

I. Requirement to Comply with the Federal Rule

The purpose of Regulation Number 10 is to fulfill the requirement in 40 CFR 51.390(b) to establish a SIP revision that addresses the provisions of Sections 40 CFR 93.105(a) through (e), 40 CFR 93.122(a)(4)(ii), and 40 CFR 93.125(c) of the federal transportation conformity rule (see 40 CFR Part 93, Subpart A). Any person making a transportation conformity determination or adopting or approving a regionally significant project shall comply with the provisions of 40 CFR, Part 93, Subpart A., except as follows:

- I.A. The interagency consultation procedures established in Section III. of this document specify Colorado procedures and shall apply in addition to the consultation procedures established in 40 CFR Section 93.105 (a) through (e).
- I.B. Colorado-specific provisions in Section IV. of this document that require obtainment of and fulfillment of written commitments to SIP control measures not included in a transportation plan or Transportation Improvement Program (TIP) shall apply, pursuant to 40 CFR Section 93.122 (a)(4)(ii).
- I.C. Colorado-specific provisions in Section V. of this document regarding design concept and scope and enforceability of project-level mitigation and control measures shall apply, pursuant to 40 CFR Section 93.125 (c).

II. Definitions

CDOT means the Colorado Department of Transportation.

Commission means the Air Quality Control Commission as defined in Section 25-7-103(7), C.R.S.

Division means The Air Pollution Control Division, pursuant to Section 25-7-111, C.R.S.

Hot Spot Analysis is an estimation of likely future localized criteria pollutant (or their precursor) concentrations and a comparison of those concentrations to the national ambient air quality standards. Federally required hot spot analyses assess impacts of pollutants on a scale smaller than the entire nonattainment or maintenance area, including for example, congested roadway intersections, highway portions, or transit terminals, using air quality dispersion modeling.

Lead Planning Agency (LPA) is an agency designated by Colorado's Governor that is charged, together with the Division, with the duty of developing the State Implementation Plan (SIP) for any nonattainment or maintenance area.

Metropolitan planning organization (MPO) is that organization designated as being responsible, together with the State, for conducting the continuing, cooperative, and comprehensive planning process under 23 U.S.C. 134 and 49 U.S.C. 1607. It is the lead agency for preparing transportation plans, TIPs and transportation conformity documents, and it provides a forum for cooperative transportation decision-making.

Project-level Conformity See: Hot Spot Analysis

Regional Transportation Conformity refers to the status of a transportation planning region's conformance to relevant State Implementation Plans (SIPs). A conforming region's transportation plans and TIPs have passed emissions tests that must indicate they are unlikely to cause, contribute to, or increase the severity and frequency of future violations of national ambient air quality standards. Regional Conformity is demonstrated using