

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

Maricopa County

Environmental Services Department, Technical Services Division

Notice Of Proposed Rules to be Adopted Pursuant to A.R.S. §§ 49-112(A) or 49-112(B)

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

New Rule 321 (Municipal Solid Waste Landfills)

Revisions To Rule 360 (New Source Performance Standards)

Revisions To Rule 370 (Federal Hazardous Air Pollutant Program)

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

New Rule 321 (Municipal Solid Waste Landfills)

Maricopa County is proposing Rule 321 in order to regulate emissions from existing municipal solid waste landfills. This proposed rule is based on an Emission Guideline made final by the U.S. Environmental Protection Agency on March 1, 1996 (61 FR 9919, March 12, 1996).

As proposed, Rule 321 incorporates by reference the New Source Performance Standard (NSPS) for Municipal Solid Waste Landfills, and amends it to apply to landfills for which construction, reconstruction or modification began before May 30, 1991. Large landfills that have a nonmethane organic compound (NMO) emission rate of 50 megagrams per year or more will be required to control emissions. In general, controlling emissions will involve drilling collection wells into the landfill and routing the gas to a suitable energy recovery system or combustion device.

Revisions To Rule 360 (New Source Performance Standards)

and

Revisions To Rule 370 (Federal Hazardous Air Pollutant Program)

In order to be consistent with recent revisions to the Arizona Department of Environmental Quality rules regarding New Source Performance Standards (NSPS) and National Emission 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 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 regulate emissions from stationary sources, with NSPS directed at six criteria pollutants (carbon monoxide, ozone, oxides of nitrogen, lead, sulfur dioxide, and particulate matter) and NESHAP directed at the 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 A.R.S. 49-112(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 to New Rule 321, revisions to Rule 360, and revisions to 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.

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

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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

Karen Bauer, Environmental Planner

Address: Maricopa County Environmental Services Department
Technical Services Division
1001 North Central Avenue #201
Phoenix Arizona 85004

Telephone: (602) 506-6705 or (602)506-6709

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: Maricopa County Environmental Services Department
1001 North Central Avenue #201
Phoenix Arizona 85004

Telephone: (602) 506-6010

Fax: (602) 506-6179

ARIZONA ADMINISTRATIVE REGISTER

NOTICE OF PUBLIC HEARING

Maricopa County

Environmental Services Department, Technical Services Division

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

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

New Rule 321 (Municipal Solid Waste Landfills)

Revisions To Rule 360 (New Source Performance Standards)

Revisions To Rule 370 (Federal Hazardous Air Pollutant Program)

2. Date, time, and location of public hearing scheduled

Date: Public Hearing, Wednesday, April 9, 1997

Time: 9 a.m.

Location: Maricopa County Board Of Supervisors Auditorium
205 West Jefferson
Phoenix Arizona

Nature: To discuss the above listed rules.

Note: Revisions To Rule 220 (Non-Title V Permit Provisions) and New Rule 347 (Ferrous Sand Casting) will not be discussed at the Public Hearing on April 9, 1997. Revisions To Rule 220 (Non-Title V Permit Provisions) and New Rule 347 (Ferrous Sand Casting) were announced in the Public Workshop Notice published in the Register on December 27, 1996. Both of these rules were discussed at public workshops held on January 15, 1997 and on February 5, 1997. Both of these rules will be discussed at another public workshop; the date, time, and location will be published in the Register.

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

Name: Jo Crumbaker, Planning & Analysis Section Manager

or

Karen Bauer, Environmental Planner

Address: Maricopa County Environmental Services Department
Technical Services Division
1001 North Central Avenue #201
Phoenix Arizona 85004

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4. Any other pertinent information concerning the above described rules, ordinance, or other regulations

Please refer to the Notice of Proposed Rules which appears in this issue of the *Register*.