effective date would not be subject to review.

Some comments criticized this approach as being open to loopholes in that applicants who had spent very little time or money on development and who did not plan to do so until well after the effective date could escape review by entering into a contract. The proposal was also criticized on the grounds that much costly physical work could have already begun on a site in preparation for a specific project design, and yet because the "general construction contract" for the actual superstructure had not yet been executed on the effective date, the project would be subjected to the uncertainties of review.

In reevaluating this issue based upon the public comments, the Administrator has determined that the "general construction contract" concept should be dropped as being too susceptible to abuse by those seeking to avoid review. At the same time, the Administrator has decided to define the phrase "commence construction" in the regulation to clarify the stage a project would have to reach on the effective date in order to be exempt from review. Under the clarifying language, where actual physical on-site

construction or other physical site preparation work is part of a continuous program for the construction of a facility, indirect source law commenced before January 1, 1975, an indirect source will not be subject to review.

The Administrator considers this to be the most rational and equitable approach. To draw the line at a later stage in construction could be quite economically disruptive, while to draw the line at an earlier stage could exempt many projects from review which could still relatively easily and inexpensively be modified in concept and design in order to comply with this regulation.

Public comments were received urging that any indirect source otherwise subject to review under the regulation, which is constructed pursuant to an urban renewal or redevelopment plan, be exempted from review so long as a redevelopment agency had begun to carry out the project. Under this approach, a major indirect source for which construction will not commence for several years would escape review even though such source could adversely impact air quality if it is not designed properly.

The Administrator recognizes that urban renewal and redevelopment projects can, if properly planned, have a very positive effect on area-wide air quality and on the overall quality of the environment. However, it would not be consistent with the purpose of the Act or these regulations to allow any major indirect source subject to these regulations and which commences construction on or after January 1, 1975, to be exempt from review. As has been noted, the basic focus of the review process in these regulations is to ensure that localized violations of the carbon monoxide standards will not be created in the vicinity of a specific indirect source. It is the Administrator's desire to protect the health of individuals living and working in urban renewal areas to the same degree as all other individuals.

Moreover, the Administrator feels that any disruptive effect on urban renewal projects caused by these regulations should be minimal. Indirect sources for which on-site grading or construction work is begun before January 1, 1975, will not be subject to review. For those sources that will be reviewed, it should again be stressed that the primary emphasis of these regulations is to ensure that facilities will be designed properly in accordance with air quality considerations. It should be necessary to deny an approval only in unusual situations where it is impossible to construct a facility with design or other traffic-related conditions imposed so as to meet the tests for review.

One comment questioned whether EPA has legal authority to promulgate requirements for review of indirect sources. The Administrator feels strongly that such authority is conferred by section 110(a) (2) (B) of the Act, which requires that implementation plans include "such other measures as may be necessary to ensure attainment and maintenance of such primary and sec-

ondary standards, including, but not limited to, land use and transportation control." Moreover, section 301(a) of the Act provides that "The Administrator is authorized to promulgate such regulations as are necessary to carry out his functions under this Act." As has been explained earlier in this preamble, the Administrator has determined that review of the air quality impact of indirect sources and the prevention of their construction or modification at such locations where air quality violations could be created and perpetuated is a necessary element in an overall strategy to assure maintenance of national ambient standards as mandated by the Act.

Another issue which has been raised is that while these regulations purport to limit the parking lot size of many facilities, local ordinances may require a certain ratio of parking spaces to square feet of commercial space before certain types of facilities may receive local building permits. The Administrator feels that problems arising from this situation will be minimal. First, the regulations should not in most cases operate to limit the sizes of parking facilities, but merely assure that traffic-related aspects of an indirect source are properly designed in accordance with air quality considerations. Second, to the extent that accommodations must be made under the regulations, such as arranging for the extension of mass transit to a facility and diminishing the number of planned parking spaces, developers may be able to obtain variances from local requirements on the basis that Federal regulations would otherwise prevent the construction and that the purpose of the local parking requirements will be served by the provision for additional mass transit.

It should be understood that the fact that these regulations impose one more step in the approval process and may further restrict an owner's freedom of action relating to parking facilities does not make the regulations improper in view of their necessity under the Act to help assure maintenance of health standards.

Another issue which has created some confusion and has been raised in public comments revolves around previous statements made in earlier preambles that these regulations relate to the attainment, as well as the maintenance, of the national standards. The primary purpose of the regulations is to serve as an element in an overall strategy for maintenance. The regulations are not technically part of any control strategy to attain the standards in those areas in which the ambient air standards are now being exceeded. Nevertheless, they will serve a useful corollary purpose of assisting in the attainment of the standards in such areas.

Several questions were raised concerning the applicability of the proposed regulation in relation to housing developments and airport roadways and parking lots. The regulation is not intended to apply to single family housing developments; however, apartment house

developments meeting the "as related parking area" criterion would be subject to review. In the Administrator's judgment, a single family tract development does not produce sufficient carbon monoxide density to yield meaningful results for an air quality impact analysis of an individual development. This is not to say that low density development is more desirable than high density development; however, it is the Administrator's judgment that such low density development is more appropriately and effectively analyzed and dealt with in the comprehensive growth plans related to air quality maintenance.

With respect to airport roadways and parking facilities, the Administrator feels that it is appropriate to review such facilities for their localized impact on carbon monoxide concentrations as well as to review their impact when conducting general airport review for area-wide impact on carbon monoxide, photochemical oxidants, and nitrogen dioxide concentrations.

There was some concern expressed over the possible misinterpretation of the wording "or combination thereof" included in the definition of indirect source, since it might be construed that several different developments would be considered a single indirect source. This wording has been omitted from the regulation promulgated below, since it is unnecessary and has caused needless confusion. This deletion will not in any way change the intended scope of these regulations.

Several comments criticized the basic approach of the regulations as requiring approval decisions to be based solely on air quality considerations, ignoring social and economic considerations. Economic and social considerations have not been ignored in developing these regulations. As has already been explained, the Administrator has taken the question of economic disruption into consideration in determining the stage of development a project must reach in order to be exempt from review on the effective date. Also, it should be stressed that the purpose of the regulations is not to preclude development except in those rare cases in which no accommodation with air quality maintenance can be reached. Furthermore, these regulations are one of the measures necessary to assure maintenance of the primary standards for auto-related pollutants. These primary standards are set to protect the public health, certainly an overriding social concern.

It is true that a final determination as to a specific source's approvability under the regulation must be based solely on air quality factors. To do otherwise would exceed the scope and purpose of these regulations promulgated pursuant to the Clean Air Act. It should be emphasized, however, that the determination made pursuant to these regulations is only one necessary step among many other land-use measures already generally established (i.e., zoning approval, site plan approval, demolition and building permit approval, sewer tap-in ap-

proval, etc.) in order to assure that a specific facility will be designed and located in a manner not inconsistent with the public health, safety, and welfare. It is hoped that indirect source review will eventually be incorporated into a comprehensive State and local land use planning process so that social, economic, and air quality factors can be considered in an integrated manner.

Many comments were received regarding the procedural aspects of information submitted with application, public comments, and agency determinations. In response to comments, the regulation has made clear that the reviewing agency may require for submission only that information reasonably related to an air quality analysis, and that the time for public comment will not begin to run until all information has been submitted. Also, in response to comments, the regulations now provide that the period within which decisions must be made may be lengthened to allow for more time to make often complex and difficult technical decisions based upon possible voluminous material and public comments.

Several other comments relating to the procedures are inappropriate for consideration at this time since the procedures basically follow the requirements of the Administrator's own regulations appearing in 40 CFR 51.18 which were finally promulgated after proposal and a public comment period on June 18, 1973.

Developers are encouraged to apply for review under these regulations as early in the development process as the information required to be submitted can be prepared. Thus, applicants will be able to ascertain whether their plans will be acceptable under the regulations well before substantial sums are expended in relation to total project cost. The Administrator also encourages developers to seek review of entire large scale projects, such as redevelopment projects, industrial parks, or planned communities, even though only certain elements of such projects might be subject to review under this regulation. Approval of the project as a whole will allow the developer to proceed with certainty that the entire project can be completed as planned.

The language concerning modifications to design and conditions for approval has been modified in response to public comments to make clear that the reviewing agency is under no affirmative duty to devise alternatives which will make an otherwise disapprovable project approvable, but is merely given the discretion to do so or to consider alterations suggested by applicants. The conditions which might be imposed on a permit have been clarified to ensure that they must relate to air quality, and that they may be imposed only if the facility could not meet approval in the form proposed by the application.

Several comments suggested that the relationships of the indirect source regulations to "management of parking supply" regulations promulgated by the

agency as part of several regional transportation control plans be considered, as to avoid confusion among State and reviewing agencies as to which regulation would be applicable to a particular facility. In this regard, it should be pointed out that in the preamble to the proposed indirect source regulations, it was stated that in areas where transportation control plans are required, review of smaller indirect sources would be justified.

In regard to the "management of parking supply regulations" the Administrator has recently deferred the effective date for review until January 1, 1975, in all areas where such regulation was promulgated for the reasons set forth in the preamble to such action printed at 39 FR 1848, January 15, 1974. As explained in that preamble, the agency will be reexamining such regulations in the next few months and will be making other studies relating to transportation control plans in general.

In view of the fact that the indirect source regulations will be applicable only to facilities commencing construction on or after January 1, 1975, and that several aspects of transportation controls are actively under consideration, the Administrator has determined that it would be inappropriate to tailor the indirect source regulations in regard to transportation plan considerations at this time. The Administrator will clear up any confusion relating to "parking management" regulations well before January 1, 1975. At this time, it should be assumed that the review for smaller sources in the transportation control plans will remain unchanged.

Delegation of Review Responsibility to State and Local Agencies. The proposed regulation has been changed to specify that the "Administrator" or an agency designated by him, is designated as the reviewing authority. In the preamble to the proposed regulations, it was noted that a state or local agency could be designated to carry out the review under EPA's promulgated regulations on the basis of an EPA regulation (40 CFR 52.02(d)) which provides that provisions of an approved or promulgated implementation plan may be enforceable by states and local agencies in accordance with their assigned responsibilities under the plan. It was also stated that where states were unwilling to carry out the review under EPA regulations, the EPA would assume this responsibility.

Several states have thus far indicated their willingness to carry out such review, others have indicated that they would not, and many have not indicated their position with certainty on this issue. In view of the deferred effective date for these regulations, the Administrator considers it most appropriate at this time to delay designating state or local agencies to carry out review until a more complete nationwide consultation with state and local agencies can be made to ascertain precisely which agencies should be delegated the authority to conduct review. The Administrator continues to encourage state and local agencies to seek such

delegation through the appropriate EPA regional office.

In this regard, the Administrator has emphasized that the Clean Air Act places primary responsibility for the prevention and control of air pollution on the States and local governments. Accordingly, two broad options are available to States in designating an agency to exercise the review authority required under these regulations. One option is to place responsibility for review of indirect sources in a state-level agency; the other option is to assign responsibility to appropriate units of local government.

Because of the impact which projects to be reviewed under these regulations may have on land use and urban growth and development, the Administrator encourages the States to delegate substantial authority under these regulations to appropriate local governmental units. Such delegation ought to be subject to appropriate conditions (such as effective and coordinated review on the appropriate regional scale, citizen involvement, ultimate control by general purpose local government, etc.) Alternatively, the Administrator encourages the States to allow local general purpose governments, subject to similar conditions, to request designation of a local governmental agency as the reviewing authority. If a State chooses to exercise review authority at the State level, the Administrator encourages States to provide for consultation with affected local governmental units in conducting such reviews. Although the Administrator feels that delegation of review powers to State authorities, with their subsequent subdelegation to local authorities, is the most rational means of delegating responsibility in accordance with the framework of the Act, the Administrator reserves the right to delegate such review powers directly to local governmental units in appropriate cases, where localities are willing to accept such responsibility and States are not. It is also possible to delegate review under this regulation directly to State or local administrative agencies. However, such delegation will not be done without the consent of the elected officials having jurisdiction over such agencies. Whenever a State or local agency requests delegation of these review procedures, the Administrator will consider appropriate administrative or procedural modifications to the regulation, consistent with the Act and 40 CFR Part 51, to facilitate such assumption of responsibility.

The Administrator also is aware of the concern some have voiced that the review authority may be assigned to an agency whose authority is restricted to air pollution control. Accordingly, the regulations require that, where the designated agency does not have continuing responsibilities for land use planning and decision making, the reviewing agency shall consult with the appropriate State and local agency or agencies prior to making certain determinations. In turn, if the designated review agency is not an air pollution control agency, the regulations require that the review agency

shall consult with the appropriate State and local air pollution control agency prior to making its determination.

With the Administrator urging States and/or localities to accept the responsibility to conduct review under the regulations as the Administrator's agent, it should be stressed that the Administrator even more strongly encourages States to develop their own indirect source review procedures in accordance with the requirement of 40 CFR 51.12. Through this process the States can more fully tailor regulations to their own special needs, and the Act's emphasis on State and local control of air pollution will be more fully served.

Additional Changes to Proposed Regulation. The final regulation clarifies the information which must be submitted by the applicant. Generally, the applicant is not required to analyze the air quality impact of his facility; this function will be performed by the reviewing Agency based on data submitted by the applicant. Since developers normally do not have the expertise to perform such an analysis, this change will ensure that such calculations are properly made, and that the air quality estimates will be made at receptor locations considered important by the reviewing agency.

It should be emphasized at this point that much of the data required of the applicant may be available in an Environmental Impact Statement (EIS) prepared pursuant to the National Environmental Policy Act (42 U.S.C. 4321) or similar State legislation. It is not the intent of this regulation to duplicate the information-gathering requirements of NEPA. Where an EIS has been prepared, it should be submitted as part of the application and only the required information not contained in the EIS need be submitted separately.

The final regulation has been modified to clarify the findings the reviewing agency must make before an application can be approved. For facilities other than airports and highways, the reviewing agency is authorized in appropriate cases to make the judgment concerning interference with attainment or maintenance of the national standards on the basis of whether the construction or modification will result in traffic flow characteristics which have been determined by the Administrator not to cause violations of the national standards for carbon monoxide. This provision does not modify the reviewing agency's responsibility to make the determination that the ambient air quality standards will be attained and maintained; it simply provides another tool to be used in appropriate situations for making such a determination. In cases where the Administrator finds that the use of the traffic flow characteristics would not be compatible with the tests for review under the regulation, he is required to consider a "diffusion" model. In making his final determination, in cases where the developer does not believe that the traffic flow characteristics prescribed by the Administrator's guidelines are necessary in order to ensure attainment and maintenance

of the national standards for carbon monoxide, the developer may not wish with him, upon the results of a diffusion model to support his conclusion.

Prior to the effective date of the regulation, the Administrator will publish guidelines for the traffic flow characteristics which must be attained for various types of facilities in order to prevent or avoid violations of the carbon monoxide standards. These guidelines will be used by the Administrator (and designated agencies) in carrying out the review under the regulations and should be used by developers in planning their facilities so as to maximize their chances for approval. This guidance will also include information on sound design practices (e.g., parking lot design, means for ensuring adequate gate capacity, methods for reducing the levels of service on roadways and intersections significantly affected by the indirect source), and other measures, such as mass transit options, which may be used to attain the appropriate traffic flow characteristics.

The above approach is intended in appropriate cases to translate the required air quality determination into specific performance criteria with which developers are much more familiar. This approach minimizes the controversial land use implications of these regulations by emphasizing the control of adverse traffic conditions which cause highly localized carbon monoxide concentrations. Thus, even though the national standards for carbon monoxide may presently be exceeded at some locations in a region, most facilities subject to this regulation which are designed to produce the requisite traffic flow characteristics should still be allowed to construct. This is due to a combination of three factors:

1. Generally, present air quality data reflect the most highly polluted downtown areas. Much new construction occurs on the outskirts of the urban area where carbon monoxide concentrations are relatively low. Construction that does occur in downtown areas is usually served or can be served by mass transit so that the induced traffic will be minimal.
2. The Federal Motor Vehicle Control program will continue to reduce automobile emissions. By the date a facility that commences construction on or after January 1, 1975, is completed, ambient air quality levels of carbon monoxide should be significantly lower than they are presently.
3. To the extent that air quality levels at the site of a proposed indirect source are expected to continue to threaten the national standards, this condition may be due to existing adverse local traffic conditions which may be corrected. If such a situation is corrected, a facility may be allowed to construct if the owner can demonstrate that the additional induced traffic will not cause the local traffic flow to return to its initial condition.

The final regulations do not require an air quality impact analysis for indirect sources with associated parking areas beyond the first year after the source is fully operational. It is the Administrator's judgment that increased carbon monoxide emissions due to growth of mobile source activity associated with a specific indirect source (other than a

to be more than offset by the indirect motor vehicle contribution. The Administrator feels that potential problems from increased traffic in the vicinity of a particular source which may be caused by overall community growth should be dealt with in the maintenance plans to be developed by the States. The ten-year analysis of airports and highways is still required, since the growth of indirect source activity associated with these sources may be sufficient to offset the effect of the Federal motor vehicle and aircraft control programs. For example, the analysis for airports must include not only the growth associated directly with the airport, but other commercial and industrial development occurring within three miles of the airport.

The final regulation clarifies the circumstances under which the reviewing agency may condition permits and eliminates the responsibility for the post-construction air quality monitoring by the applicant. If needed, such monitoring should be conducted by the reviewing agency. The conditions placed on a permit are limited to those measures which are necessary to ensure that air quality standards are attained and maintained.

A new paragraph (10) has been added to encourage the reviewing agency to specify the extent to which a facility could be further modified without being subject to review. This provision was added to deal with a situation in which the reviewing agency determines that even a fairly minor modification, which would not otherwise be subject to review under the regulation, could cause a violation of the national standards.

A new paragraph (12) has been added invalidating an approval to construct if the construction is not commenced within 13 months (subject to extension where justified) after receipt of approval. This is to ensure that changed conditions in the vicinity of the proposed facility would not invalidate the air quality impact calculations on which the original approval was based.

New provisions have been added to clarify responsibilities for review of Federal facilities in cases where the Administrator delegates the authority to State or local agencies to implement the indirect source review procedures. Recent court decisions and Presidential Executive Order 11752 (33 FR 34793, December 19, 1973) cast doubt on the authority of States to subject Federal facilities to permit controls. It is, therefore, necessary for the Administrator to retain responsibility for review of all Federal facilities subject to this regulation in order to carry out the provisions of Section 118 of the Act, which makes clear that Federal facilities must be subject to air pollution controls to the same extent as non-Federal facilities. (It should be noted, however, that the court decisions and Executive Order 11752 do not limit the application of State and local substantive standards and emission limitations to Federal facilities.)

Since these regulations will not be implemented until July 1, 1974, for sources commencing construction on or after January 1, 1973, the Administrator feels that it would be appropriate to allow additional written comments to be submitted in response to the promulgated regulations. All comments submitted not later than April 1, 1974, will be considered, and where appropriate, revisions may be made to the regulations. Comments should be submitted in triplicate to the appropriate EPA Regional Office and labeled as "indirect source comments" on the envelope. Those who submitted written comments in response to the October 30 proposed regulations are encouraged to incorporate relevant portions of such previously submitted comments by reference into their new comments wherever the same point is being made.

The Administrator again strongly encourages States to utilize the time allowed by the deferred effective date to develop and submit their own indirect source review procedures, since the Clean Air Act emphasizes that States and local governments are to have the primary responsibility for the control of air pollution and because decisions involving local land use are traditionally more appropriate for State and local consideration.

As discussed above, the effective date of these regulations will be July 1, 1974, and they will be applicable to indirect sources commencing construction on or after January 1, 1975.

(Sections 110(a)(2)(B), 119(c), and 301(a) of the Clean Air Act, as amended (42 U.S.C. 1857c-5(a)(2)(B), 1857c-5(c), and 1857g(a)))

Dated: February 14, 1974.

RUSSELL E. TRAIN,
Administrator.

Part 52 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

§ 52.0 [Revoked]

1. In § 52.01, paragraph (f) is revoked.
2. Section 52.22 is revised to read as follows:

§ 52.22 Maintenance of national standards.

(a) Subsequent to January 31, 1973, the Administrator reviewed again State implementation plan provisions for insuring the maintenance of the national standards. The review indicates that State plans generally do not contain regulations or procedures which adequately address this problem. Accordingly, all State plans are disapproved with respect to maintenance because such plans do not meet the requirements of § 51.12(g) of this chapter. The disapproval applies to all States listed in Subpart B (through DDD of this part. Nothing in this section shall invalidate or otherwise affect the obligations of States, emission sources, or other persons with respect to all portions of plans approved or promulgated under this part. As required by § 51.12(g) of this chapter, growth plans providing for maintenance of the na-

tional standards must be submitted by each State to the Administrator no later than June 13, 1975.

(b) *Definition for term of new or modified indirect sources.* (1) All terms used in this part, but not specifically defined below shall have the meaning given them in § 201 of this chapter.

(2) The term "indirect source" means a facility, building, structure, or installation which attracts or may attract mobile source activity that results in emissions of a pollutant for which there is a national standard. Such indirect sources include, but are not limited to:

- (a) Highways and roads.
- (b) Parking facilities.
- (c) Retail, commercial and industrial facilities.
- (d) Recreation, amusement, sports and entertainment facilities.
- (e) Airports.
- (f) Office and Government buildings.
- (g) Apartment and condominium buildings.
- (h) Education facilities.

(i) The term "Administrator" means the Administrator of the Environmental Protection Agency or his designated agent.

(ii) The term "associated parking area" means a parking facility or facilities owned and/or operated in conjunction with an indirect source.

(iv) The term "aircraft operation" means an aircraft take-off or landing.

(v) The term "area wide air quality analysis" means a macroscale analysis utilizing the proportional modeling techniques specified in § 51.14(c) of this chapter.

(vi) The phrase "to commence construction" means to engage in a continuous program of construction including site clearance, grading, dredging or land filling specifically designed for an indirect source in preparation for the fabrication, erection, or installation of the building components of the indirect source. For the purpose of this paragraph, interruptions resulting from acts of God, strikes, litigation, or other matters beyond the control of the owner shall be disregarded in determining whether a construction or modification program is continuous.

(vii) The phrase "to commence modification" means to engage in a continuous program of modification, including site clearance, grading, dredging, or land filling in preparation for a specific modification of the indirect source.

(viii) The term "highway section" means the development proposal of a highway of substantial length between logical termini (major crossroads, population centers, major traffic generators, or similar major highway control elements) as normally included in a site location study or multi-year highway improvement program, as set forth in 23 CFR 770.201 (33 FR 31877).

(ix) The term "Standard Metropolitan Statistical Area (SMSA)" means such area as designated by the U.S. Bureau of the Budget in the following publication: "Standard Metropolitan Statistical

Area" found in 1967, with subsequent modifications.

(2) The requirement of this paragraph is applicable to the following:

(i) The SMOA;

(a) Any new parking facility, or other new indirect source with an associated parking area, which has a parking capacity of 1,000 cars or more; or

(b) Any modified parking facility, or any modification of an associated parking area, which increases parking capacity by 500 cars or more; or

(c) Any new highway section with an anticipated average annual daily traffic volume of 50,000 or more vehicles per day within ten years of construction; or

(d) Any modified highway section which will increase average annual daily traffic volume by 10,000 or more vehicles per day within ten years after construction.

(ii) Outside an SMSA:

(a) Any new parking facility, or other new indirect source with an associated parking area, which has a parking capacity of 2,000 cars or more; or

(b) Any modified parking facility, or any modification of an associated parking area, which increases parking capacity by 1,000 cars or more.

(iii) Any airport, the construction or general modification program of which is expected to result in the following activity within ten years of construction or modification:

(a) New airport: 50,000 or more operations per year by regularly scheduled air carriers, or use by 1,000,000 or more passengers per year.

(b) Modified airport: Increase of 50,000 or more operations per year by regularly scheduled air carriers over the existing volume of operations, or increase of 1,000,000 or more passengers per year.

(iv) Where an indirect source is constructed or modified in increments which individually are not subject to review under this paragraph, all such increments occurring since the effective date of this regulation, or since the latest approval hereunder, whichever date is most recent, shall be added together for determining the applicability of this paragraph.

(3) No owner or operator of an indirect source subject to this paragraph shall commence construction or modification of such source after December 31, 1974, without first obtaining approval from the Administrator. Application for approval to construct or modify shall be by means prescribed by the Administrator, and shall include a copy of any environmental impact statement which has been prepared pursuant to the National Environmental Policy Act (42 U.S.C. 4321), or any similar state or local laws or regulations. If not included in such environmental impact statement, the following information shall also be provided:

(i) For all indirect sources subject to this paragraph, other than highway sections:

(a) The name and address of the applicant.

(a) A map showing the location of the site of the indirect source and the location of the SMOA.

(b) A description of the proposed use of the site, both for the first ten years of operation of the facility and the general types of activities to be operated therein.

(c) A site plan showing the location of associated parking areas, points of motor vehicle ingress and egress to and from the site and its associated parking areas, and the location and height of buildings on the site.

(d) An identification of the principal roads, highways, and intersections that will be used by motor vehicles moving to or from the indirect source;

(e) An estimate, as of the date of the application, of the average daily traffic volumes, peaking characteristics, and levels of service at controlled intersections identified pursuant to paragraph (b) (3) (i) (c) of this section located within one-fourth mile of all boundaries of the site;

(f) An estimate of the average daily vehicle trips, and the peaking characteristics of such trips, required to move people to and from the source during the first year after the date all aspects of the indirect source are completed and open for business or fully operational;

(g) An estimate of the maximum number of vehicle trips that would occur within one-hour and eight-hour periods during the first year after the date all aspects of the indirect source are completed and open for business or fully operational.

(h) An estimate of the average daily traffic volumes, peaking characteristics, and levels of service that would occur at the intersections identified pursuant to paragraph (b) (3) (i) (c) of this section during the first year after the date all aspects of the indirect source are completed and open for business or fully operational.

(i) Availability of existing and projected mass transit to service the site.

(j) Any additional information or documentation that the Administrator deems necessary to determine the air quality impact of the indirect source, including the submission of measured air quality data at the proposed site prior to construction or modification.

(ii) For airports:

(a) An estimate of the average number and maximum number of aircraft operations per day by type of aircraft during the first, fifth, and tenth years after the date of expected completion.

(b) A description of the commercial, industrial, residential, and other development that the applicant expects will occur within three miles of the perimeter of the airport within the first five and the first ten years after the date of expected completion.

(c) Expected passenger loadings at the airport.

(d) The information required under paragraphs (b) (3) (i) (a) through (k) of this section.

(iii) For highway sections:

(a) A description of the average and maximum traffic volume for each of the first, fifth, and tenth years after the date of expected completion; and

(b) An estimate of vehicle speeds for average and maximum traffic volume conditions; and

(c) A map showing the location of the highway section, including the location of buildings along the right-of-way.

(d) A description of the general features of the highway section and associated right-of-way, including the approximate height of buildings adjacent to the highway.

(e) Any additional information or documentation that the Administrator deems necessary to determine the air quality impact of the indirect source, including the submission of measured air quality data at the proposed site prior to construction or modification.

(iv) For indirect sources other than airports and those highway sections subject to photochemical oxidant and nitrogen dioxide analysis pursuant to paragraph (b) (3) (i) (c) of this section, the air quality monitoring requirements of paragraph (b) (3) (i) (k) of this section shall be limited to carbon monoxide, and shall be conducted for a period of not more than 14 days.

(4) (i) For indirect sources other than highway sections and airports, the Administrator shall not approve an application to construct or modify if he determines that the indirect source will:

(a) Cause a violation of the control strategy of any applicable state implementation plan; or

(b) Delay the attainment of the national standards for carbon monoxide in any region beyond the date specified for any such region in Part 52 of this chapter; or

(c) Cause a violation of the national standards for carbon monoxide in any region where the attainment date specified for any such region in Part 52 of this chapter will have passed at the time of completion of the indirect source.

(ii) The Administrator shall make the determination pursuant to paragraphs (b) (4) (i) (b) and (c) of this section by considering whether the construction or modification will result in traffic flow characteristics which have been determined by the Environmental Protection Agency not to cause violations of the national standards for carbon monoxide. Such traffic flow characteristics shall be published by the Environmental Protection Agency and may include, but will not be limited to, consideration of the following:

(a) Minimizing vehicle running time within parking lots through the use of sound parking lot design.

(b) Ensuring adequate gate capacity by providing for the proper number and location of entrances and exits and optimum signalization for such.

(c) Limiting traffic volume so as not to exceed the carrying capacity on road-

and (C) (II) of this section shall be read.

(C) (D) The following conditions apply to this paragraph. The recipient shall not approve or modify the content or modify if he determines that the indirect source will:

(c) the violation of the control strategy of any applicable state implementation plan; or

(b) Delay the attainment of the national standards specified for aerobics pursuant to paragraph (b) (6) (D) of this section in any region beyond the date specified for any such region in Part 52; or

(c) Cause a violation of the national standards specified for analysis pursuant to paragraph (b) (6) (ii) of this section in any region where the attainment date specified for any such region in Part 52 will have passed at the time of completion of the indirect source.

(ii) The determination pursuant to paragraphs (b) (6) (ii) (b) and (c) of this section shall be made as follows:

(ii) For all highway sections subject to this paragraph, an appropriate atmospheric diffusion model shall be used to evaluate the concentration of carbon monoxide resulting from the expected maximum traffic volume of the highway section. Such evaluation shall be made at reasonable receptor or exposure sites in the vicinity of such road for the ten-year period following the expected date of completion.

(b) For any new highway section with an anticipated average annual daily traffic volume of 50,000 or more vehicles per day within ten years of construction, or any modification to a highway section which will increase average annual daily traffic volume by 25,000 vehicles per day or more within ten years after modification, the expected concentrations of carbon monoxide, photochemical oxidants, and nitrogen dioxide shall be estimated for the ten-year period following completion of construction or modification using an area-wide air quality analysis or other modeling technique approved by the Administrator. Such area-wide air quality analysis shall not be required for a highway section which is a part of a transportation plan and program prepared pursuant to the urban transportation planning process established under 23 U.S.C. 134, to the extent such plan and program has been determined by the appropriate Regional Administrator of the Environmental Protection Agency to be consistent with the approved state implementation plan, in connection with the procedures described in 23 CFR Part 770, Subpart B (Air Quality Guidelines).

(7) The determination of the air quality impact of a proposed indirect source "at reasonable receptor or exposure sites" shall mean such locations where people might reasonably be exposed for time periods consistent with the national ambient air quality standards for the pollutants specified for analysis pursuant to this paragraph.

(3) (D) Within 30 days of receipt of an application, the Administrator shall determine whether or not the applicant is qualified to be licensed. In the event of such a determination, the date of receipt of the application for the purpose of paragraph (1)(b)(i) of this section shall be the date on which the required information is received by the Administrator.

(11) Within 30 days after receipt of an application, the Board shall:

(a) make preliminary determination whether the indirect source should be approved, approved with conditions in accordance with paragraphs (b) (9) or (10) of this section, or disapproved.

(b) Make available in at least one location in each region in which the proposed indirect source would be constructed, a copy of all materials submitted by the owner or operator, a copy of the Administrator's preliminary determination, and a copy or summary of other materials, if any, considered by the Administrator in making his preliminary determination; and

(c) Notify the public, by prominent advertisement in a newspaper of general circulation in each region in which the proposed indirect source would be constructed, of the opportunity for written public comment on the information submitted by the owner or operator and the Administrator's preliminary determination on the approvability of the indirect source.

(iii) A copy of the notice required pursuant to this subparagraph shall be sent to officials and agencies having cognizance over the location where the indirect source will be situated, as follows: state and local air pollution control agencies; the chief executive of the city and county; any comprehensive regional land use planning agency; and for highways, any local board or committee charged with responsibility for activities in the conduct of the urban transportation planning process (3-C process) pursuant to 23 U.S.C. 134.

(iv) Public comments, submitted in writing within 30 days after the date such information is made available, shall be considered by the Administrator in making his final decision on the application. All comments shall be made available for public inspection in at least one location in the region in which the indirect source would be located.

(V) The Administrator shall take final action on an application within 30 days after the close of the public comment period. The Administrator shall notify the applicant in writing of his approval, conditional approval, or denial of the application, and shall set forth his reasons for conditional approval or denial. Such notification shall be made available for public inspection in at least one location in the region in which the indirect source would be located.

(d) The Administrator may extend each of the time periods specified in paragraphs (b) (2) (ii), (iv), or (v) of this section by no more than 30 days.

(9) The Administrator may condition any approval by specifying the extent to which the indirect source may be further modified without resubmission for approval under this paragraph.

(10) Any owner or operator who fails to construct and operate an indirect source in accordance with the application, as approved and conditioned by the Administrator, or any owner or operator of an indirect source subject to this paragraph who commences construction or modification thereof after December 31, 1974, without applying for and receiving approval hereunder, shall be subject to the penalties specified under section 113 of the Act and shall be considered in violation of an emission standard or limitation under Section 304 of the Act. Subsequent modification to an indirect source approved by the Administrator may be made without applying for permission pursuant to this paragraph only where such modification would not violate any condition imposed pursuant to paragraphs (b) (2) or (10) of this section.

(11) Approval to construct or modify shall become invalid if construction or modification is not commenced within 15 months after receipt of such approval. The Administrator may extend such time period upon a satisfactory showing that an extension is justified.

(12) Approval to construct or modify shall not relieve any owner or operator of the responsibility to comply with the control strategy and all local, State, and Federal regulations which are part of the applicable state implementation plan.

(13) Notwithstanding the provisions relating to modified indirect sources contained in paragraph (b) (2) of this section, the Administrator may condition any approval by specifying the extent to which the indirect source may be further modified without resubmission for approval under this paragraph.

(14) Any owner or operator who fails to construct and operate an indirect source in accordance with the application, as approved and conditioned by the Administrator, or any owner or operator of an indirect source subject to this paragraph who commences construction or modification thereof after December 31, 1974, without applying for and receiving approval hereunder, shall be subject to the penalties specified under section 113 of the Act and shall be considered in violation of an emission standard or limitation under Section 304 of the Act. Subsequent modification to an indirect source approved by the Administrator may be made without applying for permission pursuant to this paragraph only where such modification would not violate any condition imposed pursuant to paragraphs (b) (2) or (10) of this section.

(15) Approval to construct or modify shall become invalid if construction or modification is not commenced within 15 months after receipt of such approval. The Administrator may extend such time period upon a satisfactory showing that an extension is justified.

(16) Approval to construct or modify shall not relieve any owner or operator of the responsibility to comply with the control strategy and all local, State, and Federal regulations which are part of the applicable state implementation plan.

Subpart B—Alabama

3. Section 52.50 is amended by revising paragraph (c) as follows:

§ 52.50 Identification of plan.

(c) Supplemental information was submitted on:

(1) March 21, April 18, and April 28, 1972, by the Alabama Air Pollution Control Commission, and

(2) April 21 and September 26, 1973.

4. Section 52.53 is revised to read as follows:

§ 52.53 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Alabama's plan for the attainment and maintenance of the national standards.

5. Subpart B is amended by adding a new § 52.56, as follows:

§ 52.56 Review of new sources and modifications.

(a) The requirements of § 51.18(h) of this chapter are not met since the State's procedures for providing for public comment are not legally enforceable.

(b) Regulation providing for public comment. (1) Prior to approval or disapproval of the construction or modification of an indirect source, the Director shall:

(i) Make a preliminary determination whether the indirect source should be approved, approved with conditions or disapproved;

(ii) Make available in at least one location in each region in which the proposed indirect source would be constructed, a copy of all materials submitted by the owner or operator, a copy of the Director's preliminary determination, and a copy or summary of other

information received in connection with the application.

(2) The Director shall make the preliminary determination in each region in which the proposed indirect source would be constructed, of the extent to which the proposed indirect source would contribute to the level of air pollution in the region, and the extent to which the proposed indirect source would contribute to the level of air pollution in the region, and the extent to which the proposed indirect source would contribute to the level of air pollution in the region.

(3) A copy of the preliminary determination shall be made available to the Administrator, the Director, the Regional Office, the State, and local air pollution control agencies having jurisdiction in the region where the indirect source will be located; and to any other agency in the region having responsibility for implementing the procedures required under Chapter 10 of the Alabama rules and regulations.

(4) Public comments submitted in writing in 30 days of the date such information is made available shall be considered by the Director in making his final decision on the application.

Subpart C—Alaska

6. Section 52.74 is amended by adding paragraph (b), as follows:

§ 52.74 Legal authority.

(b) The requirements of § 51.11(a) (4) of this chapter are not met since statutory authority to prevent construction, modification, or operation of a facility, building, structure, or installation, or combination thereof, which indirectly results or may result in emissions of any air pollutant at any location which will prevent the maintenance of a national air quality standard is not adequate.

7. Subpart C is amended by adding a new § 52.78 as follows:

§ 52.78 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met since the State of Alaska failed to submit a plan for review of new or modified indirect sources.

(b) Regulation for review of new or modified indirect sources. The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Alaska.

Subpart D—Arizona

8. Section 52.129 is amended by adding paragraphs (c) and (d), as follows:

§ 52.129 Review of new sources and modifications.

(c) The requirements of § 51.18 of this chapter are not met since the State of Arizona failed to submit a plan for review of new or modified indirect sources.

(d) Regulation for review of new or modified indirect sources. The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Arizona.

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Subpart E—Arkansas

9. In Subpart E, Section 52.177 is added as follows:

§ 52.177 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met because the State failed to submit a plan for the review of new or modified indirect sources.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Arkansas.

Subpart F—California

10. Section 52.233 is amended by adding paragraphs (h) and (i), as follows:

§ 52.233 Review of new sources and modifications.

(h) The requirements of § 51.18 of this chapter are not met since the State of California failed to submit a plan for review of new or modified indirect sources.

(i) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of California.

Subpart G—Colorado

11. In Subpart G, § 52.340 is added as follows:

§ 52.340 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met because the State failed to submit a plan for the review of new or modified indirect sources.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Colorado.

Subpart H—Connecticut

12. In § 52.370, paragraph (c) is revised to read as follows:

§ 52.370 Identification of plan.

(c) Supplemental information was submitted on March 21, April 6, and August 10, 1972, and January 9, 1974, by the Connecticut Department of Environmental Protection.

13. Section 52.373 is revised to read as follows:

§ 52.373 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Connecticut's plan for the attainment and maintenance of the national standards.

14. Subpart H is amended by adding a new § 52.375 as follows:

§ 52.375 Review of new sources and modifications.

(a) Because of the late submission of Connecticut's plan for review of new or modified indirect sources, the public has not had adequate opportunity to comment on its approvability. Therefore, the Administrator disapproves this portion of the plan pending completion of the public comment period and the Administrator's final evaluation of the plan.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Connecticut.

Subpart I—Delaware

15. Section 52.422 is revised to read as follows:

§ 52.422 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Delaware's plan for attainment and maintenance of the national standards.

16. Subpart I is amended by adding § 52.426 as follows:

§ 52.426 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met because the State failed to submit a plan for review of new or modified indirect sources.

(b) *Regulation for review of new or modified sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Delaware.

Subpart J—District of Columbia

17. Subpart J is amended by adding § 52.478 as follows:

§ 52.478 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met because the District failed to submit a plan for review of new or modified indirect sources.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the District of Columbia.

Subpart K—Florida

18. In § 52.520 paragraph (c) is revised to read as follows:

§ 52.520 Identification of plan.

(c) Supplemental information was submitted on April 10 and May 5, 1972, and on June 1, August 6 and September 25, 1973, by the State of Florida Department of Pollution Control.

Subpart L—Georgia

19. Section 52.572 is revised to read as follows:

§ 52.572 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Georgia's plan for the attainment and maintenance of the national standards.

20. Subpart L is amended by adding § 52.574, as follows:

§ 52.574 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met since the State failed to submit a plan for the review of new or modified indirect sources.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Georgia.

Subpart M—Hawaii

21. In § 52.623, the first sentence is revised to read as follows:

§ 52.623 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Hawaii's plan for the attainment and maintenance of the National standards.

22. Subpart M is amended by adding a new § 52.629, as follows:

§ 52.629 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met since the State of Hawaii failed to submit a plan for review of new or modified indirect sources.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Hawaii.

Subpart N—Idaho

23. In § 52.670, paragraph (c) is revised to read as follows:

§ 52.670 Identification of plan.

(c) Supplemental information was submitted on:

(1) February 23, April 12, and May 26, 1972, by the Idaho Air Pollution Control Commission, and

(2) March 2, May 5, and June 9, 1972, and February 15, July 23, and October 16, 1973.

24. Subpart N is amended by adding a new § 52.679, as follows:

§ 52.679 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met since the plan does not set forth legally enforceable procedures for preventing construction or modification of an indirect source if such construction or modification will result in a violation of applicable portions of the control strategy or will interfere with attainment or maintenance of a national standard.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Illinois.

Subpart C—Indiana

25. Subpart C is amended by adding § 52.780 as follows:

§ 52.780 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met because the State failed to submit a plan for review of new or modified indirect sources.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Illinois.

Subpart D—Kansas

26. Section 52.780 is amended by adding paragraphs (c) and (d) as follows:

§ 52.780 Review of new sources and modifications.

(c) The requirements of § 51.18 of this chapter are not met because the State failed to submit a plan for review of new or modified indirect sources.

(d) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) are hereby incorporated by reference and made a part of the applicable implementation of the plan for the State of Indiana.

Subpart Q—Iowa

27. Section 52.824 is amended by adding paragraph (b), as follows:

§ 52.824 Legal authority.

(b) The requirements of § 51.11(a)(4) of this chapter are not met since statutory authority to prevent construction, modification, or operation of a facility, building, structure, or installation, or combination thereof, which indirectly results or may result in emissions of any air pollutant at any location which will prevent the maintenance of a national air quality standard is not adequate.

28. Subpart Q is amended by adding a new § 52.830, as follows:

§ 52.830 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met because the State failed to submit a plan for review of new or modified indirect sources.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Iowa.

Subpart R—Kentucky

29. Subpart R is amended by adding § 52.920, as follows:

§ 52.920 Identification of plan.

(a) The requirements of § 51.11(a)(4) of this chapter are not met since statutory authority to prevent construction, modification, or operation of a facility, building, structure, or installation, or combination thereof, which indirectly results or may result in emissions of any air pollutant at any location which will prevent the maintenance of a national air quality standard is not adequate.

30. Subpart R is amended by adding a new § 52.970, as follows:

§ 52.970 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met because the State failed to submit a plan for review of new or modified indirect sources.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Kansas.

Subpart S—Kentucky

31. In § 52.920, paragraph (c) is revised to read as follows:

§ 52.920 Identification of plan.

(c) Supplemental information was submitted on:

(1) March 6 and May 3, 1972, by the Kentucky Air Pollution Control Office, and

(2) March 17 and June 7, 1972, and December 5, 1973.

32. Subpart S is amended by adding § 52.928, as follows:

§ 52.928 Review of new sources and modifications.

(a) Because of the late submission of Kentucky's plan for review of new or modified indirect sources, the public has not had adequate opportunity to comment on its appropriateness. Therefore, the Administrator disapproves this portion of the plan pending completion of the public comment period and the Administrator's final evaluation.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Kentucky.

Subpart T—Louisiana

33. Section 52.976 is amended by adding paragraphs (c) and (d), as follows:

§ 52.976 Review of new sources and modifications.

(c) The requirements of § 51.18 of this chapter are not met because the State

failed to submit a plan for review of new or modified indirect sources.

(d) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Louisiana.

Subpart U—Maine

34. In Section 52.1020, paragraph (c) is revised to read as follows:

§ 52.1020 Identification of plan.

(c) Supplemental information was submitted on July 22, 1972, and September 20, 1973, by the Environmental Improvement Commission, State of Maine.

35. Section 52.1022 is revised to read as follows:

§ 52.1022 Approval status.

With the exceptions set forth in this subpart, the Administrator approved Maine's plan for attainment and maintenance of the national standards.

36. Subpart U is amended by adding a new § 52.1026, as follows:

§ 52.1026 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met because the plan does not provide legally enforceable procedures that adequately prevent construction or modification of sources which would indirectly interfere with the attainment or maintenance of national ambient air quality standards.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Maine.

Subpart V—Maryland

37. Subpart V is amended by adding § 52.1076 as follows:

§ 52.1076 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met because the State failed to submit a plan for review of new or modified indirect sources.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Maryland.

Subpart W—Massachusetts

38. Subpart W is amended by adding a new § 52.1124 as follows:

§ 52.1124 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met because the State failed to submit a plan for review of new or modified indirect sources.

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(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Massachusetts.

Subpart X—Michigan

39. Section 52.1176 is amended by adding paragraphs (c) and (d) as follows:

§ 52.1176 Review of new sources and modifications.

(c) The requirements of § 51.18 of this chapter are not met because the State failed to submit a plan for review of new or modified indirect sources.

(d) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Michigan.

Subpart Y—Minnesota

40. Subpart Y is amended by adding § 52.1225 as follows:

§ 52.1225 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met because the State failed to submit a plan for review of new or modified indirect sources.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Minnesota.

Subpart Z—Mississippi

41. Section 52.1272 is revised to read as follows:

§ 52.1272 Approvals *tus*.

With the exceptions set forth in this subpart, the Administrator approves Mississippi's plan for attainment and maintenance of the national standards.

42. Subpart Z is amended by adding new §§ 52.1275 and 52.1276, as follows:

§ 52.1275 Legal authority.

(a) The requirements of § 51.11(a) (4) of this chapter are not met since statutory authority to prevent construction, modification, or operation of a facility, building, structure, or installation, or combination thereof, which indirectly results or may result in emissions of any air pollutant at any location which will prevent the maintenance of a national air quality standard is not adequate.

§ 52.1276 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met because the State failed to submit a plan for review of new or modified indirect sources.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Mississippi.

Subpart AA—Missouri

43. Section 52.1325 is amended by adding paragraph (c), as follows:

§ 52.1325 Legal authority.

(c) The provisions of § 51.11(a) (4) of this chapter are not met since statutory authority to prevent construction, modification, or operation of a facility, building, structure, or installation, or combination thereof, which indirectly results or may result in emissions of any air pollutant at any location which will prevent the maintenance of a national air quality standard is not adequate.

44. Subpart AA is amended by adding a new § 52.1323, as follows:

§ 52.1323 Review of new sources or modifications.

(a) The requirements of § 51.18 of this chapter are not met because the State failed to submit a plan for review of new or modified indirect sources.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Missouri.

Subpart BB—Montana

45. In Subpart BB, § 52.1374 is added as follows:

§ 52.1374 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met because the State failed to submit a plan for the review of new or modified indirect sources.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Montana.

Subpart CC—Nebraska

46. Section 52.1428 is amended by adding paragraphs (f) and (g), as follows:

§ 52.1428 Review of new sources and modifications.

(f) The requirements of § 51.13 of this chapter are not met because the State failed to submit a plan for review of new or modified indirect sources.

(g) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Nebraska.

Subpart DD—Nevada

47. Section 52.1473 is amended by adding paragraphs (c) and (d), as follows:

§ 52.1473 Review of new sources and modifications.

(c) The requirements of § 51.13 of this chapter are not met since the State of Nevada failed to submit a plan for review of new or modified indirect sources.

(d) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Nevada.

Subpart EE—New Hampshire

48. In § 52.1520, paragraph (c) is revised to read as follows:

§ 52.1520 Identification of plan.

(c) Supplemental information was submitted on February 23, March 23, and August 8, 1972, and on February 14, April 3, May 17, and December 13, 1973, by the New Hampshire Air Pollution Control Agency.

49. Subpart EE is amended by adding a new § 52.1525, as follows:

§ 52.1525 Review of new sources and modifications.

(a) Because of the late submission of New Hampshire's plan for review of new or modified indirect sources, the public has not had adequate opportunity to comment on its approvability. Therefore, the Administrator disapproves this portion of the plan pending completion of the public comment period and the Administrator's evaluation of the plan.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of New Hampshire.

Subpart FF—New Jersey

50. In Subpart FF, § 52.1573 is added as follows:

§ 52.1573 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met because the State failed to submit a plan for the review of new or modified indirect sources.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of New Jersey.

Subpart GG—New Mexico

51. In Subpart GG, § 52.1623 is added as follows:

§ 52.1623 Review of new sources and modifications.

(a) The requirements of § 51.13 of this chapter are not met because the State failed to submit a plan for the review of new or modified indirect sources.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of New Mexico.

Subpart HH—New York

52. In § 52.1670, paragraph (c) (2) is revised to read as follows:

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§ 52.1610 Identification of plan.

(c) ...
(2) April 17, 19 and 30, May 7, 16 and 21, June 11, and August 15, 1973.
53. In Subpart III, § 52.1600 is added as follows:

§ 52.1600 Review of new sources and modifications.

(a) Part 201.2(b) of Subchapter A, Chapter III, Title 6 of New York State's Official Compilation of Codes, Rules and Regulations is disapproved because it allows issuance of provisional permit to construct if undue hardship or delay would be caused in meeting the requirements of Parts 201.2 and 201.3.

(b) The requirements of § 51.18 (c) (1), (c) (2), (h) (1), and (h) (2) (iii) of this chapter are not met because the plan does not provide legally enforceable procedures for the submission of information to determine whether construction or modification of an indirect source will result in a violation of applicable portions of the control strategy or will interfere with the attainment or maintenance of a national standard, and it does not provide for public notice of or comment on the analysis by the Department of Environmental Conservation of the effect of construction or modification on ambient air quality.

(c) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of New York.

Subpart II—North Carolina

54. Section 52.1770 is amended by revising paragraph (c) as follows:

§ 52.1770 Identification of plan.

(c) Supplemental information was submitted on May 5 and 9, 1972 and on February 13, 14, March 2, April 24, and October 5, 1973, by the Air Quality Division of the North Carolina Department of Natural and Economic Resources.

55. Subpart II is amended by adding a new § 52.1775, as follows:

§ 52.1775 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met because the plan does not provide legally enforceable procedures that adequately prevent construction or modification of sources which would indirectly interfere with the attainment or maintenance of national ambient air quality standards.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of North Carolina.

Subpart JJ—North Dakota

56. Section 52.1823 is revised to read as follows:

§ 52.1822 Approval status.

With the exceptions set forth in this subpart, the Administrator approves the North Dakota plan for the attainment and maintenance of the national standards.

57. In Subpart JJ, § 52.1824 is added as follows:

§ 52.1824 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met because the State failed to submit a plan for the review of new or modified indirect sources.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of North Dakota.

Subpart KK—Ohio

58. Section 52.1873 is revised to read as follows:

§ 52.1873 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Ohio's plan for attainment and maintenance of the national standards.

59. Subpart KK is amended by adding § 52.1879 as follows:

§ 52.1879 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met because the State failed to submit a plan for review of new or modified indirect sources.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Ohio.

Subpart LL—Oklahoma

60. Section 52.1922 is revised to read as follows:

§ 52.1922 Approval status.

With the exceptions set forth in this subpart, the Administrator approves the Oklahoma plan for the attainment and maintenance of the national standards.

61. In Subpart LL, Section 52.1924 is added as follows:

§ 52.1924 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met because the State failed to submit a plan for the review of new or modified indirect sources.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Oklahoma.

Subpart MM—Oregon

62. In § 52.1970, paragraph (c) is revised to read as follows:

§ 52.1970 Identification of plan.

(c) Supplemental information was submitted on:

(1) May 3 and October 28, 1972, and April 13, and September 21, 1973, and

(2) August 10, 1972, and February 9, May 30, June 8, 23, and 25, July 17, and August 3, 20, and 27, 1973, by the Department of Environmental Quality.

63. Subpart MM is amended by adding a new § 52.1982, as follows:

§ 52.1982 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met since the plan does not set forth legally enforceable procedures for preventing construction or modification of an indirect source if such construction or modification will result in a violation of applicable portions of the control strategy or will interfere with attainment or maintenance of a national standard.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Oregon.

Subpart NN—Pennsylvania

64. Subpart NN is amended by adding § 52.2055 as follows:

§ 52.2055 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met because the State failed to submit a plan for review of new or modified indirect sources.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Pennsylvania.

Subpart OO—Rhode Island

65. Section 52.2074 is amended by adding paragraph (c), as follows:

§ 52.2074 Legal authority.

(c) The requirements of § 51.11(a) (4) of this chapter are not met since statutory authority to prevent construction, modification or operation of a facility, building, structure, or installation, or combination thereof, which indirectly results or may result in emissions of any air pollutant at any location which will prevent the maintenance of a national air quality standard is not adequate.

66. Subpart OO is amended by adding a new § 52.2081, as follows:

§ 52.2081 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met because the

RULES AND REGULATIONS

State failed to submit a plan for review of new or modified indirect sources.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Rhode Island.

Subpart IV—South Carolina

67. Section 52.2121 is amended by adding paragraph (d) as follows:

§ 52.2121 Legal authority.

(d) The requirements of § 51.11(a) (4) of this chapter are not met since statutory authority to prevent construction, modification, or operation of a facility, building, structure, or installation, or combination thereof, which indirectly results or may result in emissions of any air pollutant at any location which will prevent the maintenance of a national air quality standard is not adequate.

68. Subpart PP is amended by adding a new § 52.2123, as follows:

§ 52.2123 Review of new sources and modifications.

(a) The requirements of § 51.13 of this chapter are not met because the State failed to submit a plan for review of new or modified indirect sources.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of South Carolina.

Subpart Q—South Dakota

69. In Subpart QQ, Section 52.2175 is added as follows:

§ 52.2175 Review of new sources and modifications.

(a) The requirements of § 51.13 of this chapter are not met because the State failed to submit a plan for the review of new or modified indirect sources.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of South Dakota.

Subpart R2—Tennessee

70. Section 52.2221 is amended by adding paragraph (b) as follows:

§ 52.2221 Legal authority.

(b) The requirements of § 51.11(a) (4) of this chapter are not met since statutory authority to prevent construction, modification, or operation of a facility, building, structure, or installation, or combination thereof, which indirectly results or may result in emissions of any air pollutant at any location which will prevent the maintenance of a national air quality standard is not adequate.

71. Subpart RR is amended by adding § 52.2228, as follows:

§ 52.2228 Review of new sources and modifications.

(a) The requirements of § 51.13 of this chapter are not met since the State failed to submit a plan for review of new or modified indirect sources.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Tennessee.

Subpart SS—Texas

72. In Subpart SS, § 52.2299 is added as follows:

§ 52.2299 Review of new sources and modifications.

(a) The requirements of § 51.13 of this chapter are not met because the State failed to submit a plan for the review of new or modified indirect sources.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Texas.

Subpart TT—Utah

73. In Subpart TT, Section 52.2328 is added as follows:

§ 52.2328 Review of new sources and modifications.

(a) The requirements of § 51.13 of this chapter are not met because the State failed to submit a plan for the review of new or modified indirect sources.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Utah.

Subpart UU—Vermont

74. In § 52.2370, paragraph (c) is revised to read as follows:

§ 52.2370 Identification of plan.

(c) Supplemental information was submitted on February 3 and May 19, 1972, and November 30, 1973, by the Vermont Agency of Environmental Conservation.

75. Subpart VV is amended by adding a new § 52.2377, as follows:

§ 52.2377 Review of new sources and modifications.

(a) Because of the late submission of Vermont's plan for review of new or modified indirect sources, the public has not had adequate opportunity to comment on its approvability. Therefore, the Administrator disapproves this portion of the plan pending completion of the public comment period and the Administrator's evaluation of the plan.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a

part of the applicable implementation plan for the State of Vermont.

Subpart VV—Virginia

76. In § 52.2420, paragraph (c) (2) is revised to read as follows:

§ 52.2420 Identification of plan.

(c) . . .

(2) April 11, May 30, July 9, July 11, and December 6, 1973.

77. Subpart VV is amended by adding § 52.2418 as follows:

§ 52.2418 Review of new sources and modifications.

(a) Because of the late submission of Virginia's plan for review of new or modified indirect sources, the public has not had adequate opportunity to comment on its approvability. Therefore, the Administrator disapproves this portion of the plan pending completion of the public comment period and the Administrator's evaluation of the plan.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Virginia.

Subpart WW—Washington

78. In § 52.2470, paragraph (c) is revised to read as follows:

§ 52.2470 Identification of plan.

(c) Supplemental information was submitted on:

(1) January 28, May 5, July 19, and September 11, 1972, and February 15, April 13, and October 11, 1973, and (2) December 12, 1972 and July 31, 1973, by the State of Washington Department of Ecology.

79. Subpart WW is amended by adding a new § 52.2495, as follows:

§ 52.2495 Review of new sources and modifications.

(a) The requirements of § 51.13 of this chapter are not met since the plan does not include legally enforceable procedures for preventing construction or modification of an indirect source if such construction or modification will result in a violation of applicable portions of the control strategy.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Washington.

Subpart XX—West Virginia

80. Subpart XX is amended by adding § 52.2525 as follows:

§ 52.2525 Review of new sources and modifications.

(a) The requirements of § 51.13 of this chapter are not met because the State failed to submit a plan for review of new or modified indirect sources.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.2579 of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of West Virginia.

Subpart YY—Wisconsin

61. Subpart YY is amended by adding § 52.2579 as follows:

§ 52.2579 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met because the State failed to submit a plan for review of new or modified indirect sources.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Wisconsin.

Subpart ZZ—Wyoming

62. Section 52.2625 is amended by adding paragraphs (c) and (d), as follows:

§ 52.2625 Review of new sources and modifications.

(c) The requirements of § 51.18 of this chapter are not met because the State

failed to submit a plan for the review of new or modified indirect sources.

(d) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Wyoming.

Subpart AAA—Utah

63. Section 52.2670 is amended by adding paragraph (c) as follows:

§ 52.2670 Identification of plan.

(c) Supplemental information was submitted on August 14, 1973.

Subpart BBB—Puerto Rico

64. Section 52.2722 is revised to read as follows:

§ 52.2722 Approval status.

With the exceptions set forth in this subpart, the Administrator approves the Puerto Rico plan for the attainment and maintenance of the national standards.

65. In Subpart BBB, Section 52.2721 is added as follows:

§ 52.2721 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met because the State

failed to submit a plan for the review of new or modified indirect sources.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the Territory of Puerto Rico.

Subpart CCC—U.S. Virgin Islands

66. Section 52.2775 is amended by adding paragraphs (c) and (d), as follows:

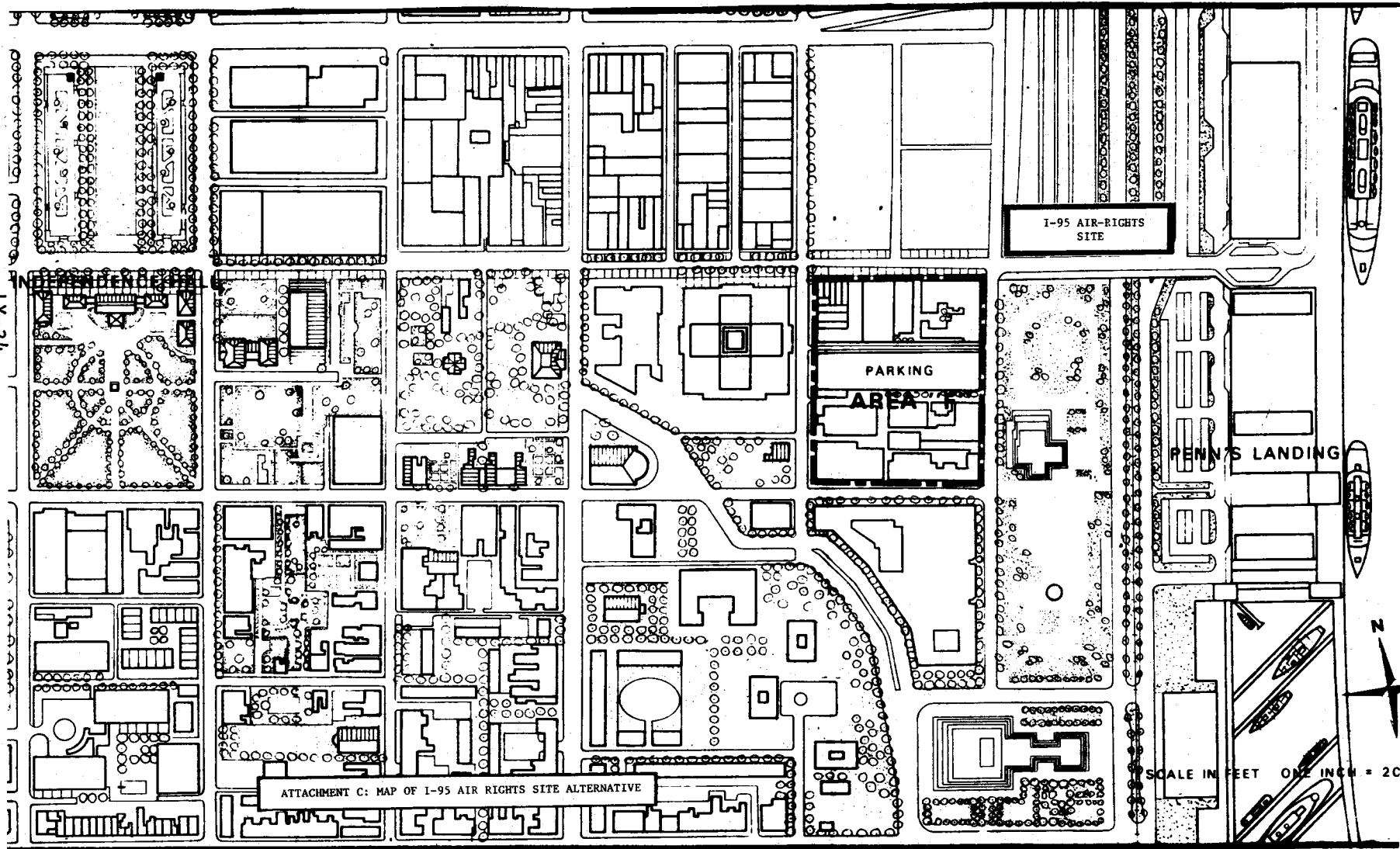
§ 52.2775 Review of new sources and modifications.

(c) The requirements of § 51.18 of this chapter are not met because the State failed to submit a plan for the review of new or modified indirect sources.

(d) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the U.S. Virgin Islands.

[FR Doc. 74-1143 Filed 2-22-74; 8:45 am]

IX-34



ATTACHMENT C: MAP OF I-95 AIR RIGHTS SITE ALTERNATIVE

I-95 AIR-RIGHTS
SITE

PARKING
AREA

PENN'S LANDING

SCALE IN FEET ONE INCH = 20

N



GOVERNOR'S OFFICE
OFFICE OF STATE PLANNING AND DEVELOPMENT
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG, PA. 17120

December 19, 1973

Mr. Chester L. Brooks
National Park Service
U.S. Department of the Interior
143 South Third Street
Philadelphia, Pennsylvania 19106

Dear Mr. Brooks:

The Office of State Planning and Development, as the State Clearinghouse for the Commonwealth of Pennsylvania, has received and transmitted to various State agencies comments of the Draft Environmental Impact Statement for Area "F" of the Independence National Historical Park, Philadelphia.

Attached please find comments from the Departments of Environmental Resources and Transportation. Please consider these the official response of the State Clearinghouse.

Sincerely,

Richard A. Hix

Richard A. Heiss, Coordinator
Pennsylvania State Clearinghouse

RAH/rew

MID ATLANTIC REGION		Initials and Date
Director	<i>[Signature]</i>	
Deputy Director		
Evaluation		
Public Affairs		
✓ Park Management	<i>[Signature]</i>	
✓ ~~Cost Accounting~~		
✓ Field Station Visit		
✓ Plant Services		
✓ Land Use		
✓ Administration		
EEO		
Personnel		
Programs		
Finance		
Property		

COMMONWEALTH OF PENNSYLVANIA



DEPARTMENT OF ENVIRONMENTAL RESOURCES

P. O. BOX 1467

HARRISBURG, PENNSYLVANIA 17120

The Secretary

December 6, 1973

SUBJECT: Department of Environmental Resources
Review and Evaluation of
PSCH No.: 73-10-3-004

TITLE: DEIS Proposed Independence
National Park - Area F

LOCATION: Philadelphia, Philadelphia County

RECEIVED

DEC 14 1973

OFFICE OF STATE PLANNING
AND DEVELOPMENT

TO: R. A. Heiss, Coordinator
Pennsylvania State Clearinghouse

A handwritten signature in cursive script, reading "Maurice K. Goddard".

FROM: MAURICE K. GODDARD
Secretary of Environmental Resources

On the basis of the submitted information found in the Draft Environmental Impact Statement, no significant or adverse impact is anticipated for the implementation of the project. However, the Department of Environmental Resources offers these comments.

This project has been evaluated on the basis of the actions proposed in the applicant's submission. Any approval, granted or implied, does not extend to any changes made by the applicant subsequent to and not in keeping with our recommendations. Any such changes will require a new submission through the Pennsylvania State Clearinghouse.

The following comments are made based on the review and evaluation of the submitted project.

The project is approved for implementation.

The project has been in the planning stage for 10 years and has been reviewed previously by many public and private organizations. As mentioned on Page 6, William C. Forrey, Director, Bureau of State Parks, served on the Masterplan Steering Committee and can verify that the present proposal appears to be the best solution to solve the parking problem for visitors to Independence National Historical Park.

Special attention should be given to the design of the parking garage to minimize any visual degradation of the area.

The statement includes four alternatives to the proposed project. On Page 59, listed under "VIII. Alternatives To The Proposed Action, item B., Provide a visitor center on Independence Mall with parking nearby" is one of the four alternatives.

This alternative proposal is unacceptable to the Department of Environmental Resources under any circumstances. Independence Mall State Park was established to create a frontispiece, a vista for Independence Hall. The aforementioned alternative would destroy that purpose and, therefore, is totally unacceptable as an alternative solution.

The project description indicates no adverse affect upon the geological environment of the site or the adjoining area. It should be noted however, that the proposed site of the project is underlain by unconsolidated sediments (sand and gravel) which should be taken into consideration when engineering and architect designs are made for any of the proposed new buildings.

The applicant should be notified that an air pollution permit will be necessary from the Air Management Services of the City of Philadelphia since they have the prime responsibility regarding this project.

Department of Transportation

November 21, 1973

SUBJECT: Draft Environmental Impact Statement
Independence National Historical Park
City of Philadelphia
PSCH Project No. 73 10 3 004

TO:

Mr. Richard A. Heiss
State Coordinator, PNRS
Office of State Planning
and Development

FROM:

Louis E. Keefer, Director
Bureau of Advance Planning

**RECEIVED**

NOV 26 1973

OFFICE OF STATE PLANNING
AND DEVELOPMENT

We have reviewed the Draft EIS for the Proposed Independence National Historic Park in the City of Philadelphia. We have no comments to offer.



CITY OF PHILADELPHIA

October 31, 1973

*Rec'd 11/15/73
J.L.*

Mr. Chester L. Brooks
Director, Northeast Region
National Park Service
143 South Third Street
Philadelphia, Pennsylvania 19106

Dear Mr. Brooks:

Thank you for sending me a copy of the draft environmental statement for "Area F" of the Independence National Historical Park. I have read it carefully and must say that it seems to be a very complete statement and one with which I can agree in general. The excellent charts, maps, and photographs make it possible for any reader to review the statement with some feeling of certainty. Unfortunately, this has not always been the case with environmental statements submitted to the Historical Commission for comment.

If it turns out to be practical, I think the proposal to put two levels of the parking garage underground would be the most desirable solution to that design problem. I should also like to endorse all of the provisions of the Advisory Council and particularly provision No. 3. If there is any way that the visual effect of Ionic Street shown in the photograph on Page 37 can be retained, this should be considered since views of this sort were characteristic of the Old City Area.

I should like to recommend that good photographs of the "ghosts" of the old houses that appeared in the photographs showing the north side of Sansom Street (see Pages 41 and 45) be taken. This could be as important as the recording for HABS of buildings presently standing which will be demolished for the erection of the garage (see Page 54).

PHILADELPHIA HISTORICAL COMMISSION
City Hall Annex, Philadelphia, Pa. 19107
MU 6-4543 and MU 6-4583

F. OTTO HAAS, Chairman
CHARLES R. TYSON, Vice Chairman
MRS. JAMES C. CRUMLISS, JR.
HON. JOHN B. KELLY, JR., Councilman at-Large
EDWARD PINKOWSKI
JOHN TAXIN
WILLIAM A. COSTELLO
Commissioner of Public Property
LENNOX L. MOAK, Director of Finance
HENRY J. MAGAZINER, A.I.A.
Architectural Advisor to the Commission
BARBARA LIGGETT
Archaeological Consultant to the Commission
DR. MARGARET B. TINKCOM, Historian
PATRICIA SIEMIONTKOWSKI
Executive Assistant to the Chairman

*Last paragraph
removed as requested
by M.B. Tinkcom
As per Mr. Tinkcom's
information - This
will be included
in the final statement
as an inclusion of
Mrs. Tinkcom's question.*

Mr. Chester L. Brooks

2

October 31, 1973

In addition, I hope that the Park Service will make mandatory a thorough archaeological exploration of the site and provide full funding for a published report.

The fee system of charging for parking in the proposed garage described on Page 11 seems to provide the most practical solution to the problem of assuring space in this garage for visitors to the Park. I hope that it may be developed.

Finally, I should like to ask whether in the statement as presented for distribution Richard Webster's name could be attached to Appendix C, the justification prepared for the inclusion of this site in the Old City Historic District. As you know, he is the editor of the Historic American Buildings Survey Catalog of Philadelphia County and prepared the form for nominating this area for inclusion in the National Register at the request of the Historical Commission. ✓

Yours sincerely,

Margaret B. Tinkcom

Dr. Margaret B. Tinkcom
Historian

MBT/dll



THE PHILADELPHIA CONVENTION & TOURIST BUREAU

1525 John F. Kennedy Blvd., Philadelphia, Pennsylvania 19102

Phones (215) 665-1976 or 561-1200

October 23, 1973

NORTHEAST REGION		Initial and Date
OCT 30 1973		
Exec. Dir.		
Asst. Dir. General		
Asst. Dir. Comm. Affairs		
Fed. State & Int. Aff.		
Public Affairs		
Ch. Finance & Control		
Ch. Planning		
Ch. Property		
Asst. Dir. Park Services		
Ch. Land Acquisition		
Ch. Comm. Evaluation		
Asst. Dir. Admin. Serv.		
Director of Public Aff.		
Organ. Dev. Manager		

Chester L. Brooks
Director
Northeast Regional Office
National Park Service
United States Dept. of the Interior
143 S. 3rd St.
Philadelphia PA 19106

Dear Mr. Brooks:

Thank you for sending us a copy of the draft environmental statement for Area F of the Independence National Historical Park.

Needless to say, our Bureau is vitally interested in anything that increases the lure of Philadelphia among visitors from all over the world, and of course, our greatest attraction is Independence National Historical Park.

We consider additional parking adjacent to the new Visitors Center at 3rd and Chestnut Sts. vital to the master plan of the Park itself as well as the entire waterfront and Penn's Landing area.

As you well know our Bureau has already made a commitment to the Park Service to provide staffing at a Philadelphia information booth at the new Orientation Center at 3rd and Chestnut Sts. We do this with full knowledge that our staff, supplementing the guide service, will provide the most complete type of service to our visitors.

Having studied carefully the advantages of a parking facility in Area F along with the alternatives, we most heartily endorse such a parking facility. The addition of 550 parking spaces in this spot will definitely help alleviate parking problems in that area.

Please let us know how we may assist you in helping make this plan a reality.

Forwarded to	Independence
From	Philadelphia Office
for	information
By:	eg
Date:	10/30/73

ECH/mlg

Cordially,

Eugene C. Hosmer, Jr.
Eugene C. Hosmer, Jr.
President

THE PHILADELPHIA PARKING AUTHORITY

SUITE 508 • THREE PENN CENTER PLAZA
PHILADELPHIA, PENNSYLVANIA 19102

JACK P. GROSS
CHAIRMAN

February 8, 1974

NORTHEAST REGION		Initials and Date
FEB 11 1974		
☒	Director	
☒	Deputy Director	2/11/74
☐	Evaluation	
☐	Public Affairs	
☐	Parking Administration	
☒	Engineering	7/5 3/12
☒	Site Planning	
☐	Public Services	
☐	Lands	
☐	Administration	
☐	EEO	
☐	Personnel	
☐	Programs	
☐	Finance	
☐	Property	
☒	Development	Don V. Schmidt

Mr. Chester L. Brooks, Director
Northeast Region of the
National Park Service
143 S. Third Street
Philadelphia, Penna. 19106

RE: Area F Environmental Statement

Dear Mr. Brooks:

As you are aware, legislation, expanding the Independence National Historical Park to include that section called Area F, has passed the Senate and will soon be acted upon by the House. This may result in our getting closer to more definitive action in preparing the parking facilities.

Unfortunately, the Parking Authority files are lacking considerable background information on this area. I have had a chance to review your draft Environmental Statement on Area F and found it to contain an excellent description of the area. The copy I reviewed was with the gracious help of Dr. Tinkcom of the Philadelphia Historical Commission.

It would be greatly appreciated if you could send us a copy of your Environmental Statement. I believe it would help us to comprehend better the historical significance of Area F, in particular, and also give us a better overview of the entire park area.

Thank you for your consideration of this request.

Sincerely,

Charles A. Dougherty

Charles A. Dougherty
Assistant Managing Director
for Development

CAD/de

cc: Francis J. Myers, Jr.

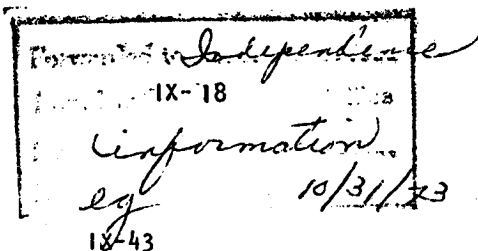
ONE EAST PENN SQUARE, PHILADELPHIA, PENNSYLVANIA 19107 • (215) 569-89

JAMES MARTIN, Executive Director

October 30, 1973

EXECUTIVE COMMITTEE	
1	GUSTAVE G. AMSTERDAM
2	JOHN B. BROWN, JR.
3	WILLIAM S. CASHEL
4	JOHN R. CLARK
5	WILLIAM P. DAVIS, III
6	WILLIAM L. DAY
7	RICHARDSON DILWORTH
8	BERNARD ESKIN
9	WILLIAM F. FOULKE
10	STEPHEN S. GARDNER
11	ROBERT R. GILGLESBY
12	KENT GRAHAM
13	ROBERT D. HARRISON
14	ADRIAN S. HOOPER
15	BERNARD R. KANT
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18	MRS. HOWARD MITCHELL
19	EDWARD T. MOYNAHAN
20	TOWNSEND MUNSON
21	ROY J. PERAINO
22	FREDERICK J. PORT
23	FREDERIC A. POTTS
24	MICHAEL L. RASKY
25	STEWART RAUCH, JR.
26	ROBERTON STRAWBRIDGE
27	JAMES H. J. TATE
28	CHARLES R. TYSON
29	WILLIAM WHITE
30	MORRIS WOLF

I believe we are not alone in this assessment. Among others directly involved in the destiny of Area F are our Mayor and City Council, Philadelphia Area Council on Tourism, City Planning Commission, Philadelphia Parking Authority, Redevelopment Authority, Independence National Historical Park Advisory Commission, and the Philadelphia Historical Society. Without exception, these agencies have endorsed the goals of the Park expansion into Area F and the method of implementation. This public review and approval has been matched by enthusiastic endorsement by both businessmen and residents of the immediately affected area and surrounding areas such as Society Hill. Following comprehensive presentations by yourself and Superintendent Hobart Cawood of both Area F and the total Park development program, our Executive Committee, composed of key business and civic leaders in the City, unanimously endorsed the project.



Mr. Chester L. Brooks

Page 2

October 30, 1973

Over the past ten years, OPDC has been privileged to be "present at the creation" of one of the nation's most outstanding examples of historical preservation and residential urban renewal in the Society Hill project. In marketing more than 325 historical townhouses and lots for restoration and redevelopment, we have developed a keen awareness that preservation and restoration "pays off" not only in aesthetic intangibles, but also in very real improvements to the City as a whole. We feel that what is being proposed for Area F is in the finest tradition of the imaginative and sensitive way in which the Park Service has complemented with high quality restoration the efforts underway throughout the rest of "America's most historic square mile" to create a truly modern and vital community which also lives intimately with history. We thus not only fully endorse this project, but commend you and your staff for the tireless efforts you have given to create the living tribute to history that is "Independence".

Very truly yours,



James Martin, Executive Director

beh



Pennsylvania Society of Sons of the Revolution

HALL OF THE HISTORICAL SOCIETY OF PENNSYLVANIA

1300 LOCUST STREET

PHILADELPHIA 7

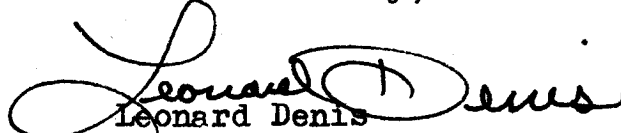
19 December 1973

Mr. Chester L. Brooks
Regional Director, Northeast Region
United States Department of the Interior
National Park Service
143 South Third Street
Philadelphia, Pennsylvania 19106

Dear Mr. Brooks:

In reply to your request for an endorsement, you will be pleased to know that the Board of Managers of our Society, at a meeting held the 8th of November, endorsed the plan to construct a parking area, by the Philadelphia Parking Authority, in "Area F" of the Independence National Historical Park. This parking area is for the specific purpose of accomodating visitors to "Area F".

Yours sincerely,


Leonard Denis
Executive Secretary

LD/dca

The Carpenters' Company of the City and County of Philadelphia

3 December 1973

Mr. Chester L. Brooks
Regional Director
Northeast Region
National Park Service
143 South Third Street
Philadelphia, Pennsylvania 19106

Dear Mr. Brooks:

I am a little late in responding to your invitation to comment on the draft environmental statement for "Area F" of the Independence National Historical Park. But since I have only positive comments to offer, perhaps no harm will have been done.

The draft was reviewed for The Carpenters' Company by John Harbeson, FAIA, Chairman of our Conference Committee with the Independence National Historical Park. His summation is that the base proposal is preferable to the alternatives and, in itself, provides a reasonable solution to the problem. He further comments that if the resulting architecture is up to the opportunity, particularly in regard to sensitivity to the street facades, the result should be quite acceptable.

It is very difficult in historic settings to arrange accommodations for automobile needs that are 100% favorable since machines are incompatible to begin with in such surroundings. This proposal has in it, however, options that will allow an appropriate answer if adroitly handled.

Sincerely,

Paul C. Harbeson

Paul C. Harbeson, President
The Carpenters' Company of the
City and County of Philadelphia

PCH/pfs

cc: Mr. John F. Harbeson



THE HALL, BUILT 1770-1773, RESTORED 1857
320 CHESTNUT STREET, PHILADELPHIA, PENNSYLVANIA 19106

MID ATLANTIC REGION	
DEC 4 1973	
☒	Director
☒	Deputy Director
☒	Evaluation
☒	Public Affairs
☒	Park Management
☒	Pres. Affairs
☒	Pres. Sec. for Pres.
☒	Pres. Services
☒	Lands
☒	Administration
☒	EEG
☒	Personnel
☒	Programs
☒	Finance
☒	Property

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APPENDIX

PUBLIC LAW 93-477 (AN ACT)	A
DRAFT OF PROPOSED HISTORIC DISTRICT ZONING ORDINANCE	B
SITE DESCRIPTION OLD CITY HISTORIC DISTRICT	C
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An Act

88 STAT. 1445

To provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, to authorize appropriations for additional costs of land acquisition for the National Park System, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I--ACQUISITION CEILING INCREASES

SEC. 101. The limitations on appropriations for the acquisition of lands and interests therein within units of the National Park System contained in the following Acts are amended as follows:

- (1) Biscayne National Monument, Florida: Section 5 of the Act of October 18, 1968 (82 Stat. 1188, 1189) is amended by changing "\$24,575,000" to "\$28,350,000"; 10 USC 450qq--
- (2) Colonial National Historical Park, Virginia: Section 4 of the Act of July 3, 1930 (46 Stat. 856), as amended (16 U.S.C. 81f) is amended by changing "\$2,777,000" to "\$10,472,000";
- (3) Cumberland Gap National Historical Park, Kentucky and Tennessee: For the acquisition of lands authorized in subsection 301(2) of this Act, there are authorized to be appropriated such sums as may be necessary, but not more than \$427,500; 16 USC 266.
- (4) Fort Necessity National Battlefield, Pennsylvania: Section 5 of the Act of August 10, 1961, (75 Stat. 336), is amended by changing "\$115,000" to "\$722,000"; 16 USC 430tt.
- (5) Independence National Historical Park, Pennsylvania: Section 6 of the Act of June 28, 1948 (62 Stat. 1061, 1062), as amended (16 U.S.C. 407r), is amended by changing "\$11,200,000" to "\$12,792,000";
- (6) Indiana Dunes National Lakeshore, Indiana: Section 10 of the Act of November 5, 1966 (80 Stat. 1309, 1312; 16 U.S.C. 406n-9) is amended by changing "\$27,900,000" to "\$35,526,000";
- (7) Moores Creek National Military Park, North Carolina: The Act of September 27, 1944 (58 Stat. 746) is amended by adding the following new section: 16 USC 422a-1.
- "Sec. 2. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, but not more than \$243,000 shall be appropriated for the acquisition of lands and interests in lands and not more than \$325,000 shall be appropriated for development."; Land acquisition, appropriation. 16 USC 422a-2.
- (8) Morristown National Historical Park, New Jersey: Section 3 of the Act of September 18, 1964 (78 Stat. 957) is amended by changing "\$281,000" to "\$2,111,000"; 16 USC 409g note.
- (9) Rocky Mountain National Park, Colorado: For the acquisition of lands authorized in subsection 301(6) of this Act, there are authorized to be appropriated not more than \$2,423,740 and for development of such lands there are authorized to be appropriated not more than \$318,000;
- (10) Virgin Islands National Park, Virgin Islands: Section 4 of the Act of October 5, 1962 (76 Stat. 748; 16 U.S.C. 398f) is amended by changing "\$1,250,000" to "\$12,250,000";
- (11) Apostle Islands National Lakeshore, Wisconsin: Section 8 of the Act of September 26, 1970 (84 Stat. 880) is amended by deleting "\$4,250,000" and inserting in lieu thereof "\$5,250,000"; 16 USC 460w-7.
- (12) Lake Mead National Recreation Area, Arizona and 16 USC 460w-9.

16 USC 460n-9.

Nevada: Section 10 of the Act of October 8, 1961 (78 Stat. 1029), is amended by deleting "\$1,200,000" and inserting in lieu thereof "\$7,100,000"; and

16 USC 460x-14.

(13) Sleeping Bear Dunes, Michigan: Section 15 of the Act of October 21, 1970 (94 Stat. 1973) is amended by deleting "\$19,800,000" and inserting in lieu thereof "\$57,753,000".

TITLE II—DEVELOPMENT CEILING INCREASES

SEC. 201. The limitations on appropriations for development of units of the National Park System contained in the following Acts are amended as follows:

(1) Channel Islands National Monument, California: For the purposes of development of the administrative site and visitor facilities authorized by section 401 of this Act, there are authorized to be appropriated \$2,936,000;

(2) Cumberland Gap National Historical Park, Kentucky and Tennessee: In addition to any funds heretofore appropriated for said national historical park, there are hereby authorized to be appropriated not more than \$160,000 for development; and

(3) International Peace Garden, North Dakota: Section 1 of the Act of October 25, 1949 (63 Stat. 888), as amended (68 Stat. 300 and 72 Stat. 985), is amended by changing "\$100,000" to "\$1,702,000".

TITLE III—BOUNDARY CHANGES

SEC. 301. The Secretary of Interior shall revise the boundaries of the following units of the National Park System:

(1) Biscayne National Monument, Florida: To add approximately 8,738 acres of land and water, including all of Swan Key and Gold Key;

16 USC 267.

(2) Cumberland Gap National Historical Park, Kentucky and Tennessee: Notwithstanding the provisions of the Act of June 11, 1940 (54 Stat. 262), as amended (16 U.S.C. 261-265), the Secretary of the Interior is authorized to acquire by donation, purchase with donated or appropriated funds, or exchange not to exceed 60 acres of land or interests in land located in Bell County, Kentucky, and Claiborne County, Tennessee, for addition to and inclusion in the said national historical park which, upon acquisition, shall become a part of the Cumberland National Historical Park subject to the laws, rules, and regulations governing such park;

(3) Fort Necessity National Battlefield, Pennsylvania: To add approximately 411 acres;

(4) Independence National Historical Park, Pennsylvania: To add approximately 4.67 acres, which shall include the area bounded by Chestnut Street, Front Street, Walnut Street, and Second Street, to be known as Project F: *Provided*, That the authority of the Secretary of the Interior to acquire property by condemnation under this Act shall be suspended with respect to all property within the boundaries of the area known as Project F during the time the city of Philadelphia shall have in force and applicable to such property a duly adopted, valid zoning ordinance approved by the Secretary: *And provided further*, That no zoning ordinance or amendment of a zoning ordinance shall be approved by the Secretary which (1) contains any provision which he may consider adverse to the preservation and develop-

ment of the Independence National Historical Park, or (2) fails to have the effect of providing that the Secretary shall receive notice of any variance granted under and any exception made to the application of such ordinance or amendment;

(5) Lava Beds National Monument, California: To add approximately 321.58 acres and to delete approximately 60.12 acres, which additions and deletions shall comprise only Federally owned lands, and lands deleted from the monument shall be administered by the Secretary of the Interior in accordance with the Federal reclamation laws;

(6) Morristown National Historical Park, New Jersey: The Act of September 18, 1964 (78 Stat. 957) is amended changing "two hundred and eighty-one acres" in both places in which it appears in the first section to "465 acres" and change the period to a colon and insert "Provided, That title to the property known as the Cross estate may not be accepted until the property is vacant." and

(7) Rocky Mountain National Park, Colorado: To add approximately 1,556.21 acres.

16 USC 409g.

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. The Secretary of the Interior is authorized to accept the donation of the fee simple title of not to exceed five acres of land and submerged land within the Ventura Marina, Ventura County, California; and to develop, operate, and maintain thereon administrative and visitor facilities to be used as a mainland headquarters for the Channel Islands National Monument: *Provided*, That no lands or any interests therein may be accepted by the Secretary until a mutually satisfactory agreement has been executed which shall include, among other things, an agreement on the design for such facilities, a reasonable timetable for their construction, and an agreement concerning public use of and access to such facilities. Any property accepted under the provisions of this Act shall be administered as a part of the national monument.

Ventura Marina, Calif., land donation for use in Channel Islands National Monument.

Administration.

SEC. 402. The Act of September 27, 1944 (58 Stat. 746), providing for the Moores Creek National Military Park is amended by changing the words "accept in behalf of the United States donations of" to "acquire by donation, purchase, or exchange", and by changing "to be accepted" to "acquired".

16 USC 422a-1.

SEC. 403. (a) The Secretary of the Interior, in cooperation with the Secretary of the Army, shall cause to be conducted such studies as they deem reasonable and necessary to determine the causes and extent of the damage to the foundations of the historic structures of the San Juan National Historic Site and shall transmit to the Congress, as soon as possible, but no later than one year after the date of the enactment of this Act, the alternative courses of action, together with their recommendations, which might be taken to assure the historical integrity of such structures and the safety of the visiting public. Pending the submission of such recommendations, the Secretary of the Interior shall take every reasonable precaution to assure the public safety and the maximum public enjoyment of the historic site.

San Juan National Historic Site, P.R., damage studies.

Transmittal to Congress.

(b) To carry out the purposes of this section, there are authorized to be appropriated such sums as may be necessary, but not more than \$100,000.

Appropriation.

SEC. 404. (a) The Secretary of the Interior is authorized and directed to undertake a study of the most feasible and suitable means of preserving and interpreting for the benefit of the public the historic and natural resources of the Ohio and Erie Canal in the State of Ohio,

Ohio and Erie Canal, Ohio, study.

Report to Congress.

together with associated and related lands. In carrying out the study the Secretary shall consider existing and proposed State and local highway plans, land-use plans, outdoor recreation plans, and related plans for the preservation of historic and natural resources. Not later than one year from the date of enactment of this Act the Secretary shall submit to the Congress a report of such study, including his recommendations as to the means of protecting, interpreting, and developing the resources of the Ohio and Erie Canal and adjacent lands.

Appropriation.

(b) To carry out the purposes of this section, there are authorized to be appropriated such sums as may be necessary, but not more than \$40,000.

Additional appropriations.
42 USC 4603.

SEC. 405. (a) In all instances where authorizations of appropriations for the acquisition of lands for the National Park System enacted prior to January 9, 1971, do not include provisions therefor, there are authorized to be appropriated such additional sums as may be necessary to provide for moving costs, relocation benefits, and other expenses incurred pursuant to the applicable provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646; 84 Stat. 1894). There are also authorized to be appropriated not to exceed \$8,400,000 in addition to those authorized in Public Law 92-272 (86 Stat. 120) to provide for such moving costs, relocation benefits, and other related expenses in connection with the acquisition of lands authorized by Public Law 92-272.

42 USC 4601
note.
16 USC 459f-10.**Waiver.**

(b) Whenever an owner of property elects to retain a right of use and occupancy pursuant to any statute authorizing the acquisition of property for purposes of a unit of the National Park System, such owner shall be deemed to have waived any benefits under sections 203, 204, 205, and 206 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894), and for the purposes of those sections such owner shall not be considered a displaced person as defined in section 101(6) of that Act.

42 USC 4623-4626.
42 USC 4601.
Cape Lookout National Seashore, N. C.
16 USC 459g.

SEC. 406. The Act of March 10, 1966 (80 Stat. 33; 16 U.S.C. 459g) providing for the establishment of Cape Lookout National Seashore in the State of North Carolina is amended as follows:

(1) Section 1 is amended by deleting "Proposed Boundaries—Proposed Cape Lookout National Seashore", dated April 1964, and numbered NS-CL-7101-B," and substituting in lieu thereof "Boundary Map, Cape Lookout National Seashore", dated March 1974, and numbered 623-20,009," and by changing the colon to a period and deleting the remainder of the section.

Non-Federal land acquisition.
16 USC 459g-1.

(2) Subsection 2(a) is amended by deleting the third sentence and inserting in lieu thereof the following "Lands owned by the State of North Carolina or any political subdivision thereof may be acquired only by donation, but the Secretary may, subject to the provisions of section 7 of this Act, acquire any other non-Federal lands, marshlands, waters, or interests therein which are located within the boundaries of the seashore by donation, purchase with donated or appropriated funds, or exchange. Notwithstanding any other provision of law, the Secretary may accept any lands donated by the State of North Carolina subject to a provision for reversion to the State conditioned upon continued use of the property for national seashore purposes."

Post, p. 1449.

16 USC 495g-2.

(3) Section 3 is amended by revising the first sentence to read as follows: "When title to lands and interests in lands in an amount sufficient to constitute an efficiently administrable unit for the purposes of this Act is vested in the United States, the Secretary shall declare the establishment of the seashore by publication of notice thereof in the Federal Register."

Publication in Federal Register.

(4) Section 7 is amended to read as follows:
 "Sec. 7. On or before January 1, 1978, the Secretary shall review the area within the seashore and shall report to the President, in accordance with section 3 (c) and (d) of the Wilderness Act (78 Stat. 891; 16 U.S.C. 1132 (c) and (d)), his recommendations as to the suitability or nonsuitability of any area within the seashore for preservation as wilderness, and any designation of any such areas as a wilderness shall be accomplished in accordance with said subsections of the Wilderness Act."

Report to

President.

16 USC 459f-6.

(5) Add a new section 8 to read as follows:
 "Sec. 8. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, not to exceed \$7,003,000 for acquisition of lands and interests therein, of which no more than \$1,000,000 may be expended for acquisition of lands owned by Core Banks Club Properties, Incorporated. For development of essential public facilities there are authorized to be appropriated not more than \$2,935,000. On or before January 1, 1978, the Secretary shall develop and transmit to the Committees on Interior and Insular Affairs of the United States Congress a final master plan for the full development of the seashore consistent with the preservation objectives of this Act, indicating—

Appropriation.

16 USC 459g-7.

- "(1) the facilities needed to accommodate the health, safety and recreation needs of the visiting public;
- "(2) the location and estimated cost of all facilities; and
- "(3) the projected need for any additional facilities within the seashore."

Approved October 26, 1974.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 93-1286 (Comm. on Interior and Insular Affairs).
 SENATE REPORT No. 93-1232 (Comm. on Interior and Insular Affairs).
 CONGRESSIONAL RECORD, Vol. 120 (1974):

- Aug. 19, considered and passed House.
- Oct. 8, considered and passed Senate, amended.
- Oct. 16, House concurred in Senate amendments with an amendment; Senate concurred in House amendment.

APPENDIX B

DRAFT OF PROPOSED HISTORIC DISTRICT ZONING
AN ORDINANCE

An ordinance establishing a new Zoning District, Chapter 14-1200,
Historic Development District.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 14 of the Philadelphia Code is amended to include a
new chapter, as follows:

CHAPTER 14-1200: HISTORIC DEVELOPMENT DISTRICT

14-1201 Statement of Purpose.

This District is intended to promote the preservation of historic areas
within the City of Philadelphia by permitting residential commercial, certain
manufacturing, institutional, and related uses in historic development
districts, in accordance with an, approved plan of development, subject to
certain limitations on the type of use and certain requirements for gross floor
area, percentage of land coverage, setbacks, height limits, off-street parking,
off-street loading spaces and signs.

14-1202 Permitted Uses.

Specific uses permitted in this District shall be the erection, con-
struction, alteration or use of structures, and/or land for:

- (a) The uses permitted in any residential district. All other qualifi-
cations provided in residential districts are not required in this District.

(b) The following sales, separately or in any combination: Antiques; art goods and artists' supplies; bakery goods; beverages; bicycles; motorcycles; books; photographic equipment; china, glass and metalware; confectionery goods; cosmetics; delicatessen goods; department store merchandise; draperies; drugs; dry goods; electric appliances and fixtures; floor coverings; fruits and vegetables; furniture; gifts; groceries; hardware; hobby and handicraft merchandise; household appliances; jewelry; luggage; meat; medical supplies; music materials and merchandise; musical instruments; newspapers and magazines; office equipment and supplies; optical and orthopedic goods; packaged paints; radio; phonograph and television sets and parts; seafood; sporting goods; stationery; variety store merchandise ("5-and-10-cent store") watches and clocks; wearing apparel;

(c) Barber, beauty shop, bicycle rental, costume and clothing rental, indoor theatre, pool and bowling, hat cleaning, photographer, tailor shop, taxidermist, bathhouse and indoor swimming pool;

(d) Printing, publishing and related trades and arts; blueprinting, duplicating, and kindred reproduction services, not to exceed 2,000 square feet in gross floor area;

(e) Business office or agency, financial institution, radio or television studio;

(f) Florist, including accessory greenhouse;

(g) Repair of household appliances and fixtures, jewelry, musical instruments, photographic equipment, radio and television equipment, and shoes, not to exceed 2,000 square feet in gross floor area;

(h) Restaurant, cafe, soda or ice cream fountain, or catering including outdoor dining areas;

(i) Hand laundry, laundry pick-up agency and/or dry cleaning pick-up agency and each use, singly or in any combination, not to exceed 2,000 square feet in gross floor area;

(j) Retail dry cleaning establishment using non-flammable solvents as approved by the Department of Licenses and Inspections, provided such use does not exceed 2,500 square feet in gross floor area;

(k) Self-service laundry using residential-type washing machines, and provided said use complies with the provisions of 11-304 (1) (a);

(l) Self-service dry cleaning establishment; provided said use complies with the provisions of 13-304 (1) (b);

(m) Treatment or sale of pet birds and pet animals, and animal hospitals;

(n) Wholesaling of the following items:

Antiques; books; china; glass and metalware for domestic use; draperies; furniture; jewelry; musical instruments; watches and clocks; and wearing apparel;

(o) Manufacture and repair of the following uses, provided that no machinery is used in the process:

Antiques; books; china; glass and metalware for domestic use; draperies; furniture; jewelry; musical instruments; watches and clocks; and wearing apparel;

(p) Post office;

(q) Parking either in a structure or in a lot, provided that where a parking lot is developed a wall of a minimum height of six -feet shall be built around the parking lot;

(r) Accessory uses, customarily incidental to any of the above permitted uses; provided, that the accessory use does not occupy more than 25% of the

gross floor area; and does not include open air storage of materials, equipment or merchandise.

14-1203 Area Regulations.

(a) Occupies Area. Subject to all other provisions and requirements of this District. Buildings may occupy up to 100% of the lot area.

(b) Building Setback Line. No building setback line shall be required in this District.

(c) Yards and Courts.

(.1) Additions to existing buildings, and newly erected buildings;

(.a) Yards and courts with legal required windows.

Any wall with one or more legally required windows shall be a minimum horizontal distance of fifteen feet from (1) the opposite side of any street which the wall faces, (2) any facing lot line which is not a street line, (3) any opposing wall on the same lot; and every inner court shall have a minimum horizontal dimension of fifteen feet.

(.b) Yards and courts without legally required windows. Yards and courts without legally required windows shall be governed by the following provisions:

Front Yards. No front yards shall be required.

Side Yards and Open Courts. When side yards or open courts are used, except open courts between wings of the same building, they shall have a minimum width of five feet.

Open Courts between wings of the same building. The minimum width between wings of the same building shall be twelve feet.

Inner Courts. The least dimension of an inner court shall be eight feet. Minimum area of such court shall be 100 square feet. Such courts of less area than 300 square feet shall not be permitted for any building used for dwelling purposes except when used as vent shafts.

14-1204 Height Regulations.

The maximum height of a new building shall be 55 feet above the average ground level at the base of the structure.

14-1205 Off-Street Parking.

No off-street parking shall be required in this District.

14-1206 Off-Street Loading.

Off-street loading spaces shall be provided in accordance with Chapter 14-1405 (1) of this Title.

14-1207 Use Conditions.

(a) No Historic Development District shall be established unless at the time of the introduction of the ordinance therefor the said ordinance is accompanied by a development plan, as specified below, prepared by the City Planning Commission, with respect to the layout of the entire area, and a recommendation from the Department of Streets with respect to the traffic pattern plan, parking plan and driveways and a recommendation from the Historical Commission with respect to the buildings indicated as being preserved in the plan. said development plan shall contain as a minimum the following information:

(1) Plans for the development of the entire Historic Development District area.

(2) The extent boundaries and areas of the proposed Historic Development District.

(3) The general dimensions and heights of the proposed structures.

(4) Any proposed change to the existing confirmed street layout within or surrounding the boundaries of the District.

(5) The size and location of all off-street parking areas; the size and location of all driveways leading thereto.

(b) At any time after final adoption by City Council, any owner of property in the area may apply to the City Planning Commission for a change in layout of said Historic Development District plan. After due consideration, the City Planning Commission may permit such change; provided that it shall not authorize any change in the development plan which is contrary to the area regulations, and sign regulations set forth in this chapter. The applicant must submit to the City Planning Commission a plan showing the dimensions and heights of the structures as well as the use or uses intended for each of the structures, the gross floor area of all buildings, existing and proposed, and the size and location of any signs. The City Planning Commission shall submit to the Historical Commission any plan which would require the demolition or alteration of any building certified as historic by the Philadelphia Historical Commission for their review and recommendation.

14-1208 Signs.

Signs shall be permitted in accordance with the following limitations and conditions:

(a) The total area of signs permitted on buildings shall not exceed one square foot for each lineal foot of store front width.

(b) permitted signs may be illuminated by interior lighting or lighting directed towards the signs, provided that they do not create glare upon adjacent structures; but in no case should signs be illuminated by flashing, animated, or intermittent illumination.

(c) Signs which revolve shall be prohibited.

(d) Any revolving device which causes any intermittent flashing of light shall be prohibited.

(e) Signs may be attached flat against the wall of the building or marquee, or upon the roof of a marquee, but may not project above the roof or wall coping, or extend beyond the building walls.

14-1209 District Rules and Exceptions.

(a) Ornamental towers and belfries.

(1) Monuments, belfries, cupolas, minarets, pinnacles, church gables, spires, or ornamental towers not for human occupancy shall not be considered part of the "gross floor area" as used in the regulations for this District.

(2) Towers of mechanical or structural necessity shall not be considered as part of the height limitations as used for this District.

R. Damon Childs

Executive Director

X-13

City Planning Commission

August 26, 1970

APPENDIX C

SITE DESCRIPTION OLD CITY HISTORIC DISTRICT

In spite of the diversity of architectural styles in the Old City area most of the buildings are brick, a minority faced with granite, marble, brownstone, stucco, or cast iron. Trim is usually of wood or stone for the earlier buildings and after 1850 often of iron. Buildings of the late 18th and early 19th centuries are residential in character and occasionally in function, two or three-and-a-half stories with gable roofs. Those of the mid-19th century (1830-80), however, are commercial buildings, four or five stories with flat roofs, often with a store front of a material different from the upper stories.

Very few of the buildings, almost exclusively those in Elfreth's Alley, have been restored. The rest of the buildings remain with their exteriors and interiors in various degrees of alteration, but most of them have been altered but slightly over the years.

The commercial character of the Old City area is predominant. The neighborhood is a showcase of 19th-century wholesale-retail stores and warehouses. Among the more outstanding examples is the John Singer warehouse at the rear of 319 Market Street, the oldest surviving warehouse in Philadelphia. The three-and-a-half-story brick building was built in 1806 and is similar to the LaTour warehouse on South Water Street that was demolished in 1967. Nearby the architect S. D. Button provided in the five-story Leland Building, 37-39 South Third Street, an early (1855) architectural solution for the tall, narrow commercial building by recessing the spandrels behind continuous granite piers to emphasize verticality. The commercial building at the northwest corner of Front and Arch Streets is a fine example of mid-19th-century cast-iron architecture. Built between 1855 and 1857, it has brick bearing walls and a cast-iron front with an arcade at each of its five stories articulated by engaged columns, originally sanded and painted to simulate marble.

Throughout the area are entire blocks of commercial buildings that are as significant as individual structures. The west side of North Front Street between Market and Arch Streets (2-66 N. Front Street) is a rare surviving block of early-19th-century brick warehouses, characterized by marble piers at most of the ground stories. The north side of Chestnut Street between Strawberry and Third Streets (213-23 Chestnut Street) serves as a catalogue of mid-19th-century commercial architecture, displaying brick, brownstone, granite, and cast-iron facades with a variety of designs ranging from the academic to the utilitarian. The east side of North Third Street between Market and Arch Streets (1-63 N. Third Street) is even more stylistically diverse, ranging from gable-roof brick stores to Italianate and Gothic designs in iron and sandstone.

In spite of its commercial character the area retains some of the nation's most famous residences. Elfreth's Alley, designated a National Historic Landmark in 1965, is the oldest unchanged and continually inhabited street in Philadelphia and illustrates the typical side-street dwellings of 18th-century artisans. Twenty-nine contiguous brick houses extend along this six-foot-wide alley between Front and Second Streets above Arch Street. Five similar dwellings

7. Description

are at 12-18 and 24 Cuthbert Street (formerly Coombe's Alley), a parallel alley below Arch Street. Unlike their neighbors on Elfreth's Alley, these houses have not been restored or rehabilitated.

Less famous than Elfreth's Alley yet significant, is the German Reformed Church district, an area including 327 Cherry Street (Old German School) on the south, Nos. 129-37, 141-43 North Fourth Street on the west, and the First Reformed Church, 322-30 Race Street, on the north. All of these properties were owned by the German Reformed Church in the early 19th century and played a prominent role in the predominantly German neighborhood. The Reformed Church was founded in Philadelphia in 1727 and erected its first church building on this site in 1747. The present building was its third structure, built in 1837; since 1967 it has been in the process of restoration. Abutting the church's lot to the south is the two-and-a-half-story brick Old German School. Built in 1761, most of its original fabric was destroyed by fire in 1878; it has recently been renovated into a florist shop. The seven houses on North Fourth Street were built as dwellings during the late 18th and early 19th centuries, and are now being renovated into shops and homes, illustrating how old structures can be converted into contemporary use without disrupting or destroying the architectural scale or historic nature of a neighborhood.

The Betsy Ross House, 239 Arch Street, is one of the best known houses in Philadelphia, popularly accepted, even if not historically documented, as the residence of Betsy Ross, the legendary maker of the first flag of the United States. The two-and-a-half-story brick town house is a fine example of 18th-century Philadelphia domestic architecture, but has become a national shrine because of its supposed associations with Betsy Ross. It was built c. 1760, conjecturally restored in the 1930's, and in 1966 a wing for visitors' center was added to the rear.

Some of the oldest and most significant churches in the United States are found within this area. Christ Church, 22-26 North Second Street, an outstanding example of Palladian Church architecture in the United States, was built between 1727 and 1744; its steeple was completed in 1754. Many Revolutionary heroes worshipped here, helping it to be named a National Shrine by Act of Congress in 1950. A block to the west, at 330 Arch Street, is the Arch Street Friends Meeting, built in 1804 from the designs of Owen Piddle, author of The Young Carpenter's Assistant (1805), and enlarged in 1811. A center of 11th-century Quaker activity, it remains the site of the Philadelphia Yearly Meeting and was recently put on the National Register.

A block further north, at 322-30 Race Street, Old First (German) Reformed Church is being restored to its 1837 appearance. Another block to the north, at the southeast and northwest corners of Fourth and New Streets stand St. George's Methodist Episcopal Church and St. Augustine's Roman Catholic Church respectively. St. George's Church, also on the National Register, was built in 1769 and remains the world's oldest Methodist Church in continuous use. St. Augustine's was originally built between 1796 and 1801 but was burned during the "Native American" riots of 1844; the present building dates from 1848.

Although famous Bank Row, Chestnut Street between Fourth and Fifth Streets, lies just outside the officially designated Old City area, three important bank buildings remain within the area. Bank of North America, 307 Chestnut Street, was the first commercial bank in the United States, chartered by the Continental Congress in 1781. In 1929 it merged with the first Pennsylvania Banking and Trust Company and continued to occupy the present, original site until 1967. The

7. Description

present Late Victorian Roman Revival building was built in 1895 from the designs of James H. Windrim.

Adjacent to the Bank of North America, at 315 Chestnut Street, is the First National Bank, the first national bank chartered in the United States. John McArthur, Jr. designed the chaste Italianate building, which was erected between 1865 and 1867 and is now a branch bank of the First Pennsylvania Banking and Trust Company. Nearby is the Mechanics Bank, 22 South Third Street. Built in 1837 it remains one of the last local Greek Revival designs of the noted architect-engineer William Strickland. Other bank buildings of less importance are also in the area, including the Manufacturers National Bank, 29 North Third Street, and one at 18 South Third Street with notable Egyptian-Revival Doors.

September 8, 1970

WILBUR SMITH AND ASSOCIATES, INC.

CONSULTING ENGINEERS

Mr. John A. Geisz, Managing Director
The Philadelphia Parking Authority
Suite 508
3 Penn Center Plaza
Philadelphia, Pennsylvania

Dear Mr. Geisz:

Pursuant to your request, we have reviewed the parking demands and needs in the area of Second and Chestnut Streets. Also, additional information and plans of the City Planning Commission and the Independence National Historical Park have been analyzed. Based on these analyses, the physical and financial aspects of the report, Site Feasibility, Proposed Parking Garage, Second and Chestnut Streets, have been updated.

Influence Area

The chief area of influence of any parking facility is considered to extend almost two blocks from the facility. Within the area of influence for the proposed garage, then, the principal generators of demand are expected to be the Independence National Historical Park, the Old Original Bookbinders Restaurant, the U.S. Customs House, the attractions at Penn's Landing, the various businesses in the area now using the existing off-street parking facilities, new developments on the block bounded by Front, Walnut, Chestnut, and Second Streets, and the occupants of the Society Hill Towers when the parking area along Dock Street between Walnut and Spruce Streets is no longer permitted upon the scheduled conversion of Dock Street to a two-way facility.

Table A
DEVELOPMENT COSTS

<u>ITEM</u>	<u>(1)</u> <u>COST</u>
Construction	
Garage	\$1,980,000
Commercial Area	<u>160,000</u>
Subtotal	\$3,140,000
Archetectural and Engineering	150,000
Miscellaneous	<u>35,000</u>
Subtotal	\$2,325,000
Contingencies	214,000
Legal and Financing	<u>70,000</u>
Subtotal	\$2,609,000
Interest during Construction, 1 year @ 7.0 per cent	<u>196,000</u>
TOTAL	\$2,805,000
Interest during Construction, 1 year @ 7.5 per cent	<u>212,000</u>
TOTAL	\$2,821,000
Interest during Construction, 1 year @ 8.0 per cent	<u>227,000</u>
TOTAL	\$2,836,000

(1) Assumes no land cost.

It is assumed that the Penn's Landing area will be self-sufficient in parking, with some excess space available on the week-ends when the office building activity is curtailed. Whatever development that occurs south of Walnut Street between Dock and Front Streets is also assumed to be self-sufficient for parking but with no excess capacity.

Functional Plan

Based on the estimated future parking demand as related to supply, a plan for a six-level parking garage has been developed which would provide 15 spaces for the parking of buses on the street and about 9,500 square feet of commercial space on the south side of the structure along Sansom Street. Additional buses could be parked along the north wall of the structure. Included in the first level plan is a pedestrian way connecting Ionic and Sansom Streets about midway in the structure. Above the first level are spaces for parking 573 autos. Access for buses is provided directly from Second Street with an exit to Front Street. Both entrance and exit for autos is provided from Second Street using double helical ramps.

A print of this functional design is enclosed. Stairways and elevators are proposed in two locations.

Development Costs

Information from the Planning Commission indicated that construction of the parking garage should commence in 1973 with the opening to coincide closely with that of the Park Visitors Center in the fall of 1974. Estimated construction costs for 1973 were, therefore, used in calculating the development costs. These costs vary with the interest rate from \$2,835,000 for 7 per cent bonds to

\$2,836,000 for 8 per cent bonds (Table A). It should be noted that the development costs do not include land costs.

Rate Schedule

A rate schedule was developed compatible with other facilities in the area, advanced in 1974. For automobile parking it is proposed that the rates range from \$0.50 for any period up to 1 hour to a maximum of \$1.75 for durations of over 6 hours. Evening parking would range from \$0.50 to \$1.00; the proposed monthly fee is \$30.

A parking fee of \$2.50 per visit for all buses is proposed. This fee is based on current charges in the Park Visitors Lot and charges for bus parking in other areas. The charge amounts to \$0.125 or \$0.0625 per seat for 20 or 40 seat buses, respectively (Table B).

Gross Income

Usage, i.e., the number of vehicles using the facility, is shown in Table C. For 1975, it is estimated to be about 600 cars for a typical weekday including evening, about 860 for a typical Saturday, and about 900 for a typical Sunday or holiday. For 1976 these usages are estimated to increase to 1,300, 1,500, and 1,500, respectively, under the pressure of the Bi-Centennial Year visitation. After 1976 usage is expected to decrease until 1970.

The annual gross income is based on a period of 365 days. Detailed calculations for 1975, the first full year of operation; 1976, the Bi-Centennial Year; and 1977 are also shown in Table C.

It is anticipated that the usage and consequently the gross income from parking will level off by 1979.

Annual Operating Costs

Annual salaries are estimated at \$35,600 and employee benefits at \$3,900. Utilities, supplies, and maintenance should total about \$20,000. Insurance coverage fees of \$6,500 and miscellaneous charges of \$9,000 have been included (Table D). Annual operating costs of about \$75,000 are anticipated, except that during the Bi-Centennial Year a 50 per cent increase in personnel costs are estimated to bring the total costs to \$92,800.

Annual Net Income

It is estimated that the annual net income for the first complete year of operation will be about \$264,900. This should increase sharply to \$483,100 in 1976 when maximum utilization of all available parking spaces is anticipated. A decrease to about \$265,000 for 1979 and subsequent years is anticipated (Table E). Income derived from operations in 1974 may be used to offset start-up expenses; any additional income might well be used to start a reserve fund.

Assuming 29 years of operation, the average gross income from parking is estimated to be \$350,800. The annual operating costs would average \$75,600, resulting in an average net income for the first 29 years of operation of about \$275,200. Similarly, if 39 years of operation is assumed, the average annual net income decreases slightly to \$272,500. The decrease is caused by the lessening effect of the higher-than-average income in 1975-1978 period.

Cost-Income Summary

The annual net income from parking is estimated at \$275,200 for 29, and \$275,500 for 39, years of operation (Table E). Applying an anticipated \$42,000 net income from the commercial area and Parking Authority administrative costs

Table B
RATE SCHEDULE

<u>TIME</u>	<u>RATE</u>
<u>Daytime</u>	
Up to 1 hour	\$0.50
Up to 2 hours	0.75
Up to 3 hours	1.00
Up to 4 hours	1.25
Up to 6 hours	1.50
Over 6 hours	1.75
 <u>Evening</u>	
Up to 1 hour	0.50
Up to 2 hours	0.75
Over 2 hours	1.00
 <u>Monthly</u>	30.00
Buses, per visit	2.50

Table C

ANNUAL GROSS INCOME - PARKING

1975-1976-1977

<u>PERIOD</u>	<u>PARKERS PER DAY</u>	<u>DAYS PER YEAR</u>	<u>PARKERS PER YEAR</u>	<u>AVERAGE CHARGE</u>	<u>INCOME</u>
<u>Daytime</u>		<u>1975</u>			
<u>Daytime</u>					
Typical Weekday	400	254	101,600	\$1.20	\$121,900
Saturday	460	52	23,920	1.20	28,700
Sunday and Holiday	515	59	30,385	1.20	36,500
Evening	300	365	109,500	0.75	82,100
Monthly	100	--	1,200	30.00	36,000
Buses	38	365	13,870	2.50	34,700
TOTAL					\$339,900
		<u>1976</u>			
<u>Daytime</u>					
Typical Weekday	900	254	228,600	\$1.20	\$274,300
Saturday	1,100	52	57,200	1.20	68,600
Sunday and Holiday	1,100	59	64,900	1.20	77,900
Evening	400	365	146,000	0.75	109,500
Monthly	0	--	--	30.00	0
Buses	50	365	18,280	2.50	45,600
TOTAL					\$575,900
		<u>1977</u>			
<u>Daytime</u>					
Typical Weekday	490	254	124,460	\$1.20	\$149,400
Saturday	530	52	27,560	1.20	33,100
Sunday and Holiday	560	59	33,040	1.20	39,600
Evening	370	365	135,050	0.75	101,300
Monthly	100	--	1,200	30.00	36,000
Buses	42	365	15,330	2.50	38,300
TOTAL					\$397,700

Table D

ANNUAL OPERATING COSTS - PARKING

<u>ITEM</u>	<u>COST</u>
Personnel	\$35,600 ⁽¹⁾
Employee Benefits	3,900
Utilities	9,000
Supplies	4,000
Maintenance	7,000
Insurance	6,500
Miscellaneous	<u>9,000</u>
TOTAL	\$75,000 ⁽¹⁾

(1) Additional costs equal to 50.0 per cent of personnel costs are estimated for 1976 for total of \$92,800.

Table E

ANNUAL NET INCOME - PARKING

<u>YEAR OF OPERATION</u>	<u>GROSS INCOME</u>	<u>OPERATING COSTS</u>	<u>NET INCOME</u>
1975	\$ 339,000	\$ 75,000	\$ 264,900
1976	575,900	92,800	483,100
1977	397,700	75,000	322,700
1978	360,000	75,000	285,000
1979 and subsequent	340,000	75,000	265,000
TOTAL - 29 Years	10,173,500	2,192,800	7,980,700
Average Annual	350,800	75,600	275,200
TOTAL - 39 Years	13,573,500	2,942,800	10,630,700
Average Annual	348,000	75,500	272,500

Table F

COST-INCOME SUMMARY

FISCAL ITEM	COSTS	
	29 Years	39 Years
Annual Gross Income - Parking	\$350,800	\$348,000
Annual Operating Costs - Parking	75,600	75,500
Net Income - Parking	\$275,200	\$272,500
Annual Net Income - Retail Area (1)	42,000	42,000
TOTAL NET INCOME	\$317,200	\$314,500
Parking Authority Administrative Costs	10,000	10,000
Annual Income Available for Debt Service	\$307,200	\$304,500
-		
Assuming 7.0 Per Cent Interest on Bonds		
Average Annual Debt Service (2)	\$225,100	\$210,400
Reserve	81,100	94,100
Coverage (3)	1.36	1.45
-		
Assuming 7.5 Per Cent Interest on Bonds		
Average Annual Debt Service (2)	\$238,900	\$224,000
Reserve	68,300	80,500
Coverage (3)	1.29	1.36
-		
Assuming 8.0 Per Cent Interest on Bonds		
Average Annual Debt Service (2)	\$251,900	\$237,800
Reserve	55,300	66,700
Coverage (3)	1.22	1.28

- (1) Anticipated revenues at \$5.00 per square foot less real estate taxes at 3 per cent of construction cost, \$5,200.
- (2) Assumes 30 and 40 year revenue bonds, 1 year of construction, and 29 and 39 years of operation.
- (3) Ratio of Annual Income Available for Debt Service to Annual Average Debt Service.

of \$10,000, the average Annual Income Available for Debt Service is estimated to be \$307,200 and \$304,500 for 29 and 39 years of operation, respectively. Assuming 7.0, 7.5, and 8.0 per cent bonds and 30 and 40 years debt retirement, Table F shows the average Annual Debt Service required to finance the costs of development for each condition, including the resulting annual reserve and coverage ratio.

The coverage, ratio of net income to debt service, would be 1.45 for 30-year, 7.0 per cent bonds. Under all conditions the project is self-liquidating. Assuming use of general obligation bonds with a permitted coverage ratio of 1.25, the project assumes complete feasibility except for the 30-year, 8 per cent bonding condition.

In Retrospect

Future utilization of the garage was estimated from existing conditions, estimated future visitors at Independence National Historical Park, and from other potential sources in the area based on land use furnished by the Philadelphia Planning Commission. In estimating future usage, competing facilities were recognized, and the large potential of the Park visitors was applied conservatively in estimating usage of the garage.

Very truly yours,

Wiltur Smith and Associates

Enc.

93d CONGRESS
1ST SESSION

H. R. 581

IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 1973

Mr. GREEN of Pennsylvania introduced the following bill; which was referred
to the Committee on Interior and Insular Affairs

A BILL

To amend the Act of June 28, 1948, to provide for the addition
of certain property in Philadelphia, Pennsylvania, to Inde-
pendence National Historical Park.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Act entitled "An Act to provide for the establish-
4 ment of the Independence National Historical Park, and
5 for other purposes", approved June 28, 1948 (16 U.S.C.
6 407m), is amended as follows:

7 (1) The material preceding the lettered paragraphs in
8 the first section of such Act is amended by striking out "lands
9 within the following described areas," and inserting in lieu

FILED	9	1973	Date
Director			
Asst. Dir. Management			
Asst. Dir. Planning			
Asst. Dir. Finance			
Asst. Dir. Facilities			
Asst. Dir. Personnel			
Ch. Finance & Control			
Finance			
Priority			
Asst. Dir. Public Service			
Ch. Land Acquisition			
Ch. Operations			
Asst. to Dir. of Service			
Programs & Liaison			
Director			
Adm. Serv.			
W. H. H. H.			

2/22/73

1 thereof the following: "lands within the areas described in
2 paragraphs (a) through (d), inclusive, of this section."

3 (2) The first section is amended by adding at the end
4 thereof the following:

5 "(e) An area bounded by Chestnut Street, Front
6 Street, Walnut Street, and Second Street, to be known as
7 'project F', and providing a pedestrian thoroughfare, or mall,
8 on the site of Sansom Street between Front Street and
9 Second Street."

10 (3) Section 3 is amended by inserting "(a)" imme-
11 diately after "SEC. 3." and by adding at the end thereof
12 the following:

13 "(b) The Secretary is authorized to acquire that portion
14 of all the lands as described in paragraph (e) of the first
15 section of this Act bounded by Ionic Street, Second Street,
16 Sansom Street, and Front Street and may enter into an
17 agreement or contract with the city of Philadelphia under
18 which the city shall develop, improve, maintain, and operate
19 a portion of such lands as a public parking facility for visitors
20 to Independence National Historical Park. The operation
21 by the city may include the charging of reasonable parking
22 fees, as determined jointly by the city and the Secretary.
23 The plans for such development and improvement by the
24 city shall meet with the approval of the Secretary. All park-
25 ing fees so collected by the city and its operating entities

1 shall be utilized, first to meet maintenance and operating
2 expenses of the parking facility, and secondly to amortize
3 the city's capital investment in improving and developing
4 the facility. Upon the complete amortization of the invest-
5 ment, the agreement or contract between the Secretary and
6 the city shall cease and terminate and full right, title, and
7 interest in all such improvements shall vest in the United
8 States of America."

9 (4) Section 6 is amended by striking out "\$11,200,-
10 000" and inserting in lieu thereof "\$12,350,000".

11 (5) Section 7 is amended by inserting "(a)" immedi-
12 ately after "SEC. 7." and by adding at the end thereof the
13 following:

14 "(b) The Secretary's authority to acquire property by
15 condemnation under this Act shall be suspended with respect
16 to all property within the boundaries of the area known as
17 'project F' during the time the city of Philadelphia shall
18 have in force and applicable to such property a duly adopted,
19 valid zoning ordinance approved by the Secretary.

20 "(c) No zoning ordinance or amendment of a zoning
21 ordinance shall be approved by the Secretary which (1)
22 contains any provision which he may consider adverse to the
23 preservation and development, in accordance with the pur-
24 pose of this Act, of the Independence National Historical
25 Park, or (2) fails to have the effect of providing that the

- 1 Secretary shall receive notice of any variance granted under
- 2 and any exception made to the application of such ordinance
- 3 or amendment."

83d CONGRESS
1st Session

H. R. 581

A BILL

To amend the Act of June 28, 1948, to provide
for the addition of certain property in Phil-
adelphia, Pennsylvania, to Independence
National Historical Park.

By Mr. Green of Pennsylvania

JANUARY 3, 1973

Referred to the Committee on Interior and Insular
Affairs

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PHILADELPHIA AIR MONITORING DATA
OCTOBER 1975

	FED AIR QUAL STDS		Air Monitoring Stations												
	PRIM	SEC	DEF	ALL	INT	BEL	ROX	N/E	NBR	FRI	LAB	SBR	S/E	500	AFS
<u>PARTICULATES(SUSP.DUST),UG/CM</u>															
Arithmetic Avg. for Month											74		90	73	
Geometric Avg. Last 12 Mos.	75	60	93	98	97	60	52	62	105	101	69	114	91	71	89
Max. 24Hr. Avg. During Month			152	284	223	76	60	103	144	127	146	138	164	157	147
Max. 24Hr. Avg. Last 12 Mos.	260	150	248	406	229	115	101	187	211	264	212	274	304	233	316
No. Days Over Pri. Std. Last 12 Mos.	1		0	3	0	0	0	0	0	1	0	1	5	0	1
No. Days Sampled Last 12 Months			59	56	58	31	54	53	42	59	345	56	246	296	57
<u>SULFUR DIOXIDE,PPM</u>															
Arithmetic Avg. for Month			.015	.017	.009	.014	.009	.008			.028	.015	.023	.026	
Arithmetic Avg. Last 12 Months	.03		.024	.021	.014						.029	.021	.031	.021	
Max. 24Hr. Avg. for Month			.040	.042	.023	.032	.028	.034	.016		.065	.051	.058	.073	
Max. 24Hr. Avg. Last 12 Months	.14		.179	.090	.055						.120	.154	.130	.080	
No. Days Over Pri. Std. Last 12 Mos.	1		2	0	0						0	1	0	0	
Max. 3Hr. Avg. for Month			.080	.140	.043	.030	.065	.080	.020		.100	.100	.117	.107	
Max. 3Hr. Avg. Last 12 Months	.50		.330	.160	.140						.237	.423	.460	.270	
No. 3Hr. Periods Over Sec. Std. Last 12 Months	1		0	0	0						0	0	0	0	
<u>CARBON MONOXIDE,PPM</u>															
Arithmetic Avg. For Month			.7	1.4	1.1	.8	.4	1.7	4.1		-	2.0	4.2	1.7	
Arithmetic Avg. Last 12 Mos.			.8	1.1	1.1		1.0				2.5	1.8	3.8		
Max. 8Hr. Avg. During Month			4.6	8.1	5.5	5.5	2.1	7.7	16.0		8.6	11.2	9.6	6.5	
Max. 8Hr. Avg. Last 12 Mos.	9	9	8.9	9.0	11.7		7.2				15.6	11.2	11.4		
No. 8Hr. Periods Over Std. Last 12 Mos.	1	1	0	0	1		0				5	1	21		
Max. 1Hr. Avg. for Month			6.0	13.0	10.0	10.0	4.0	15.0	20.0		18.0	18.0	19.0	8.0	
Max. 1Hr. Avg. Last 12 Mos.	35	35	15.0	17.0	11.0		12.0				21.0	18.0	19.0		
No. 1Hr. Periods Over Std. Last 12 Mos.	1	1	0	0	0		0				0	0	0		

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PHILADELPHIA AIR MONITORING DATA
OCTOBER 1975

	FED AIR		Air Monitoring Stations										
	QUAL	STDS	DEF	ALL	INT	BEL	ROX	N/E	NBR	FRI	LAB	SBR	S/E
<u>OZONE,PPM</u>	<u>PRIM</u>	<u>SEC</u>											
Arithmetic Avg. for Month			.008	.013	.015	.013	.015	.016	.006	.006	-	.003	.012
Arithmetic Avg. Last 12 Mos.			.016	.024	.021		.022	.024		.014	.017	.012	.027
Max. 1Hr. Avg. For Month			.090	.120	.120	.100	.110	.120	.090	.060	.110	.070	.120
Max. 1Hr. Avg. Last 12 Mos.	.08	.08	.230	.210	.190		.250	.200		.170	.220	.140	.250
No. 1Hr. Periods Over Std.													
Last 12 Mos.	1	1	128	365	214		251	346		62	171	59	266
<u>NITROGEN DIOXIDE,PPM</u>													
Arithmetic Avg. for Month										.065	.060	.052	
Arithmetic Avg. Last 12 Mos.	.05	.05								.058	.049	.051	
Max. 24Hr. Avg. For Month										.128	.108	.096	
Max. 24Hr. Avg. Last 12 Mos.										.128	.140	.127	
<u>HYDROCARBONS (NON-METHANE) ,PPM</u>													
Arithmetic Avg. For Month										-	.98	.78	
Arithmetic Avg. Last 12 Mos.										-	.71	.70	
Max. 6-9 A.M. Avg. This Month										5.83	2.50	2.10	
Max. 6-9 A.M. Avg. Last 12 Mos.	.24	.24								-	5.43	3.37	
No. Times Over Std. Last 12 Mos.	1	1								-	178	207	

Notes:

1. "Max. 24 Hr. Avg." means the average hourly value for that calendar day (0-24 hours) having the highest concentration during the specified time period.
2. "Max. 8 Hr. (or 3 Hr.) Avg." means the average hourly value for that 8 (or 3) consecutive hourly period, starting from the zero hour, that has the highest concentration during the specified time period.
3. "Max. 6-9 A.M. Avg." means the highest average hourly value for this particular 3 hour segment during the specified time period.
4. Although the Fed. Air Qual. Stds. may be exceeded once during a specified period, as listed above, in all cases the highest rather than the second highest value is reported as an indication of the worst condition recorded during the specified period.
5. Some 12 month averages may not contain an average for each month.

PHILADELPHIA AIR MONITORING DATA
LOCATION OF MONITORING STATIONS

<u>STATION</u>	<u>LOCATION</u>
1. Defense Supply Depot (DEF)	20th St. & Oregon Avenue
2. Allegheny (ALL)	Allegheny Ave. & Delaware Rvr.
3. International Airport (INT)	Island Rd. E. of Airport Crcl.
4. Belmont Filter Station (BEL)	Ford Rd. & Belmont Ave.
5. Roxborough Filter Sta. (ROX)	Eva & Dearnley Sts.
6. Northeast Airport (N/E)	Grant Ave. & Ashton Rd.
7. North Broad (NBR)	Broad and Butler Sts.
8. Franklin Institute (FRI)	20th St. & Parkway
9. AMS Laboratory (LAB)	1501 E. Lycoming St.
10. South Broad (SBR)	Broad & Spruce Sts.
11. S.E. Water Poll. Control Plant (S/E)	Front St. & Packer Ave.
12. 500 S. Broad (500)	500 S. Broad St.
13. Aramingo Fire Station (AFS)	Aramingo Ave. & Huntingdon St.