

Emission Budgets for Nonattainment Areas in the State of Colorado

A. Budgets

A.1. The following Motor Vehicle Emissions Budgets shall be utilized to assess the conformity of Transportation Plans, TIPs, and where appropriate, Projects, for the applicable periods and geographic areas indicated:

Denver Nonattainment Area (Modeling Domain)	<u>PM<sub>10</sub></u> :
	1995: 41.2 tons/day
	1996-97: 44 tons/day
	1998-2005: 54 tons/day
	2006 and Beyond: 60 tons/day
	<u>Nitrogen Oxides</u>
	1995 and Beyond: 119.4 tons/day

A.2. Geographic Coverage

Unless otherwise specified, the geographic coverage of each of the area Motor Vehicle Emissions Budgets shall be the nonattainment or attainment maintenance area as defined in the respective state implementation plans.

A.3. The Motor Vehicle Emissions Budget for PM<sub>10</sub> applies to total primary PM<sub>10</sub> emissions, including emissions from tailpipe exhaust, unpaved roads (except for the Denver PM<sub>10</sub> nonattainment area), reentrained road dust and street sand. It does not include precursor or secondary emissions, which, where appropriate, are covered under separate budgets.

B. Requirement Regarding Enforceability

B.1. Projects, programs, or control measures which require a regulation in order to be implemented shall not qualify for credit toward attainment of the applicable Motor Vehicle Emissions Budget in the conformity determination unless the regulation has been adopted by the enforcing jurisdiction. Adopted regulations are required for demand management strategies and other measures that are not specifically

identified in the Applicable Implementation Plan or a fiscally constrained Plan or TIP, and for control programs which are external to the transportation system itself, such as tailpipe or evaporative emission standards, limits on gasoline volatility, inspection and maintenance programs, and oxygenated or reformulated gasoline or diesel fuel programs.

B.2. A regulatory program may be considered to be adopted if an opt-in to a Federally enforced program has been approved by EPA, if EPA has promulgated the program, or the Clean Air Act requires the program without need for individual state action and without any discretionary authority for EPA to set its stringency, delay its effective date or not implement the process.

B.3. Any control measure which does not require a regulation in order to be implemented must be made enforceable in order for resulting emissions reduction to qualify for credit toward attainment of the Motor Vehicle Emissions Budget in the Conformity determination. A project shall be considered to be an enforceable control measure for purposes of this provision if it is included in a fiscally constrained Plan or TIP, and the project sponsor and/or operator has provided written commitments to construct the project and operate the resulting facility or service prior to the conformity finding.

B.4. Although control measures must be enforceable prior to the conformity determination, such control measures need not become effective until such a date, which may be later than the date of the conformity determination, as necessary to ensure conformity with the Applicable Implementation Plan.

B.5. Any control measures relied on for a conformity determination shall be included in a revised attainment or maintenance SIP unless it is not necessary to demonstrate attainment or maintenance of the standard.

## C. Additional Requirements for the Denver PM<sub>10</sub> Attainment/Maintenance Area

### C.1. Geographic Coverage

The geographic coverage for the Denver PM<sub>10</sub> Motor Vehicle Emissions Budget is the modeling domain contained in the most recent revision to the Denver PM<sub>10</sub> state implementation plan and technical support documentation, which are available for inspection at the offices of the AQCC located at 4300 Cherry Creek Drive South, Denver, Colorado.

### C.2. Regional Emissions Analysis

The emissions budgets set out in this section shall be used for regional emissions analyses required for conformity determinations.

### C.3. Dispersion Modelling

In the Denver PM<sub>10</sub> Nonattainment Area only, the regional emissions analysis supporting a conformity determination shall include dispersion modeling analysis to demonstrate that implementation of the Plan, TIP, or project not from a conforming plan or TIP, will not cause or contribute to any violations of the federal PM<sub>10</sub> standards for each horizon year and analysis year for which a regional emissions analysis is performed. The dispersion modeling shall be based on the latest dispersion and mobile source emissions estimation models specified by EPA for use in the preparation or revision of PM<sub>10</sub> implementation plans and will use the most recent estimate of attainment year (or maintenance year for a maintenance plan) emissions from other non-mobile source categories. The dispersion analysis shall use the meteorological data contained in the most recent PM<sub>10</sub> state implementation plan demonstration of attainment.