

COUNTY NOTICES PURSUANT TO A.R.S. § 49-112

Because each county writes rules and regulations in its own unique style, County Notices published in the *Register* do not conform to the standards of the *Arizona Rulemaking Manual*. With the exception of minor formatting changes, the rules (including subsection labeling, spelling, grammar, and punctuation) are reproduced as submitted.

NOTICE OF RULEMAKING DOCKET OPENING MARICOPA COUNTY ENVIRONMENTAL SERVICES DEPARTMENT AIR QUALITY DIVISION

- 1. Title and its heading:** Maricopa County Air Pollution Control Regulations

Regulation and its heading: Regulation III, Control of Air Contaminants

Rule and its heading: Rule 319 - Ginning Operations

Section numbers: 200, 201, 202, 203, 204, 205, 206, 302, 304, 401, 402, 403, 502, and 503
- 2. The subject matter of the proposed rules:**
Maricopa County will propose to amend Rule 319 by revising the definitions of low and high pressure exhausts, clarifying language regarding the compliance schedule for control equipment in section 402, and changing the manner in which flow maintenance is evaluated in section 502. Section 503 will be amended to delete EPA test Method 5 and to add EPA test Method 1 for compliance determination.
- 3. A citation to all published notices relating to this proceeding:**
None to date
- 4. The name and address of agency personnel with whom persons may communicate regarding the proposed rules:**

Name: Patricia P. Nelson or Jo Crumbaker

Address: 1001 N. Central Avenue, Suite 695
Phoenix, AZ 85004

Telephone: (602) 506-6709 or (602) 506-6705

Fax: (602) 506-6179

E-mail: pnelson@mail.maricopa.gov or jcrumbak@mail.maricopa.gov
- 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
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
To be announced in the Notice of Proposed Rulemaking

NOTICE OF FINAL RULEMAKING

MARICOPA COUNTY AIR POLLUTION CONTROL REGULATIONS

RULE 204 – EMISSION REDUCTION CREDITS FOR USE WITH THE ARIZONA EMISSIONS BANK

RULE 210 – TITLE V PERMIT PROVISIONS

RULE 220 – NON-TITLE V PERMIT PROVISIONS

**RULE 240 – PERMITS FOR NEW MAJOR SOURCES AND MAJOR MODIFICATIONS
TO EXISTING MAJOR SOURCES**

PREAMBLE

1. Sections Affected

Rule 204 All Sections
Rule 210 § 400
Rule 220 § 400
Rule 240 § 300

Rulemaking Action

New Rule
Amend
Amend
Amend

2. The statutory authority for the rulemaking:

Authorizing statutes: Arizona Revised Statutes §§ 49-471.08, 49-479, and 49-480
Implementing statute: Arizona Revised Statutes § 49-410

3. The effective date of the rules:

May 7, 2003

4. A list of all previous notices appearing in the Register addressing the final rule:

Notice of Rulemaking Docket Opening: 8 A.A.R. 2403, May 31, 2002 (Rules 210, 220, 240)
Notice of Informal Public Meeting on Open Rulemaking Docket: 8 A.A.R. 2404, May 31, 2002 (Rules 210, 220, 240)
Notice of Rulemaking Docket Opening: 8 A.A.R. 4618, November 1, 2002 (Rule 204)
Notice of Expedited Rulemaking: 9 A.A.R. 141, January 17, 2003 (Rules 204, 210, 220, 240)

5. The name and address of department personnel with whom persons may communicate regarding the rulemaking:

Name: Brennan Curry Townsend or Jo Crumbaker
Address: 1001 N. Central Avenue, Suite 695
Phoenix, AZ 85004
Telephone: (602) 506-6710 or (602) 506-6705
Fax: (602) 506-6179
E-mail: bcurry@mail.maricopa.gov or jcrumbak@mail.maricopa.gov

6. Explanation of the rule, including the department's reason for initiating the rulemaking:

Summary: Rule 204 has been created, and Rules 210, 220 and 240 are being amended in order for the Arizona Department of Environmental Quality (ADEQ) to administer its emissions bank. The emissions bank was authorized under Arizona Revised Statutes, Title 49, Chapter 3, Article 1, Section 410 (A.R.S. § 49-410) and implemented by the ADEQ under *Arizona Administrative Code*, Title 18, Chapter 2, Article 12 (R18-2-1201 et seq.) Pursuant to A.R.S. § 41-1081, the ADEQ will enter into a delegation agreement with Maricopa County, providing that the Maricopa County Environmental Services Department (MCESD) will conduct two elements of the emissions bank program in Maricopa County. First, the county will certify emissions credits arising within Maricopa County and revise permits for sources that reduce emissions and seek certification for those reductions. Additionally, the MCESD will issue permits to eligible sources wishing to use emission reduction credits in Maricopa County.

Statutory Authority: A.R.S. § 49-410 directs the ADEQ to establish and administer an Arizona emissions bank. The statute provides that a permitted source that reduces emissions of specified air pollutants by an amount greater than otherwise legally required “shall be granted credit in an amount determined by the department of environmental policy.” A.R.S. § 49-410(B). The statute goes on to provide that the credit “shall be deposited into the Arizona emissions bank” *id*, though the ADEQ has interpreted the statutory language in A.R.S. § 49-410 to state that participation in the ERC banking program by any source is voluntary.

The statute sets forth conditions for the emissions reduction to be eligible for credit and deposit in the Arizona emissions bank, including that the reduction be permanent, quantifiable, and otherwise enforceable, and occur after the effective date of the statute (Aug. 17, 1999). A.R.S. § 49-410(B). The statute notes, however, that it does not prohibit a source from receiving credit by means other than the Arizona emissions bank for emission reductions that occurred before the effective date of the statute. *Id.* The statute directs the ADEQ to register, certify, or otherwise approve the amount of the credit that is banked and later used, but allows the ADEQ to delegate the certification duties to a county or multi-county air quality control region. A.R.S. § 49-410(C). The statute also sets forth conditions under which a credit may be used, traded, or sold. *Id.*

Background: The Arizona emissions bank was established to serve as a clearinghouse for emission reduction credits. The emissions bank program allows a source to reduce emissions, then generate credits for the reductions and deposit the credits in the bank. The bank then lists all of the credits it holds so that the public will have easy access to information regarding credit availability. The banking system likely will decrease costs for both reducing sources and credit buyers by eliminating the need for a consultant or broker. Additionally, the ADEQ's rule assures that the program provides an air quality benefit through the automatic 10 percent retirement of emission reduction credits at the time of deposit. While the 10 percent discount ensures some level of air quality benefit, the program allows sources to maximize opportunities for economic benefits because of a known market for credits and potential for expansion. The program also allows the purchase of credits for retirement, thereby providing for a permanent reduction of emissions within a particular area.

A.R.S. § 49-410 sets standards for the certification of emission reduction credits. Because the ADEQ will delegate the certification of credits to the county, the MCESD will follow the standards outlined in the delegation agreement and the emissions bank statute. Emission reductions of particulate matter, sulfur dioxide, carbon monoxide, nitrogen oxides, or volatile organic compounds are eligible for emission reduction credits if the reductions: occur at a permitted source after August 17, 1999; exceed any amount greater than that required by law, rule, permit, or order; are permanent; are quantifiable; and are otherwise enforceable. The emissions bank program does not provide for the banking of hazardous air pollutant (HAP) credits.

A.R.S. § 49-410 also sets standards for the use of the certified emission reduction credits. First, credits used as offsets must be for the same pollutant as the reductions. Second, the reduction must have occurred in the same nonattainment, maintenance or modeling domain area in which the emission reduction credits will be used. Furthermore there must be no adverse impact on the air quality.

Any source wishing to participate in the bank program must be permitted, which is the process to ensure the permanence, quantification, and enforceability of credit generation or credit utilization. Neither this rule nor A.R.S. § 49-410 restricts the generation or utilization of credits outside the Arizona emissions bank. If a source generates or utilizes emission reduction credits through another trading program, (for example, EPA's acid rain program) such emission reduction credits are no longer available to be traded through the Arizona emissions bank.

Traditionally the two participants in the permitting process are the source and the regulatory agency. Under the proposed rule this will not change, nor will the bank take over either of these roles. The bank is a mechanism for depositing emission reduction credits and reporting on the availability of those credits for future use. The bank is administered by the ADEQ, who will post emission reduction credit information on an electronic registry so sources can locate current credit availability. The ADEQ has the authority to establish the criteria to determine the amount of the emission credit; it does not set the market value of the credits. Any source wishing to generate an emission reduction credit for deposit in the bank must obtain a permit revision, or surrender a permit in the case of a shutdown, from the state or local agency that has permitting authority over that source.

A source wishing to utilize emission reduction credits must also obtain a permit revision or a new permit. It must be noted that the emissions bank rules do not alter the part of the permitting process whereby new sources or existing major sources involved in major modifications must also satisfy existing Clean Air Act New Source Review (NSR) or Prevention of Serious Deterioration (PSD) requirements. Because of this, the MCESD will reevaluate credits at the time of their withdrawal to determine how and when the credits may be used. The ADEQ emissions bank rule clarifies that nothing in the emissions bank rule has any effect on the life of the credits in the bank. R18-2-1205(D). However, the NSR program requires credits applied as offsets for new or modifying sources in the NSR program to be "contemporaneous." "Contemporaneous" has been defined at both the federal and state level as 5 years.

Section by Section Explanation of Changes:

- Rule 204: This new rule establishes procedures for the certification and utilization of emission reduction credits under the Arizona Emissions Bank.
- Rule 210 § 408.4(1): This change requires public notices to reflect credit certification or utilization in a Title V permit application or revision application.
- Rule 220 § 407.2(g): This change requires public notices to reflect credit certification or utilization in a Non-Title V permit application or revision application.
- Rule 240 § 306.1: This change modifies the time restriction for emission reductions to allow certain prior shutdowns and curtailments to qualify for offsets.

Rule 240 § 306.9: This change corrects a typographical error.

Rule 240 § 306.10: This change modifies the time restriction for emission reductions to allow certain prior shut-downs and curtailments to qualify for offsets.

7. Demonstration of compliance with A.R.S. § 49-112:

Under A.R.S. § 49-479(c), a county may not adopt a rule that is more stringent than the rules adopted by the director of the ADEQ for similar sources unless it demonstrates compliance with the requirements of A.R.S. § 49-112. In this rulemaking process, Maricopa County has not adopted a rule that is more stringent than the ADEQ's rules for similar sources, therefore no demonstration under A.R.S. § 49-112 is necessary.

8. Reference to any study relevant to the rule that the department reviewed and either relied or did not rely on in its evaluation of or justification for the rule, where the public may review each study, all data underlying each study, and any analysis of each study and other supporting material:

No studies were reviewed in reference to this rulemaking action.

9. A showing of good cause why the rules are necessary to promote a statewide interest if the rules will diminish a previous grant of authority of a political subdivision of this State:

Not applicable

10. The summary of the economic small business, and consumer impact:

Please refer to the Arizona Department of Environmental Quality's Notice of Final Rulemaking for the Arizona emissions bank in the April 12, 2002 issue of the *Arizona Administrative Register*, Volume 8, Issue #15, page 1822.

11. A description of the changes between the proposed rules, including supplemental notices, and final rules:

Only one minor change was made between the proposed expedited rulemaking notice and the final rule, and the change was made to correct a typographical error in Rule 240, section 306.10, in the following sentence: "Emissions reductions achieved by shutting down an existing source or permanently curtailing production or operating hours below baseline levels may be credited, if the work force has been notified ~~of~~ of the proposed shut down or curtailment."

12. A summary of comments made regarding the rule and the department response to them:

Comment #1: In section 203 (definition of "emission reduction credit" or "credit") we ask that, in addition to the list already included in the definition, "used" be included. The suggested revision would read "a certified unit that may be banked, used, sold, transferred, withdrawn or retired."

Response: Maricopa County will not insert "used" in the definition of "emission reduction credit" or "credit" because there is an independent analysis that must be done to determine whether or not an emission reduction credit may, in fact, be used. The "use" of an emission reduction credit is a wholly separate concept from the emissions bank itself, which serves merely as a clearinghouse for credits. To insert the term "used" in the definition would circumvent the Control Officer's duties in Rule 204, section 302.2, including an evaluation of the credit and a determination that the use of the credit(s) will not have an adverse impact on the air quality, which *then* makes a credit usable.

Comment #2: We believe that the use of the word "may" in section 301.1 gives MCESD too much discretion in certifying emission reduction credits. Changing the section to read "The control officer must certify an emission credit..." would resolve this issue.

Response: Maricopa County will not change the word "may" in section 301.1. The county's authority to certify emission reduction credits is based on a delegation agreement from the Arizona Department of Environmental Quality therefore the language in Rule 204 will not deviate from the language in the state's rule.

Comment #3: Section 301.3(b) requires a source to submit testing or monitoring documentation that demonstrates an emission reduction. We ask that the county clarify whether testing or monitoring is required.

Response: Because Rule 204, section 102 states that "participation in the emission reduction credit certification and utilization is voluntary," Section 301.3(b) imposes no testing or monitoring *requirements*. However, if a source chooses to apply for credit certification, in order to show that there is an actual reduction in emissions under section 301.1, the source may be required to provide testing or monitoring data and may not be able to rely solely on AP-42 emission factors.¹ EPA's AP-42 emission factors represent the average of many source test results and are not necessarily representative of a specific source's actual emissions. In fact, the AP-42 emission factors tend to be conservative and may overestimate actual emissions; therefore reduction calculations will be done on a case by case basis by MCESD.

[¹AP-42 emission factors are those found in EPA Publication No. AP-42 "Compilation of Air Pollutant Emission Factors", Volume I: Stationary Point and Area Sources, Fifth Edition, 1995 U.S. Environmental Protection Agency, Research Triangle Park, NC.]

Comment #4: Prior to the use of an emission reduction credit, section 302.2(b) requires the Control Officer to "determine that there will be no adverse impact on the air quality." We find this language very subjective and are unable to understand how MCESD will make this determination. We realize that this is the wording for the state emissions bank rule. However, because Maricopa County has been delegated the procedures for credit utilization, it is necessary

for the county to provide the public with information on how it will make the determination that there will be no adverse impact on the air quality.

Response: This rule package requires public notice under Rules 210 and 220 when any permit action will involve emission reduction credits. Such notice that a project may use or create available emission reduction credits provides citizens with the opportunity to review and comment regarding any perceived impact on local air quality. Because of these public comment opportunities, the Control Officer's decision will not be stand-alone and subjectivity will be minimized. Additionally, before a permitted source uses emission reduction credits as part of an NSR (New Source Review) permit, a net air quality benefit must be demonstrated under NSR regulations for major sources. Lastly, since this program is the result of a proposed delegation agreement, the language in Rule 204 emulates exactly what is in the state rule. The proper forum to present this comment was during the state rulemaking process.

13. Any other matters prescribed by the statute that are applicable to the specific agency or to any specific rule or class of rules:

None

14. Incorporations by reference and their location in the rules:

None

15. Was this rule previously made as an emergency rule?

No

16. The full text of the rule follows:

MARICOPA COUNTY
AIR POLLUTION CONTROL REGULATIONS
REGULATION II - PERMITS AND FEES

RULE 204 – EMISSION REDUCTION CREDITS FOR USE WITH THE ARIZONA EMISSIONS BANK

INDEX

SECTION 100 - GENERAL

101 PURPOSE

102 APPLICABILITY

SECTION 200 - DEFINITIONS

201 CERTIFIED CREDIT

202 CREDIT UTILIZATION

203 EMISSION REDUCTION CREDIT

204 EMISSIONS BANK

205 SURPLUS

SECTION 300 - STANDARDS

301 CREDIT CERTIFICATION

302 CREDIT UTILIZATION

SECTION 400 - ADMINISTRATIVE REQUIREMENTS (NOT APPLICABLE)

SECTION 500 - MONITORING AND RECORDS (NOT APPLICABLE)

MARICOPA COUNTY
AIR POLLUTION CONTROL REGULATIONS
REGULATION II - PERMITS AND FEES

RULE 204 – EMISSION REDUCTION CREDITS FOR USE WITH THE ARIZONA EMISSIONS BANK

SECTION 100 – GENERAL

101 PURPOSE: To implement procedures for certification and utilization of emission reduction credits for use with the Arizona Emissions Bank.

102 APPLICABILITY: Participation in the Rule 204 emission reduction credit certification and utilization program is voluntary. The provisions of this rule apply to permitted sources emitting particulate matter, sulfur dioxide, carbon monoxide, nitrogen oxides, or volatile organic compounds. Rule 204 does not apply to sources granted the authority to operate under Rule 230 (General Permits) of these rules.

SECTION 200 – DEFINITIONS: For the purpose of this rule, the following definitions shall apply. See Rule 100 (General Provisions and Definitions) of these rules for definitions of terms that are used but not specifically defined in this rule.

201 CERTIFIED CREDITS – emission reduction credits that have qualified for certification by satisfying the criteria established for emission reduction as outlined in Section 302 (Credit Certification) of this rule.

202 CREDIT UTILIZATION – the use of a certified emission reduction credit.

203 EMISSION REDUCTION CREDIT or CREDIT – a certified unit that may be banked, sold, transferred, withdrawn or retired.

204 EMISSIONS BANK – the electronic entity where emission reduction credits are recorded for the purpose of the public notice, allowing a person to determine the availability of credits for related market transactions. The emissions bank is administered by the Arizona Department of Environmental Quality.

205 SURPLUS – the amount of a permitted source’s emission reduction that is not required by federal, state, or local law.

SECTION 300 – STANDARDS

301 CREDIT CERTIFICATION

301.1The Control Officer may certify an emission credit if the Control Officer verifies the credit is based on all of the following:

- (a) A reduction in actual emissions that occurred after August 17, 1999;
- (b) A quantifiable reduction in actual emissions;
- (c) A permanent reduction in actual emissions;
- (d) An enforceable reduction in actual emissions; and
- (e) A surplus reduction in actual emissions occurring in addition to any other required emission reduction.

301.2The source must notify the Control Officer when the reduction occurs.

301.3In order for the emission reduction to be quantifiable under this section:

- (a) The emission reduction must be quantifiable under Rule 100, § 200.86; and
- (b) The reducing source shall submit documentation of any testing or monitoring that demonstrates an emission reduction.

301.4The Control Officer shall certify one emission reduction credit for each ton per year of particulate matter, sulfur dioxide, carbon monoxide, nitrogen dioxide, or volatile organic compound actually reduced.

301.5The Control Officer shall notify the source and the Director of the ADEQ that a credit is certified.

302 CREDIT UTILIZATION

302.1A source may use a certified emission reduction credit in the same nonattainment area, maintenance area, or modeling domain in which the emission reduction occurred by submitting a Credit Utilization Application (CUA) to both the Director of the ADEQ and the Control Officer, on a form prescribed by the Director of the ADEQ. The source shall submit the CUA to the Control Officer at the time the source submits an application for a permit or permit revision.

302.2Before any emission reduction credits may be utilized, the Control Officer shall:

- (a) Evaluate and verify the authenticity of the credit; and
- (b) Determine that there will be no adverse impact on the air quality.

302.3After the Control Officer completes the permitting action, the Control Officer shall submit the credit certificate to the Director of the ADEQ and notify the Director that the requirements of A.A.C. R18-2-1206 have been met.

SECTION 400 - ADMINISTRATIVE REQUIREMENTS (NOT APPLICABLE)

SECTION 500 - MONITORING AND RECORDS (NOT APPLICABLE)

MARICOPA COUNTY
AIR POLLUTION CONTROL REGULATIONS
REGULATION II - PERMITS AND FEES
RULE 210 – TITLE V PERMIT PROVISIONS

101 No change
102 No change
201 No change

301 No change

302 No change

303 No change

304 No change

305 No change

401 No change

402 No change

403 No change

404 No change

405 No change

406 No change

407 No change

408 PUBLIC PARTICIPATION

408.1 No change

408.2 No change

408.3 No change

408.4 The notice required by subsection 408.3 of this rule shall include the following:

a. No change

b. No change

c. No change

d. No change

e. No change

f. No change

g. No change

h. No change

i. No change

j. No change

k. No change

l. A statement in the public notice if the permit or permit revision would result in the generation of emission reduction credits under A.A.C. R18-2-1204 (Title 18, Chapter 2, Article 12) or the utilization of emission reduction credits under A.A.C. R18-2-1206 (Title 18, Chapter 2, Article 12).

408.5 No change

408.6 No change

408.7 No change

MARICOPA COUNTY

AIR POLLUTION CONTROL REGULATIONS

REGULATION II - PERMITS AND FEES

RULE 220 – NON-TITLE V PERMIT PROVISIONS

101 No change

102 No change

301 No change

302 No change

303 No change

304 No change

401 No change

402 No change

403 No change

404 No change

405 No change

406 No change

407 PUBLIC PARTICIPATION

407.1 No change

407.2 Public Notice for Applications Received: For sources listed in Rule 280 (Fees), Section 402 (Table A, Table B, and Table C Sources) of these rules, the Control Officer shall publish, once each week, a list of all permit applications received. The list will be available to the public at the Department's main office and on the Internet. The list shall include the following information:

- a. No change
- b. No change
- c. No change
- d. No change
- e. No change
- f. No change
- g. A statement if the permit or permit revision would result in the generation of emission reduction credits under A.A.C. R18-2-1204 (Title 18, Chapter 2, Article 12) or the utilization of emission reduction credits under A.A.C. R18-2-1206 (Title 18, Chapter 2, Article 12).

407.3 No change
407.4 No change
407.5 No change
407.6 No change
408 No change
501 No change
502 No change
503 No change

MARICOPA COUNTY

AIR POLLUTION CONTROL REGULATIONS

REGULATION II - PERMITS AND FEES

RULE 240 – PERMIT REQUIREMENTS FOR NEW MAJOR SOURCES AND MAJOR MODIFICATIONS TO EXISTING MAJOR SOURCES

101 No change
102 No change
201 No change
202 No change
203 No change
204 No change
205 No change
206 No change
207 No change
208 No change
209 No change
210 No change
211 No change
212 No change
213 No change
214 No change
301 No change
302 No change
303 No change
304 No change
305 No change

306 OFFSET AND NET AIR QUALITY BENEFIT STANDARDS:

306.1 Increased emissions by a major source or major modification subject to this rule shall be offset by reductions in the emissions of each pollutant for which the area has been designated as nonattainment and for which the source or modification is classified as major. The offset may be obtained by reductions in emissions from the source or modification, or from any other source ~~in existence within the allowable offset area on the startup date of the new major source or major modification.~~ Credit for an emissions offset can be used only if it has not been relied upon in demonstrating attainment or in demonstrating RFP, and if it has not been relied upon previously in issuing a permit or permit revision under this rule, under Sections 301 through 305 of this rule, or not otherwise required under this rule or under any provision of the SIP.

306.2 No change
306.3 No change
306.4 No change
306.5 No change
306.6 No change
306.7 No change

306.8 No change

306.9 Offsets shall be made on either a pounds-per-hour, pounds-per-day, pounds-per-quarter, tons-per-quarter, or tons-per-year basis, whichever is applicable, when all sources involved in the emission offset calculations are operating at their maximum expected or allowed production rate and, except as otherwise provided in subsection ~~306.6~~ 306.8 of this rule, utilizing the type of fuel burned at the time the application for the permit or permit revision under this rule is filed. A tons-per-year basis shall not be used if the new or modified source or the source offsets are not expected to operate throughout the entire year. No emissions credit may be allowed for replacing 1 VOC with another VOC of lesser reactivity.

306.10 Emissions reductions achieved by shutting down an existing source or permanently curtailing production or operating hours below baseline levels may be credited, if the work force to be affected has been notified ~~or~~ of the proposed shut down or curtailment. No offset credits for shutdowns or curtailments shall be provided for emissions reductions that are necessary to bring a source into compliance with RACT or any other standard under an applicable implementation plan. ~~Source shutdowns and curtailments in production or operating hours occurring before the date the new major source or major modification application shall not be used for emissions offset credits except as follows: if an applicant can establish that it shut down or curtailed production after August 7, 1977, or less than 1 year before the date of application for the permit or permit revision under this rule, whichever is earlier, and the proposed new major source or major modification is a replacement for the shutdown or curtailment, then credit for the shutdown or curtailment may be applied to offset emissions from the new source or modification.~~

306.11 No change

306.12 No change

306.13 No change

307 No change

308 No change

309 No change

501 No change

502 No change

503 No change

504 No change

405 No change

506 No change

507 No change

508 No change

509 No change

510 No change

511 No change

NOTICE OF AGENCY SUBSTANTIVE POLICY STATEMENT PIMA COUNTY DEPARTMENT OF ENVIRONMENTAL QUALITY

- 1. Subject of the substantive policy statement and the substantive policy statement number by which the policy statement is referenced:**
TECH – 209, Discharge of Water from Swimming Pools and Spas
- 2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**
April 21, 2003 (date of issuance/effect)
- 3. Summary of the contents of the substantive policy statement:**
This policy establishes procedures for staff when responding to complaints of improper discharge of water from swimming pools and spas.
- 4. A statement as to whether the substantive policy statement is a new statement or a revision:**
Revision of TECH-209, Discharge of Water from Swimming Pools and Spas, dated April 5, 2002.
- 5. The name, address, and telephone number of the person to whom questions and comments about the substantive policy statement may be directed:**
Name: Richard Grimaldi
Deputy Director

County Notices Pursuant to A.R.S. § 49-112

Address: Pima County DEQ
130 W. Congress, 3rd floor
Tucson, AZ 85701

Telephone: (520) 740-3332

6. Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:

Name: Vicki Bennie
Executive Administrative Assistant

Address: Pima County DEQ
130 W. Congress, 3rd floor
Tucson, AZ 85701

Telephone: (520) 740-3330

The policies are available on our website at www.deq.co.pima.az.us or we can copy them for you at 20¢ per page.

NOTICE OF AGENCY SUBSTANTIVE POLICY STATEMENT

PIMA COUNTY DEPARTMENT OF ENVIRONMENTAL QUALITY

1. Subject of the substantive policy statement and the substantive policy statement number by which the policy statement is referenced:

TECH – 210, Rule Interpretation, Title 17 of the Pima County Code (PCC)

2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:

July 2, 2002 (date of issuance/effect)

3. Summary of the contents of the substantive policy statement:

This policy statement establishes a consistent interpretation of Pima County Code 17.16.165.J., excess emissions reporting.

4. A statement as to whether the substantive policy statement is a new statement or a revision:

New policy statement

5. The name, address, and telephone number of the person to whom questions and comments about the substantive policy statement may be directed:

Name: Richard Grimaldi
Deputy Director

Address: Pima County DEQ
130 W. Congress, 3rd floor
Tucson, AZ 85701

Telephone: (520) 740-3332

6. Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:

Name: Vicki Bennie
Executive Administrative Assistant

Address: Pima County DEQ
130 W. Congress, 3rd floor
Tucson, AZ 85701

Telephone: (520) 740-3330

The policies are available on our website at www.deq.co.pima.az.us or we can copy them for you at 20¢ per page.