

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

MARICOPA COUNTY
ENVIRONMENTAL SERVICES DEPARTMENT - AIR QUALITY DIVISION

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

- Rule 100 (General Provisions And Definitions)
- Rule 200 (Permit Requirements)
- Rule 210 (Title V Permit Provisions)
- Rule 370 (Federal Hazardous Air Pollutant Program)

2. Summary of the proposed rules, ordinances or other regulation:

Maricopa County is proposing to make the following changes in the above-referenced rules in order to correct deficiencies in the Title V permit program, that the Environmental Protection Agency (EPA) described in its final interim approval of Maricopa County's Title V permit program. (See EPA's October 31, 1996, Federal Register notice). These changes are consistent with changes that the Arizona Department Of Environmental Quality (ADEQ) is proposing in its rules. Should Maricopa County fail to incorporate these changes into its Title V permit program before June 1998, EPA could impose various sanctions and could administer and enforce a federal permits program in Maricopa County.

Rule 100 (General Provisions and Definitions)

Maricopa County is proposing to revise the following definitions:

- (1) "Major Source" will be more clearly defined to ensure that fugitive emissions of hazardous air pollutants are accounted for in calculating potential to emit for determining major source status.
- (2) "Material Permit Condition" will be modified so that "material permit conditions" can exist in state permits as well as in County permits.
- (3) "Significant" will be modified to include a significant emission rate of 50 tons for municipal solid waste landfill emissions.

Rule 200 (Permit Requirements)

Maricopa County is proposing to revise the following sections:

- (1) New Subsection 303.3(d) will be added which will include text very similar to text found in the Clean Air Act Section 112(g).
- (2) Section 312 will be clarified so that a source becomes subject to the requirements of Title V on the date that EPA approves Maricopa County's Title V permit program and when a source becomes subject to the applicability requirements. Section 312 will also require that existing sources that do not hold a valid installation or operating permit must submit an application within 12 months of becoming subject to the requirements of Title V.

Rule 210 (Title V Permit Provisions)

Maricopa County is proposing to revise the following sections:

- (1) Subsections 302.1(h)(1) and 302.1(h)(3) will be revised to match ADEQ's rules, R18-2-306(a)(8)(a) and R18-2-306(a)(8)(c).
- (2) Subsection 302.1(n) will be clarified so that changes made under this subsection cannot be changes under any provision of Title I of the Act (such statement is already made in Subsections 403.1(a) and 403.1(b)) and will state that the terms and conditions of the permit include notice that describes how the increases and decreases in emissions will comply with the terms and conditions of the permit.
- (3) Subsection 405.1(c) will be revised to match ADEQ's rule, R18-2-319(A)(3).
- (4) Subsection 406.2 will require that significant permit revisions include situations under CAA Section 112(g).
- (5) New Subsection 406.5 will be added which will require a source's entire permit to undergo full Title V review, if such source changes from a Non-Title V source to a Title V source.

Rule 370 (Federal Hazardous Air Pollutant Program)

Maricopa County is proposing to revise the following sections:

- (1) Sections 301 and 302 will incorporate the year "1997" instead of the year "1996".
- (2) Section 302 will be revised to include 2 additional subparts of the National Emission Standards For Hazardous Air Pollutants (NESHAP). This revision is also being proposed in another currently pending rulemaking process; however, this revision is being proposed in this rulemaking process, so that this rulemaking process is independent of the other rulemaking process.

3. A demonstration of the grounds and evidence of compliance with A.R.S. § 49-112:

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

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

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 100, Rule 200, Rule 210, 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 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 from Maricopa County will approximately equal or be less than the fee or cost of obtaining similar permits or approvals under A.R.S. Title 49 or any rule adopted pursuant to A.R.S. Title 49.

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

Name: Johanna Kuspert, Air Quality Planner
Address: Maricopa County Environmental Services Department
Air Quality Division
1001 North Central Avenue, #201
Phoenix, Arizona 85004
Telephone: (602) 506-6710
Fax: (602) 506-6179

5. Where persons may obtain a full copy of the proposed rule, ordinance, or other regulation:

Location: Maricopa County Environmental Services Department
Address: Air Quality Division
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 - AIR QUALITY DIVISION**

1. Heading and number of the proposed rule, ordinance, or other regulation that is the subject of this public workshop:

Rule 100 (General Provisions And Definitions)
Rule 200 (Permit Requirements)
Rule 210 (Title V Permit Provisions)
Rule 370 (Federal Hazardous Air Pollutant Program)

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

Date: Thursday, February 19, 1998
Time: 9 a.m. - 2 p.m.
Location: Maricopa County Environmental Services Department
1001 North Central Avenue, 5th Floor
Phoenix, Arizona

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

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

Name: Johanna Kuspert, Air Quality Planner
Address: Maricopa County Environmental Services Department
Air Quality Division
1001 North Central Avenue, #201
Phoenix, Arizona 85004

Arizona Administrative Register

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Telephone: (602) 506-6710

Fax: (602) 506-6179

4. Any other pertinent information concerning the above named proposed rule, ordinance, or other regulation:
This notice of Public Workshop relates to the County Notice of Proposed Rule which immediately precedes it.