

NOTICES OF RULEMAKING DOCKET OPENINGS

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR POLLUTION CONTROL**

1. **Title and its heading:** 18, Department of Environmental Quality
Chapter and its heading: 2, Department of Environmental Quality - Air Pollution Control
Article and its heading: 1, General
3, Permits and Permit Revisions
7, Existing Stationary Source Performance Standards
Section numbers: R18-2-101, R18-2-304, R18-2-306, R18-2-306.03, R18-2-309, R18-2-310, R18-2-310.01, and R18-2-724, and Appendix 1
2. **The subject matter of the New Rule:**
ADEQ expects to propose a rule providing for affirmative defenses for excess emissions during periods of startup, shutdown, or scheduled maintenance, at Title V sources. The proposed rule will also establish a two-part reporting requirement for owners or operators of sources when there is an excess emissions violation. The proposed rule also makes conforming change.
3. **A citation to all published notices relating to the proceeding:**
Notice of Rulemaking Docket Opening: 4 A.A.R. 958, April 24, 1998.
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Mark Lewandowski or Martha Seaman
Address: Department of Environmental Quality
3033 N. Central Avenue
Phoenix, AZ 85012
Telephone: (602) 207-2230 or 207-2242
Fax: (602) 207-2251
E-mail: lewandowski.mark@ev.state.az.us
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
This will be announced in the Notice of Proposed Rulemaking.
6. **A timetable for agency decisions or other action on the proceeding:**
This will be announced in the Notice of Proposed Rulemaking.

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR POLLUTION CONTROL**

1. **Title and its heading:** 18, Department of Environmental Quality
Chapter and its heading: 2, Department of Environmental Quality - Air Pollution Control
Article and its heading: 10, Motor Vehicles; Inspection and Maintenance
Section numbers: R18-2-1001 through R18-2-1031, Tables 3, 4, and 6
2. **The subject matter of the New Rule:**

Arizona Administrative Register
Notices of Rulemaking Docket Openings

The Department of Environmental Quality will be proposing a rule to implement vehicle emission testing changes from recent legislation. Included are an exemption from testing for the 5 latest model years, and a catalytic converter efficiency test for some vehicles in the Phoenix area (area A). Owners of testable vehicles in both area A and area B will be affected. The rule will also implement action items proposed in a recent 5-year-review report and update and clarify ADEQ's ability to take enforcement action against fleets for various violations.

3. A citation to all published notices relating to the proceeding:

None.

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Mark Lewandowski or Martha Seaman

Address: Department of Environmental Quality
3033 N. Central Avenue
Phoenix, AZ 85012

Telephone: (602) 207-2230 or 207-2222

Fax: (602) 207-2251

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

To be announced in the Notice of Proposed Rulemaking.

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