

COUNTY NOTICES OF PROPOSED RULEMAKING

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

NOTICE OF PROPOSED RULEMAKING

MARICOPA COUNTY ENVIRONMENTAL SERVICES DEPARTMENT AIR QUALITY DIVISION

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

- Rule 321 (Municipal Solid Waste Landfills)
- Rule 360 (New Source Performance Standards)
- Rule 370 (Federal Hazardous Air Pollutant Program)
- Rule 371 (Acid Rain)

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

Maricopa County is proposing to revise Rule 321 (Municipal Solid Waste Landfills), Rule 360 (New Source Performance Standards), Rule 370 (Federal Hazardous Air Pollutant Program), and Rule 371 (Acid Rain).

Maricopa County is proposing to update its incorporations by reference of the following federal regulations: New Source Performance Standards (NSPS); National Emission Standards for Hazardous Air Pollutants (NESHAP); and Acid Rain.

In Rule 321, 40 CFR 60, Subpart WWW, Municipal Solid Waste Landfills, which was amended August 17, 1998, is incorporated by reference. In Rule 360, updates to the federal NSPS regulations are incorporated as of July 1, 1998, except for Subpart WWW, Municipal Solid Waste Landfills, which was amended August 17, 1998. In Rule 370, updates to the federal NESHAP regulations are incorporated as of July 1, 1998. In Rule 371, updates to the federal Acid Rain regulations published on October 24, 1997 are incorporated by reference.

The Environmental Services Department will be requesting delegation of authority for enforcement of the revisions in Rules 360, 370 and 371 from the U.S. Environmental Protection Agency.

3. A demonstration of the grounds and evidence of compliance with A.R.S. 49-112(A) or A.R.S. 49-112(B):

The Control Officer of the Maricopa County Environmental Services Department affirms the following:

Pursuant to A.R.S. §49-112(A), as enacted in 1994, Maricopa County may adopt rules that are more stringent than or in addition to a provision of the State, provided that the rule is necessary to address a peculiar local condition; and if it is either necessary to prevent a significant threat to public health or the environment that results from a peculiar local condition and is technically and economically feasible or if it is required under a federal statute or regulation, or authorized pursuant to an intergovernmental agreement with the federal government to enforce federal statutes or regulations if the county rule is equivalent to federal statutes or regulations; and if any fee adopted under the rule will not exceed the reasonable costs of the county to issue and administer that permit program.

Maricopa County is in compliance with A.R.S. §49-112(A) in that Maricopa County is proposing to adopt revisions to Rules 321, 360, 370, and 371 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.

The Section 112(B) demonstration does not apply because these particular rules are in that portion of Maricopa County's air quality program which is administered under direct statutory authority. Therefore, these rules are not being adopted/revised in lieu of a state program.

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

Name: Dee Romesburg, Air Quality Administrative Assistant
or
Jo Crumbaker, Manager, Planning & Analysis Section

Address: Maricopa County Environmental Services Department
Air Quality Division

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

1001 North Central Avenue, #201
Phoenix, Arizona 85004

Telephone: Dee Romesburg at (602) 506-6794 or Jo Crumbaker at (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) 506-6794

Fax: (602) 506-6179

NOTICE OF PUBLIC HEARING ON PROPOSED RULEMAKING

MARICOPA COUNTY ENVIRONMENTAL SERVICES DEPARTMENT

AIR QUALITY DIVISION

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

Rule 321 (Municipal Solid Waste Landfills)

Rule 360 (New Source Performance Standards)

Rule 370 (Federal Hazardous Air Pollutant Program)

Rule 371 (Acid Rain)

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

Date: Wednesday, March 1, 2000

Time: 9:00 a.m.

Location: Maricopa County Board of Supervisors Auditorium
205 W. Jefferson St.
Phoenix, Arizona

Nature Of Public Hearing: To Discuss and Approve the Above Listed Rules.

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

Name: Dee Romesburg, Air Quality Administrative Assistant
or
Jo Crumbaker, Manager, Planning & Analysis Section

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

Telephone: Dee Romesburg at (602) 506-6794 or Jo Crumbaker at (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.