

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

MARICOPA COUNTY
ENVIRONMENTAL SERVICES DEPARTMENT - TECHNICAL SERVICES DIVISION

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

Rule 280 (Fees)

Rule 338 (Semiconductor Manufacturing)

New Rule 348 (Aerospace)

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

Rule 280 (Fees)

Maricopa County is proposing to revise Rule 280 to allow recovery of all reasonable direct and indirect costs required to administer an air permit pursuant to Arizona Revised Statutes (A.R.S.) § 49-112 and § 49-480. Adding a provision to Rule 280 is proposed to allow Maricopa County to collect a fee for reviewing and approving Operation And Maintenance Plans which are submitted by permitted facilities. In addition, provisions will be added to Rule 280 to allow recovery of actual direct and indirect costs for administering the permit in situations where existing approved base fees are exceeded due to exceptional or unique circumstances.

Rule 338 (Semiconductor Manufacturing)

Maricopa County is proposing to revise Rule 338, Semiconductor Manufacturing, which controls volatile organic compounds (VOCs) emitted by negative and by positive photoresist operations. At this time 3 general changes are proposed.

(1) The proposal removes an ambiguity in determining the annual emission threshold above which use of a control device is required. Determination will be based on the total mass of VOC emitted in any year since 1989, measured prior to any control device, that is, the total mass of "uncontrolled" emissions.

(2) We propose to lower the threshold at which an emission control system must be used from 50 tons per year to 25 tons per year of uncontrolled VOC emissions from positive photoresist operations. The current control threshold for negative photoresist operations is 25 tons per year. The proposed change would bring the threshold of control for positive and negative operations into line with 1 another.

(3) Rule 338's existing discussion of the relationship between it (Rule 338) and the solvent cleaning rule (Rule 331) will be amplified.

In addition to the above 3 changes, the rule will be updated to reflect current standards of rule-completeness, including the "grouping option" to allow simplification of usage-records for mutually similar materials.

New Rule 348 (Aerospace Coating)

The United States Environmental Protection Agency has reclassified the Maricopa County Non-Attainment Area to "Serious" for Ozone and is anticipated to be effective sometime in December 1997. Maricopa County is required by the Clean Air Act to develop rules that regulate industries that emits Volatile Organic Compounds (VOCs). VOCs are precursors to the formation of Ozone. In addition, the county is required to have rules that specifically address each industry that emit large amounts of VOCs. Currently, Aerospace Coatings are covered under Rule 336 which addresses industrial coatings for many different industries. The EPA is now finalizing a Control Technique Guideline (CTG) document for the Aerospace Industry and expects the County to incorporate its control techniques. For these reasons, Maricopa County is proposing to include an Aerospace Coating Rule to the County Air Pollution Control Rules and Regulations. The proposed rule will incorporate the information supplied by the CTG which includes the following:

- An extensive list of VOC limits and definitions addressing the numerous types of coatings.
- Standards for types of spray guns and specific spray gun cleaning techniques.

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 rules 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 revisions to Rule 280, Rule 338, and New Rule 348 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 rules 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

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

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: Bob Evans, Business Services Division (Regarding Rule 280)
Or
Jo Crumbaker, Air Quality Division (Regarding Rule 338 and Rule 348)
Address: Maricopa County Environmental Services Department
Air Quality Division
1001 North Central Avenue #201
Phoenix, Arizona 85004
Telephone: Bob Evans: (602) 506-6930 or Jo Crumbaker: (602) 506-6705
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
Air Quality Division
Address: 1001 North Central Avenue #201
Phoenix, Arizona 85004
Telephone: (602) 506-6010
Fax: (602) 506-6179

**NOTICE OF PUBLIC WORKSHOP
Pursuant to A.R.S. §§ 49-112(A) or 49-112(B)**

**MARICOPA COUNTY
ENVIRONMENTAL SERVICES DEPARTMENT - TECHNICAL SERVICES DIVISION**

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

Rule 280 (Fees)
Rule 338 (Semiconductor Manufacturing)
New Rule 348 (Aerospace Coating)

2. Date, time, and location of public workshop scheduled:

Date: Public Workshop #1: December 18, 1997
Public Workshop #2: January 22, 1998
Time: 9 a.m. - Noon
Location: Maricopa County Environmental Services Department
1001 North Central Avenue, 5th Floor Meeting Room
Phoenix, Arizona

Nature Of Public Workshop: To discuss the above listed rules.

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

Name: Bob Evans, Business Services Division (Regarding Rule 280)
Or
Jo Crumbaker, Air Quality Division (Regarding Rule 338 And Rule 348)
Address: Maricopa County Environmental Services Department
Air Quality Division
1001 North Central Avenue #201
Phoenix, Arizona 85004
Telephone: Bob Evans: (602) 506-6930 or Jo Crumbaker: (602) 506-6705
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 Rules which appears in this issue of the *Arizona Administrative Register*.