

COUNTY NOTICES PURSUANT TO A.R.S. § 49-112(A) OR (B)

NOTICE OF PROPOSED RULE ADOPTED PURSUANT TO A.R.S. § 49-112(A) OR (B)

Maricopa County

Environmental Services Department, Technical Services Division

1. Heading and number of the proposed rule, ordinance, or other regulations

Revisions to Rule 220 (Non-Title V Permit Provisions)
Revisions to Rule 332 (Perchloroethylene Dry Cleaning)
Revisions to Rule 337 (Graphic Arts)
Revisions to Rule 342 (Coating Wood Furniture And Fixtures)
Revisions to Rule 345 (Vehicle Refinishing)
Revisions to Rule 346 (Coating Wood Millwork)
New Rule 347 (Sand Casting)
Revisions to Rule 360 (New Source Performance Standards)
Revisions to Rule 370 (Federal Hazardous Air Pollutant Program)

*Before these rules proceed to the Board of Supervisors for final approval, Maricopa County will conduct another public workshop (in addition to the two public workshops announced for these rules in the August 9, 1996, issue of the *Arizona Administrative Register*).

2. Summary of the proposed rules, ordinance, or other regulations

Revisions To Rule 332 (Perchloroethylene Dry Cleaning)

Effective March 8, 1996, the Environmental Protection Agency (EPA) deleted perchloroethylene from the definition of volatile organic compound (VOC) and added it to the list of compounds that are not considered VOC's on the basis that perchloroethylene has negligible photochemical reactivity. Perchloroethylene is a solvent commonly used in dry cleaning.

Maricopa County added perchloroethylene to the definition of non-precursor organic compound in Maricopa County Air Pollution Control Regulations Rule 100 (General Provisions And Definitions) in a rulemaking action on April 3, 1996. Now Maricopa County is proposing to rescind Rule 332, since Rule 332 is no longer required for purposes of obtaining national ambient air quality standards (NAAQS) for ozone.

Revisions To Rule 337 (Graphic Arts)

To ensure consistency with EPA requirements, Maricopa County is proposing to require permanent weekly recordkeeping for fountain solutions in those graphic arts facilities which emit less than 25 tons of VOC per year (<25 TPY facilities). The current requirement for just 6 months of daily entries will be deleted. Presses using no alcohol in their fountain solution will have a monthly recordkeeping requirement in <25 TPY facilities.

The EPA requirement that the VOC limit for fountain solution be expressed in terms of weight has been met: VOC is now expressed in terms of pounds of VOC per gallon, in addition to the existing percent-volume limits. The relationships between specific gravity and VOC limits are newly included, while the definition of VOC has been altered to conform with the state's definition.

A specific gravity standard is proposed for fountain solutions which contain any alcohol. An inexpensive hydrometer, which indicates percent alcohol, will be a principal monitoring method. Hydrometer (or other instrument) readings and the mixing proportions of fountain solution ingredients will have to be recorded at the above-mentioned intervals.

The current volume-percent limits for fountain-solution alcohol have been altered to include solutions containing both alcohol and alcohol substitute(s). "Alcohol" has been defined. The definition makes it clear that alcohol is a volatile organic compound (VOC). The vapor pressure requirement of cleaning liquids has been clarified. The required period for retaining records has been increased to 5 years from 3. An unneeded requirement for instrument calibration has been deleted. Staff has corrected an incorrect section-number reference, and has made other typographical corrections.

Revisions to Rule 342 (Coating Wood Furniture And Fixtures)

And

Revisions to Rule 346 (Coating Wood Millwork)

Maricopa County is proposing some alternative rule provisions in an attempt to simplify Rule 342 and Rule 346 for the small emitter. To reduce the complexity of the rules for woodworkers whose facilities emit less than 10 tons of VOC per year, Maricopa County proposes to add a simplified appendix-section to each of the 2 rules. This simplification allows us to fit on one sheet all the requirements for small emitters. Application for this option is voluntary. Applicants must apply for a modification pursuant to Section 400 of Rule 220 and voluntarily accept an emission limit of less than 10 tons of VOC per year. The simplifications are designed to produce no substantive slowing of the rate at which Maricopa County reduces VOC emissions from wood furniture and millwork coating.

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The simplifications trade a single, slightly relaxed lacquer-VOC limit against a reduction in the number of exemptions offered. For example, not included as an option is the "5% allowance", that allows up to 5% of all coating to be applied with conventional low efficiency (CLE) guns in lieu of higher efficiency methods. By making rules for smaller emitters simpler, the level of compliance is expected to increase.

This revision eliminates an omission in the main rule's "5% allowance". The allowance enables a facility to calculate total gallons applied under the 5% CLE-gun use allowance as rarely as every six months. In the existing rule, there is no provision for tracking on an on-going basis the amounts of coating applied with CLE guns. It is proposed that the number of gallons applied by CLE guns be recorded each day or each time coating is added to the gun's coating reservoir. The six month totaling provisions remains intact.

To reduce the length of the main provisions in both Rule 342 and Rule 346, the little used control device provisions have been moved into the rule's Appendix. Other proposed revisions include allowing a "pounds per gallon" format as well as the "pounds per pound" format in records of materials having no VOC limit. Staff has dropped the wording requirement for tags on guns spraying coatings which deviate from the principal VOC-limits in favor of having colored tags. On redundant subsection has been removed from each rule.

Definitions of high-solids stain and low-solids stand have been added; the definition of stain has been changed to include high and low solids stains. Now, all stains will be included in the averaging formula, not just those with less than 8% solids. The definition of "washcoat" will be expanded to contrast washcoat with low-solids stains.

The definition of VOC has been altered to conform with the state definition. In response to a written comment from an industry representative and to conform with the Control Technique Guidance (CTG) document, an increased coating-reservoir capacity is proposed to be allowed on CLE guns used for the repair or touch-up of imperfect finishes.

Revisions To Rule 345 (Vehicle Refinishing)

The changes proposed to Rule 345 are technical corrections. Changes correct an alphanumeric reference to another rule, and correct a dimensional error in a definition. ("Pounds" was incorrectly used instead of "gallons"). The required period for retaining records has been increased to 5 years from 3. The definition of VOC has been altered to conform with the state's definition, and the list of non-precursor organic compound brought up to date.

In addition, Maricopa County proposes to increase one of the thresholds requiring a facility to notify the Control Officer, who may consequently require the facility to file a report of annual emissions. This threshold, for cleaning solvent, has been raised to 1,300 gallons from 1,000 gallons. Other changes were made to bring Rule 345 into conformance with the formatting conventions of the AZ Secretary of State. Metric equivalents have been added where missing.

**Revisions to Rule 360 (New Source Performance Standards)
And
Revisions to Rule 370 (Federal Hazardous Air Pollutant Program)**

In order to be consistent with the Arizona Department Of Environmental Quality's (ADEQ) recent revisions to its air quality rules regarding New Source Performance Standards (NSPS) and National Emissions Standards For Hazardous Air Pollutants (NESHAP), Maricopa County is proposing to revise Rule 360 and Rule 370.

The proposed revisions to Rule 360 and Rule 370 are at least equal to the revisions made by ADEQ. The proposed revisions incorporate by reference sections of the Code Of Federal Regulations (CFR) which will allow Maricopa County to implement Section 111 and Section 112 of the Clean Air Act Amendments of 1990. These federal standards are designed to reduce air pollution generated from stationary sources. NSPS regulates emissions of six criteria pollutants (carbon monoxide, ozone, oxides of nitrogen, lead, sulfur dioxide, and particulate matter). NESHAP regulates emissions of the 189 hazardous air pollutants (HAPs) listed in Section 112 of the Clean Air Act.

3. A demonstration of the grounds and evidence of compliance with A.R.S. § 49-112(A) or (B)

Based on information and belief, the Control Officer of the Maricopa County Environmental Services Department affirms the following:

- A. Maricopa County is in compliance with A.R.S. § 49-112(A) in that Maricopa County Environmental Services Department is proposing to adopt rules that are not more stringent than nor are in addition to a provision of A.R.S. Title 49 or rule adopted by the Director of ADEQ or any Board or Commission authorized to adopt rules pursuant to A.R.S. Title 49.

Maricopa County fails to meet the National Ambient Air Quality Standards (NAAQS) for carbon monoxide (CO), ozone and particulates. In addition, Maricopa County is the only ozone nonattainment area in Arizona. Any changes to the Maricopa County Air Pollution Control Regulations that might incur due proposed revisions to Rule 220, Rule 332, Rule 337, Rule 342, Rule 345, Rule 346, New Rule 347, Rule 360, and Rule 370 will address emission limitations which reduce concentrations of ozone and implement control measures proposed for inclusion in the State Implementation Plan (SIP) for the Maricopa County Nonattainment Area.

- B. Maricopa County is in compliance with A.R.S. § 49-112(B) in that Maricopa County Environmental Services Department is proposing to adopt rules that are as stringent as a provision of A.R.S. Title 49 or rule adopted by the Director of ADEQ or any Board or Commission authorized to adopt rules pursuant to A.R.S. Title 49. The cost of obtaining permits or other approvals from Maricopa County will approximately equal or be less than the fee or cost of obtaining similar permits or approvals under Title 49 or any rule adopted pursuant to Title 49.

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Maricopa County fails to meet the National Ambient Air Quality Standards (NAAQS) for carbon monoxide (CO), ozone and particulates. In addition, Maricopa County is the only ozone nonattainment area in Arizona. Maricopa County may adopt rules that are more stringent than the State pursuant to A.R.S. § 49-112 as enacted in 1994, provided that the emission standard is required by law or is necessary and feasible to prevent a significant threat to public health or the environment that results from a unique local condition.

4. Name and address of the person to whom persons may address questions or comments

Name: Jo Crumbaker, Planning & Analysis Section Manager

or

Johanna M Kuspert, Environmental Planner

Address: Maricopa County Environmental Services Department
Technical Services Division
Park Centre
2406 South 24 Street Suite E-111
Phoenix, Arizona 85034

Telephone: (602) 506-6705 or (602) 506-6710

Fax: (602) 506-6179

5. Where persons may obtain a full copy of the proposed rules, ordinance, or other regulations

Name: Maricopa County Environmental Services Department
Technical Services Division

Address: Park Centre
2406 South 24 Street Suite E-111
Phoenix Arizona 85034

Telephone: (602) 506-6010

Fax: (602) 506-6179

NOTICE OF PUBLIC WORKSHOPS

Maricopa County

Environmental Services Department, Technical Services Division

Notice Pursuant To A.R.S. 49-112(A) Or A.R.S. 49-112(B)

1. Heading and number of the proposed rules, ordinance, or other regulations that are the subject of this public workshop

*Revisions To Rule 220 (Non-Title V Permit Provisions)
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2. Date, time, and location of each public workshop scheduled

Date: November 20, 1996
Time: 9 a.m.
Location: Maricopa County Board of Supervisors Auditorium
301 West Jefferson
Phoenix, Arizona
Nature: Public hearing to discuss the above listed rules

3. County personnel to whom questions and comments may be addressed

Name: Jo Crumbaker, Planning & Analysis Section Manager

OR

Johanna M Kuspert, Environmental Planner
Address: Maricopa County Environmental Services Department
Technical Services Division
Park Centre
2406 South 24 Street Suite E-111
Phoenix, Arizona 85034
Telephone: (602) 506-6705 or (602)506-6710
Fax: (602) 506-6179

4. Any other pertinent information concerning the above described rules, ordinance, or other regulations
Please refer to the Notice of Proposed Rulemaking which appears in this issue of the *Register*.