

**REGULATION VIII
AIR QUALITY ZONING**

Rule 803 **Attainment Pollutant Zone Redesignations**

- A. The District Board may redesignate areas as Class I or Class II zones with respect to attainment pollutant increment consumption, provided that:
1. Prior to the issuance of notice respecting the redesignation of an area that includes any Federal lands, the Air Pollution Control Officer shall provide written notice to the appropriate Federal Land Manager and afford adequate opportunity (not in excess of 60 days) to confer with the Air Pollution Control Officer respecting the redesignation and to submit written comments and recommendations. In redesignating any area with respect to which any Federal Land Manager has submitted written comments and recommendations, the Air Pollution Control Officer shall publish a list of any inconsistency between such redesignation and such comments and recommendations together with the reasons for making redesignation against the recommendation of the Federal Land Manager; and
 2. At least one public hearing is to be held to receive comments relative to such redesignation. The notice of public hearing shall be published at least 30 days prior to the hearing date in a newspaper of general circulation in the District; and
 3. The Air Pollution Control Officer shall consult with the Control Council of the Mountain Counties Air Basin regarding such redesignation; and
 4. Federal Land Managers and other Air Pollution Control Districts outside the Mountain Counties Air Basin whose lands may be affected shall be notified at least 30 days prior to the public hearing; and
 5. A description of the reasons for the proposed redesignation, including a description and analysis of the health, environmental, economic, social, and energy effects of the proposed redesignation shall be prepared and made available for public inspection at least 30 days prior to the hearing and the notice announcing the hearing shall contain appropriate notification of the availability of such discussion.

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- B. The District Board may redesignate areas, except those listed in Rule 802.A.1. and C.1., as Class III zones with respect to attainment pollutant increment consumption, provided that:
1. All the requirements for a Class I or Class II area redesignation contained in Section A. above shall be met with respect to the proposed Class III area redesignation; and
 2. The redesignation shall have been specifically approved by the Air Resources Board after consultation with the Legislature, if it is in session, or with the leadership of the Legislature if it is not in session; and
 3. The District Board shall enact a resolution concurring with redesignation; and
 4. The redesignation shall not cause, or contribute to, a concentration of any air pollution which would exceed any maximum allowable increase permitted under the classification of any other area or any national ambient air quality standard; and
 5. Any Authority to Construct application for any major stationary source or major modification subject to the provisions of Regulation IV which could receive an Authority to Construct only if the area in question were redesignated as Class III, and any material submitted as part of that application, shall be made available, insofar as is practicable, for public inspection prior to any public hearing on redesignation of any area as Class III.