

ARIZONA ADMINISTRATIVE REGISTER
NOTICE OF PROPOSED RULES

Maricopa County

Environmental Services Department, Technical Services Division

Notice of Proposed Rules to Be Adopted Pursuant To A.R.S. § 49-112(A) or (B)

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

Revisions to Rule 100 (General Provisions And Definitions)
New Rule 201 (Emissions Caps)
Revisions to Rule 220 (Non-Title V Permit Provisions)
New Rule 347 (Ferrous Sand Casting)

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

Revisions to Rule 100 (General Provisions And Definitions)

Maricopa County is proposing to change the definition of "actual emissions", "applicable requirement", and "federal applicable requirement" to match the Arizona Department Of Environmental Quality's (ADEQ) rules.

New Rule 201 (Emissions Caps)

New Rule 201 describes how a source can incorporate an emissions cap into its permit and describes how a source can trade emissions under an emissions cap. As proposed, an emissions cap is established for an entire source:

1. To limit the emissions of a particular pollutant to a level at or below the applicable requirement for the pollutant if expressed in tons per year;
2. To limit the emissions of a particular pollutant to a level at or below the source's actual emissions plus the applicable significance level for the pollutant established in Rule 100, Section 281 (Definition Of Significant);
3. To limit the emissions of a particular pollutant to a level at or below the applicable major source threshold for the pollutant; or
4. To limit the emissions of a particular pollutant to a level at or below a sourcewide emission limitation for the pollutant voluntarily agreed to by the source pursuant to Rule 220, Section 305 (the Synthetic Minor provisions).

Revisions to Rule 220 (Non-Title V Permit Provisions)

Rule 220 was adopted by the Maricopa County Board Of Supervisors three years ago. After having put Rule 220 into practice for the last three years, both Maricopa County Environmental Services Department staff and the regulated community are aware that Rule 220 does not allow a permitted source enough flexibility to make modifications to a source (i.e., to change source operating procedures or to change source operating equipment).

Under the current version of Rule 220, a source that has the potential to emit pollutants below the major source threshold (i.e., less than 100 tons per year of any conventional air pollutant) must apply for a Non-Title V permit. The Control Officer will issue a source a Non-Title V permit provided the source has submitted a complete Non-Title V permit application that satisfies the criteria of Rule 220. In addition, according to the current version of Rule 220, once a source has a Non-Title V permit, the source is allowed to make certain modifications in operation and equipment without having to notify the Control Officer and is allowed to make other modifications depending on the complexity of the modifications after submitting to the Control Officer an administrative permit amendment application, a minor permit revision application, or a non-minor permit revision application.

The proposed revisions to Rule 220 allow a source with a Non-Title V permit to make modifications at the source with either no paperwork or with minimal paperwork, so long as the source has applied for and has received an emissions cap as described in New Rule 201. Maricopa County recognizes that the issues raised regarding these proposed revisions to Rule 220 are complicated. However, the goal of the proposed revisions to Rule 220 has always been and continues to be to allow a source with a Non-Title V permit more flexibility to make modifications while also protecting the public from health risks.

In making Rule 220 more "flexible", the following revisions are being proposed:

- The following definitions are proposed to be added to Rule 220: 1.) fuel oil; 2.) Non-Title V source; and 3.) Sourcewide Applicable Limit (SAL).
- Rule 220, Section 403 (Source Changes Allowed Without Permit Revisions) is proposed to be deleted in its entirety.

County Notices Pursuant to A.R.S. §§ 49-112(A) or 49-112(B)

- The following new sections are proposed to be added to Rule 220: 1.) Section 403 (Source Changes That Require Permit Revisions To Non-Title V Permits) and 2.) Section 404 (Procedures For Certain Changes That Do Not Require Permit Revisions To Non-Title V Permits).
- Rule 220, Section 405.1 is proposed to be deleted in its entirety and a new subsection, Subsection 406.1, is proposed to be added to Rule 220. New Subsection 406.1 describes the changes a source with a Non-Title V permit can make provided minor permit revision procedures are followed.
- The text in Rule 220, Subsection 405.3, is proposed to be changed from "90 days" to "within 60 days".
- A new subsection, Subsection 407.1, is proposed to be added to Rule 220. New Subsection 407.1 describes the changes a source with a Non-Title V permit can make provided non-minor permit provisions are followed.
- A new section, Section 409, is proposed to be added to Rule 220. New Section 409 describes specific criteria for amending a Non-Title V permit.
- A new section, Section 500 (Monitoring And Recordkeeping), is proposed to be added to Rule 220.

List of Trivial Activities

- The List of Trivial Activities is a list of trivial activities and associated emissions which are proposed to be omitted from permit applications.
- Currently, the intent is to add the List of Trivial Activities as an appendix to Rule 200 (Permit Provisions). At the Public Workshop on April 24, 1997, the List of Trivial Activities will not appear as an appendix to Rule 200. Instead, the List Of Trivial Activities itself will be distributed and discussed.

List of Insignificant Activities

- The List of Insignificant Activities is a list of insignificant activities and associated equipment which are proposed to be included in permit applications. As proposed, a source will not have to include the emissions from the insignificant activities and associated equipment in its permit application.
- Currently, the intent is to add the List Of Insignificant Activities as an appendix to Rule 200 (Permit Provisions). At the Public Workshop on April 24, 1997, the List Of Insignificant Activities will not appear as an appendix to Rule 200. Instead, the List Of Insignificant Activities itself will be distributed and discussed.

New Rule 347 (Ferrous Sand Casting)

This summary concerns the fifth draft of Rule 347, a rule designed to control volatile organic compound (VOC) emissions from casting iron and steel. Only one facility in the County exceeds the threshold emission level at which the rule's main provisions become effective, namely, 25 tons of VOC emissions per year. These provisions limit VOC from the sandcasting industry by limiting VOC emissions from the binder-material in casting-sand and from mold wash used to coat critical mold surfaces on molds. A facility is required either to reduce VOC emissions from these two general sources by using a control device or by strictly limiting both the ratio of organic compounds in the casting-sand and the amount of VOC in mold wash. It is not uncommon for a casting facility to consume 1 million pounds of organic binder and wash material per year.

The proposed standard for binder is an average ratio of binder to sand. The exact standard is still being decided, but will be between 1.33 and 1.38 pounds of organic binder material per 100 pounds of casting-sand. In addition, washes and surfacing material are limited to 2.5 pounds VOC per gallon and to 1.0 pounds VOC per gallon after 1998. A provision has been added in this draft to allow averaging of VOC levels in surfacing and wash material, using a variant of a formula already in Rule 341, the investment-casting rule. Also, less frequent recordkeeping is allowed if a facility demonstrates consistency in keeping its binder-to-sand ratio well below the limit.

Background: In 1996, Maricopa County judged as infeasible requiring the ferrous casting industry to meet the usual 81 percent VOC-reduction standard normally expected when a control device is used in common industries. This decision was made because the costs for this control at the particular plant which would be most affected by this proposed rule were over twice the maximum cost allowed for a level of control conforming with Reasonably Available Control Technology (RACT). The RACT limit is approximately \$5,000.00 per ton of VOC eliminated. So, for the ferrous casting industry, Maricopa County had to develop a standard for VOC control which did not require a control device.

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.

County Notices Pursuant to A.R.S. §§ 49-112(A) or 49-112(B)

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 revisions to Rule 100, New Rule 201, revisions to Rule 220, and New Rule 347 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 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
1001 North Central Avenue #201
Phoenix Arizona 85004

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: 1001 North Central Avenue #201
Phoenix Arizona 85004

Telephone: (602) 506-6010

Fax: (602) 506-6179

ARIZONA ADMINISTRATIVE REGISTER
NOTICE OF PUBLIC WORKSHOP

Maricopa County

Environmental Services Department, Technical Services Division

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

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

Revisions to Rule 100 (General Provisions And Definitions)
New Rule 201 (Emissions Caps)
Revisions to Rule 220 (Non-Title V Permit Provisions)
New Rule 347 (Ferrous Sand Casting)

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

Date: Public Workshop, Thursday, April 24, 1997

Time: 9:00 a.m. - 12 Noon

Location: Maricopa County Flood Control District Office
2801 West Durango
Phoenix Arizona

Nature: To discuss the above listed rules.

County Notices Pursuant to A.R.S. §§ 49-112(A) or 49-112(B)

Note: Copies of the draft rules will be available Thursday, April 17, 1997, for public inspection at the offices of the Maricopa County Environmental Services Department, Technical Services Division, 1001 North Central Avenue #201, Phoenix, Arizona, 85004 (Phone 602-506-6710 or 602-506-6706).

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
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*.