



Also the proposed rule will specify that the baseline study shall be performed under unloaded conditions e.g. devoid of any cotton in the system. Another amendment will be clarification of the expected inlet velocity ranges by referencing the numerical design velocity values instead of reference to +/- 20% of the designed gas flow in the current rule. The proposed rule will increase the frequency requirement of static pressure checks from a monthly basis to a weekly basis.

The stakeholders requested revisions to the definitions of low and high pressure exhausts. The proposed rule clarifies these definitions and lists the different types of low and high pressure exhaust systems in the definitions. The proposed rule also clarifies the definition of high efficiency cyclone by listing the different dimensions of the cyclones (cone length and diameter). The proposed rule will also add another test method, EPA Test Method 1, Sample and Velocity Traverses for Stationary Sources, to Section 503.

**Section by Section Explanation of Changes:**

Section 200	This proposed amendment adds a statement referencing Rule 100 for definitions that are used in this proposed rule, but not specifically defined in this proposed rule.
Section 201	This proposed amendment is a grammatical one substituting the word “that” instead of the word “which.”
Section 202	This proposed amendment is a grammatical one substituting the word “that” instead of the word “which.”
Section 203	These proposed amendments are grammatical ones substituting the word “that” instead of the word “which” and also removing the term “and/or” and replacing it with the word “and.”
Section 204	This proposed amendment clarifies the physical dimensions of the different cyclones.
Section 205	This proposed amendment replaces the definition of “high pressure exhaust” with the term “seed - cotton handling and trash systems exhaust” and also delineates the processes that are involved in high pressure exhausts.
Section 206	This proposed amendment replaces the definition of “low pressure exhaust” with the term “lint handling systems exhaust” and delineates the processes that are involved in low pressure exhausts.
Section 302	This proposed amendment repeals the word “control” and substitutes the word “perform.”
Section 302.1	This proposed amendment changes the text from the passive tense to the active tense.
Section 302.2	This proposed amendment changes the text from the passive tense to the active tense.
Section 302.3	This proposed amendment changes the text from the passive tense to the active tense.
Section 304	This proposed amendment is a grammatical one that changes the words “shall utilize” to “must utilize.”
Section 401	This proposed amendment repeals the section and text entitled “O&M Plan Compliance” because all of the O&M Plans from the gins that were due in 1999 were already submitted.
Section 402	These proposed amendments are grammatical in nature: changing the tense, renumbering the section number to 401 versus 402, and referencing section 300 instead of sections 302 and 304. Another proposed amendment divides this new section 401 into three subsections for more clarity.
Section 402a	These proposed amendments change the date that the notice of intent is due from 180 days after the date of adoption to 180 days after the initial baseline testing and changes the section number to 401a.
Section 402b	These proposed amendments define and expand the “increments of progress” as well as change the section number to 401b.
Section 402c	These proposed amendments replace section 403 with section 402(b) which will change to section 401c and also changes the tense from passive to active.
Section 501	This proposed amendment adds the word “record” to further qualify the type of requirements that are to be submitted for reporting purposes.
Section 501.2	This proposed amendment lists the key system parameters and changes the term “flow rates” to “fan static pressures.”
Section 502	These proposed amendments change the title of the section from “velocity maintenance evaluations” to “compliance determinations” and add the word “all” to the second sentence of the text thus emphasizing the fact that all of the requirements shall apply.

- Section 502.1 The proposed amendments to this section change the timing of the initial baseline testing from the October 1999 date to “prior to the start of ginning season.” A clause was added to this section that specifies that the initial testing shall be made under unloaded conditions. Another proposed amendment would be the addition of the numerical values in ft/min for the expected gas velocity instead of referencing numbers at +/- 20% of the design gas flow.
- Section 502.2 These proposed amendments involve changing the requirement for monthly checks to more frequent weekly checks and amend the reference of checking the “gas flow” to a check of “inlet velocity.” Another proposed amendment repeals two of the direct measurements such as pressure drops and flow measurements.
- Section 503 These proposed amendments change the title of the section to from “Compliance Determination” to “Test Methods Adopted By Reference”, clarify the language that refers to the location of test methods, and change the date of the reference from 1998 to 2001.
- Section 503.1 This proposed amendment changes the reference from a singular test method to plural test methods.
- Section 503.2 This proposed amendment adds Method(s) 1 to the Test Methods.

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

Maricopa County fails to meet the National Ambient Air Quality Standards (NAAQS) for carbon monoxide (CO), ozone and particulates. In addition, Maricopa County is one of the two serious particulate nonattainment areas in Arizona along with Pinal county. Maricopa County may adopt rules that are more stringent than the State according 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. Any changes to the Maricopa County Air Pollution Control Regulations that might occur due to Rule 319 revisions will address emission limitations that reduce concentrations of particulates and implement control measures proposed for inclusion in the State Implementation Plan (SIP) for the Maricopa County Nonattainment area. Reclassification of the Maricopa County Nonattainment Area to “serious” for particulate matter constitutes a peculiar local condition.

The Clean Air Act (CAA) requires that serious particulate matter nonattainment areas demonstrate that best available control technology has been implemented for stationary sources. Existing Rule 319 implements emission standards and control technology requirements specific to cotton gins. The rule replaced generic emission standards based upon process weight which testing has established are inappropriate to demonstrate compliance for the industry. The proposed revisions to Rule 319 do not change the status of the stated compliance with A.R.S. § 49-112 because the changes are mostly administrative and are not substantive.

**8. A reference to any study that the department proposes to rely on its evaluation of or justification for the proposed rules and where the public may obtain or review the study, all data underlying each study, any analysis of the study, and other supporting material:**

No studies were reviewed in reference to this rulemaking action.

**9. Summary of the economic, small business, and consumer impact:**

The proposed rule has addressed many administrative type changes which should cause no more economic impact on the stakeholders than the current rule. The more stringent testing requirement of weekly versus monthly static pressure checks may cause some cost to the ginners but it would be minimal since this check is relatively easy to perform. This preliminary economic statement (EIS) was developed to estimate the impact of the proposed rule. This impact statement, comprised of potential costs and benefits, represents an estimate. Maricopa County solicits input from stakeholders that are small businesses and organizations on the administrative and other costs required for compliance with the proposed rulemaking, and any other information relevant to the economic, small business and consumer impact statement.

**10. The name and address of department personnel with whom persons may communicate regarding the accuracy of the economic, small business and consumer impact statement:**

Name: Patricia P. Nelson or Jo Crumbaker, Air Quality Division  
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

**11. The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rules, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rules:**

Oral Proceeding Date: September 18, 2003, 9:00 a.m.

Location: Maricopa County Environmental Services Department  
5th Floor Conference Room, #560  
1001 N. Central Avenue  
Phoenix, AZ 85004

Nature: Public hearing with the opportunity for formal comments on the record regarding the proposed rules and submittal of the rules to EPA as a revision to the State Implementation Plan (SIP). Call (602) 506-0169 for current information. Please call (602) 506-6443 for special accommodations under the Americans with Disabilities Act.

**12. Any other matters prescribed by statute that are applicable to the specific department or to any specific rules or class of rules:**

Not applicable

**13. New incorporations by reference and their location in the rules:**

EPA Reference Method(s) 1,	<u>Location</u>
Sample and Velocity Traverses for Stationary Sources	Section 503

<u>Incorporations by reference updated to 7/1/01</u>	<u>Location</u>
40 CFR Part 60 Appendix A	Section 503

**14. The full text of the rule follows:**

**REGULATION III - CONTROL OF AIR CONTAMINANTS**

**RULE 319**

**GINNING OPERATIONS**

**INDEX**

**SECTION 100** No change

101 No change  
102 No change

**SECTION 200** No change

201 No change  
202 No change  
203 No change  
204 No change  
205 ~~HIGH PRESSURE EXHAUST SYSTEM~~ LINT HANDLING SYSTEMS EXHAUST  
206 ~~LOW PRESSURE EXHAUST~~ SEED COTTON HANDLING AND TRASH SYSTEMS EXHAUST

**SECTION 300** No change

301 No change  
302 No change  
303 No change  
304 No change

**SECTION 400** No change

~~401~~ ~~O&M COMPLIANCE SCHEDULE~~  
~~402~~ 401 CONTROL EQUIPMENT COMPLIANCE PLAN SCHEDULE

**SECTION 500** No change

501 No change  
502 ~~FLOW MAINTENANCE EVALUATIONS~~ COMPLIANCE DETERMINATION  
503 ~~COMPLIANCE DETERMINATION~~ TEST METHODS ADOPTED BY REFERENCE

**MARICOPA COUNTY**

**AIR POLLUTION CONTROL REGULATIONS**

**REGULATION III - CONTROL OF AIR CONTAMINANTS****RULE 319**

**GINNING OPERATIONS**

*Arizona Administrative Register / Secretary of State*  
County Notices Pursuant to A.R.S. § 49-112

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**SECTION 100** No change

101 No change

102 No change

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

201 **EMISSION CONTROL SYSTEM (ECS)** - A system for ~~that reducing~~ reduces emissions of particulates, consisting of both collection and control devices ~~which~~ that are approved in writing by the Control Officer and are designed and operated in accordance with good engineering practices.

202 **EMISSIONS UNIT** - Any part of a stationary source ~~which that~~ emits or would have the potential to emit any regulated air pollutant. Each piece of equipment shall be considered a single emissions unit for the purposes of this rule.

203 **GINNING OPERATION** - Any facility or plant ~~which that~~ removes seed, lint, ~~and/or~~ and trash from raw cotton ~~and/or~~ and bales of lint cotton.

204 **HIGH EFFICIENCY CYCLONE** - Any cyclone type collector of the 2D-2D or 1D-3D configuration, designations referring to the ratio of cylinder length to cone length, where D is the diameter of the cylinder portion. A 2D-2D cyclone ~~would exhibit a cylinder length of 2XxD and has a body and cone length of 2XxD that are twice as long as the cyclone diameter. A 1D-3D cyclone would exhibit a cylinder length body that is the same length as the diameter but the cone is three times the diameter of 1XxD and a cone length of 3XxD-~~

205 ~~**HIGH PRESSURE EXHAUST**~~ - **SEED COTTON HANDLING AND TRASH SYSTEMS EXHAUST** - The exhaust cotton handling air systems located at a cotton gin ~~which that~~ are not defined as ~~"low pressure exhausts"~~ lint handling systems exhaust."

206 ~~**LOW PRESSURE EXHAUST**~~ - **LINT HANDLING SYSTEMS EXHAUST** - The exhaust air systems at a cotton gin ~~which that~~ handle air from the cotton lint handling system, battery condenser and mote handling systems.

**SECTION 300** No change

301 No change

302 **CONTROLS REQUIRED:** An owner or operator shall ~~control~~ perform the following:

302.1 ~~Effective April 7, 2001, control~~ each unit that is fed by seed-cotton unloading, first seed-cotton cleaning and master trash systems ~~shall be controlled by~~ with an ECS that includes a 1D-3D cyclone or equivalent device with at least a 95% efficiency.

302.2 ~~No later than Effective April 7, 2004, control~~ the remaining high pressure seed cotton handling and trash exhaust emission units ~~shall be controlled by~~ with an ECS that includes a 1D-3D cyclone or equivalent device with at least a 95% efficiency.

302.3 ~~No later than Effective April 7, 2004, control~~ all low pressure lint handling exhaust emissions units ~~shall be controlled by~~ with an ECS that includes at least a 2D-2D cyclone or equivalent device with at least a 90% efficiency.

303 No change

303.1 No change

a. No change

b. No change

303.2 No change

303.3 No change

304 **TRASH HOPPER DUMPING:** Any owner or operator shall dump trash into a hopper that ~~shall~~ must utilize an enclosure with a minimum of two sides in order to minimize fugitive emissions. The sides of the enclosure shall prevent wind dispersion by ensuring that the height of the enclosure extends above the opening of the dumping device. If an auger is used to transport the trash into a hopper, the open end of the auger or auger sleeve shall be below the top of the enclosure.

**SECTION 400** No change

401 ~~**O&M PLAN COMPLIANCE SCHEDULE:** Any owner or operator, employing an ECS device as of April 7, 1999 to meet the requirements of this rule, shall file by October 4, 1999 an O&M Plan with the Control Officer in accordance with subsection 501.2 of this rule.~~

~~402~~401 **CONTROL EQUIPMENT COMPLIANCE PLAN SCHEDULE:** Any owner or operator ~~that who does not comply has not complied~~ with Section ~~300 302 or 304~~ of this rule ~~as of by~~ April 7, 1999, shall submit to the Control Officer:

a. A ~~compliance plan~~ notice of intent to achieve compliance with this rule no later than ~~October 4, 1999~~ 180 days after the initial baseline test.

b. A compliance plan, following the notice of intent, that specifies anticipated dates ~~The owner or operator shall specify dates~~ for completing increments of progress in the plan. At a minimum this plan shall include a design scheme, actual date that the equipment was ordered or purchased, anticipated delivery date, installation schedule, anticipated start-up

*Arizona Administrative Register / Secretary of State*  
**County Notices Pursuant to A.R.S. § 49-112**

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date and starting dates. The Control Officer may require a person submitting a compliance plan to submit subsequent reports on progress in achieving compliance.

- c.** No later than 180 days after the control equipment is considered to be in compliance with this rule, the owner or operator shall file the O & M Plan, as stated in Section 303 of this rule, shall be filed by the owner or operator with the Control Officer.

**SECTION 500** No change

**501 RECORDKEEPING AND REPORTING:** The owner or operator subject to this rule shall comply with the following record requirements. These records shall be kept for a period of five (5) years.

**501.1** No change

**501.2 ECS O&M Plan Records:** An owner or operator shall maintain a record of the periods of time that an approved ECS is used to comply with this rule. Key system parameters such as ~~flow rates fan static pressures, visible emission checks pressure drops~~ and other ~~conditions~~ variable parameters necessary to determine if the control equipment is functioning properly shall be recorded in accordance with the approved O&M Plan. The records shall account for any periods when the control system was not operating. The owner or operator shall also maintain records of all maintenance performed according to the O&M Plan. The results of the visual inspection, and any corrective action taken if necessary, shall also be recorded.

**502 ~~FLOW MAINTENANCE EVALUATIONS COMPLIANCE DETERMINATIONS:~~** The owner or operator shall conduct maintenance evaluations of the control device to ensure continuing proper flow through the collection system. This evaluation shall consist of all of the following:

**502.1** An initial baseline study of the entire dust collection system to determine ~~its proper balance~~ if the system is properly balanced ~~of volumetric flow~~ to ensure maximum particulate matter collection efficiency. This evaluation shall be made prior to ~~October 1999~~ the start of the cotton ginning season, regardless of the actual ginning date, following the adoption of this rule. If this initial baseline study shows that any of the systems are not properly balanced then a subsequent baseline study shall be made of the system or systems after the system or systems have been modified. This baseline study shall be conducted using EPA Method 2, as incorporated by reference in subsection 503.1(b). During the baseline study, evaluation the volumetric inlet velocity, fan static pressure flow downstream of each fan, and the cyclone pressure drop at local conditions shall also be determined and recorded for reference. The baseline study shall be performed under unloaded conditions. The cyclones shall be operated at +/- 20% of the designed gas flow velocity at local conditions. The design velocity is 2,700 to 3,600 ft./min. for 2D-2D cyclones and 2,800 to 3,600 ft./min for 1D-3D cyclones. The average pressure drop across each cyclone or set of cyclones or static pressure measured down flow of each fan will be established and recorded at local conditions for later reference.

**502.2** ~~Monthly~~ Weekly checks referenced to the initial established baseline parameters shall be made to ensure that the control system is operating within +/- 20% of the designed gas flow inlet velocity range at local conditions. ~~as determined in the initial baseline study.~~ These checks shall be made by direct static pressure measurements at each fan using a magnahelic, manometer, velometer or other equivalent measuring device approved by the Control Officer at the same sample ports that were used in the baseline study, using one of the following methods:

- a.** Pressure drops across each cyclone using an anemometer, magnahelic device, manometer, velometer or equivalent device.
- b.** Static pressure measurements at each fan using a magnahelic device, manometer, or velometer or referenced back to the baseline which was made using an approved method of measurement.
- c.** Flow measurements at the approved location, defined in accordance with the O & M Plan, measured with a calibrated anemometer, manometer, velometer or equivalent device

**502.3** No change

**503 ~~COMPLIANCE DETERMINATION TEST METHODS ADOPTED BY REFERENCE:~~** The Environmental Protection Agency (EPA) test methods, as they exist in the Code of Federal Regulations, for those subparts of 40 CFR Part 60, Appendix A, adopted as of July 1, 1998 2001 as listed below, are adopted by reference. as indicated. This These adoptions by reference includes no future editions or amendments. Copies of test methods referenced in subsection 503.1 are available at the Maricopa County Environmental Services Department, Suite 201, 1001 North Central Avenue, Phoenix, AZ, 85004-1942.

**503.1** No change

- a.** No change
- b.** No change
- c.** No change

**d.** Sample and Velocity Traverses for Stationary Sources: The sample and velocity traverses shall be determined according to EPA Reference Method (s) 1, 40 CFR Part 60, Appendix A.

**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 358 – Polystyrene Foam Operations  
**Section number(s):** Rule 358, All Sections  
**The subject matter of the proposed rule(s):**

Maricopa County will propose to regulate stationary sources that expand *expandable polystyrene (EPS)* polymer to form rigid-foam products by establishing emission standards for volatile organic compounds (VOC). The new rule will exempt from the emission standards those sources whose total annual VOC emissions from both EPS expansion and related processes are less than 50 tons. Owners or operators will be required to use emission control equipment to reduce the mass of VOC that is emitted in the course of certain processing steps.

There will be additional limits specified by product category. For makers of *blocks* and for makers of *shapes*, the average VOC content of raw materials processed during any 30-day period will be given a limit. For makers of *cups* the additional limit will apply from the opening of raw material containers through the emergence of cups from cup molding machines. It will be an absolute limit to the amount of VOC that may be emitted for each 100 pounds of raw material so processed. There also will be requirements for recordkeeping and maintenance of both emission control and production devices.

- 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 rule(s):**

Name: Rick Kramer-Howe or Jo Crumbaker  
Address: 1001 N. Central Avenue, Suite #695  
Phoenix, AZ 85004-1942  
Telephone: (602) 506-6706 or (602) 506-6705  
Fax: (602) 506-6179  
E-mail: rkramer@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