

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

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NOTICE OF PUBLIC INFORMATION

MARICOPA COUNTY AIR POLLUTION CONTROL REGULATIONS

REGULATION III

RULE 242-

EMISSION REDUCTION CREDITS FOR PAVING UNPAVED ROADS

[M07-136]

1. Rules Affected

Rule 242 –Emission Offsets Generated By The
Voluntary Paving of Unpaved Roads

Rulemaking Action

New Rule

2. A citation to all published notices relating to the listed rule(s):

Notice of Rulemaking Docket Opening: 11 A.A.R. 3874, October 7, 2005

Notice of Proposed Rulemaking: 12 A.A.R. 3424, September 22, 2006

3. The public information relating to the listed rule(s):

Maricopa County conducted an oral proceeding on October 24, 2006. According to A.R.S. §49-471.07(E), within 120 days after the close of record (e.g., for Rule 242, 120 days after the close of record is February 25, 2006) on the proposed rulemaking, the Control Officer must take one of the following actions: (1) submit the rule to the Board Of Supervisors or (2) continue or terminate the proceeding by publication of a notice to that effect in the *Arizona Administrative Register*.

This Notice Of Public Information is notice that Maricopa County is continuing the proceeding for Rule 242.

4. The name and address of department personnel with whom persons may communicate regarding this public information:

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Phoenix, AZ 85004

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or

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NOTICE OF PROPOSED RULEMAKING

PURSUANT TO A.R.S. §§49-112 AND 49-471.01 *et seq.*

AND

NOTICE OF ORAL PROCEEDING

PURSUANT TO A.R.S. §49-471.06

PINAL COUNTY

AIR QUALITY CONTROL DISTRICT

[M07-137]

1. Preamble

- A. The District proposes that the Board of Supervisors adopt or amend certain rules under authority of A.R.S. §§49-479 and 49-480, which respectively authorize the board to adopt rules to control air pollution and to adopt a stationary source permit program. Affected rules are identified, and corresponding changes discussed in subsection D. of this preamble, and include the following sections:

Section Affected	Rulemaking Action
§1-1-105	Amend
§1-3-140	Amend
§3-1-030	Amend
§3-1-040	Amend
§3-1-055	Amend
§3-1-107	Amend
§3-2-180	Amend
§3-3-250	Amend
§3-5-530	Amend
§7-2	New
§Appendix L	New

- B. Those wishing further information regarding any aspect of this proposal may contact Scott DiBiase, Planning Manager, Pinal County Air Quality, 31 North Pinal St., Building F, Florence, Arizona, 520-866-6929. To the extent possible, the District will also post information on the County's website, www.co.pinal.az.us, under the "air quality" link.
- C. The rule making process will consist of an initial administrative rule development process, including this notice, a 30 day public comment period, and an oral proceeding before the Control Officer or his designee. The date and locations for the oral proceeding are set forth below. Written comments are due prior to the close of the comment period, which shall be the close-of-business on the day of the oral proceeding. The final step in the rule adoption process will be a hearing before the Board of Supervisors. The Board of Supervisors hearing will be separately scheduled and noticed in accord with A.R.S. §49-479, and, where applicable, the requirements of 40 CFR §51.102. Due to the extensive stakeholder process that ADEQ conducted in 2005 and 2006 and the tight time frame for statutory compliance, the stakeholder process has been bypassed in this rulemaking.
- D. The proposed revisions include the following:

Arizona Revised Statutes (A.R.S.) §49-480.04(A) requires that within six months after the adoption of rules pursuant to A.R.S. §49-426.06(A)-State Program For Control Of Hazardous Air Pollutants, the Board Of Supervisors shall by rule establish a county program for the control of hazardous air pollutants that meets the requirements of A.R.S. §49-480.04-County Program For Control Of Hazardous Air Pollutants. Since the Arizona Administrative Procedure Act does not define "adoption" and since the Arizona Department Of Environmental Quality (ADEQ) delayed the effective date of the State hazardous air pollutants (HAPs) program until January 1, 2007, counties have until June 1, 2007 to comply with A.R.S. §49-480.04(A) - to establish, by rule, a county program for the control of hazardous air pollutants.

The proposed rulemaking creates Chapter 7, Article 2 – Pinal County Hazardous Air Pollutants (HAPs) Program as required by Arizona Revised Statutes (A.R.S.) §49-480.04, and creates new Appendix L - Procedures For Determining Ambient Air Concentrations For Hazardous Air Pollutants.

In addition, the proposed rulemaking amends the following existing sections:

- §1-1-105
- §1-3-140
- §3-1-030
- §3-1-040
- §3-1-055

- §3-1-107
- §3-2-180
- §3-3-250
- §3-5-530

The Proposed Pinal County Hazardous Air Pollutants (HAPs) Program meets the requirements of A.R.S. §49-480.04-County Program for Control of Hazardous Air Pollutants and is similar to and no more stringent than ADEQ's Arizona program for the regulation of HAPs. ADEQ's Arizona program for the regulation of HAPs is intended to replace the Arizona Ambient Air Quality Guidelines (AAAQG), which are health-based guidelines/acceptable concentration levels for hazardous air pollutants that are regulated by the State Of Arizona. The AAAQGs are not standards but residential screening values that help agencies make sound environmental risk management decisions to protect human health.

Applicability: The proposed Pinal County Hazardous Air Pollutants (HAPs) Program applies to new sources of HAPs or modified sources of HAPs. The proposed Pinal County Hazardous Air Pollutants (HAPs) Program also applies to existing sources of HAPs, when such existing sources increase the emissions of a hazardous air pollutant by more than a de minimis amount. De minimis amount, for the purpose of the proposed Pinal County Hazardous Air Pollutants (HAPs) Program, reflects the maximum amount of a pollutant that could be emitted as a result of a modification without producing adverse effects to human health. Hazardous air pollutants (HAPs) proposed to be regulated by this program are the hazardous air pollutants on the federal list of hazardous air pollutants - Section 112(b) of the Clean Air Act.

New Major Sources Of HAPs: The proposed Pinal County Hazardous Air Pollutants (HAPs) Program applies to new major sources of HAPs. New major sources of HAPs are sources that emit or have the potential to emit either 10 tons per year (tpy) of a single listed HAP or 25 tpy of any combination of listed HAPs. The proposed Pinal County Hazardous Air Pollutants (HAPs) Program requires new major sources of HAPs to implement, on a case-by-case basis, Arizona Maximum Achievable Control Technology (AZMACT). A new major source of HAPs is exempted from this requirement, if the new major source of HAPs conducts a Risk Management Analysis (RMA). An RMA is a scientifically sound analysis that shows that the imposition of control technology in a specific case is unnecessary to avoid adverse effects to human health or the environment.

Also, the proposed Pinal County Hazardous Air Pollutants (HAPs) Program requires new major sources of HAPs to obtain a new permit that would include either Arizona Maximum Achievable Control Technology (AZMACT) or a Risk Management Analysis (RMA).

Modifications To Existing Major Sources Of HAPs: The proposed Pinal County Hazardous Air Pollutants (HAPs) Program applies to existing major sources of HAPs (i.e., sources that emit or have the potential to emit either 10 tons per year (tpy) of a single listed HAP or 25 tpy of any combination of listed HAPs) that make a modification (i.e., increase the emissions of a HAP by more than a de minimis amount). De minimis amount, for the purpose of the proposed Pinal County Hazardous Air Pollutants (HAPs) Program, reflects the maximum amount of a pollutant that could be emitted as a result of a modification without producing adverse effects to human health. The proposed Pinal County Hazardous Air Pollutants (HAPs) Program requires that existing major sources of HAPs that make a modification (i.e., increase the emissions of a HAP by more than a de minimis amount) obtain a significant permit revision that includes either Arizona Maximum Achievable Control Technology (AZMACT) or a Risk Management Analysis (RMA).

New Minor Sources Of HAPs: The proposed Pinal County Hazardous Air Pollutants (HAPs) Program applies to new minor sources of HAPs. New minor sources of HAPs are sources that emit or have the potential to emit either 1 ton per year (tpy) of a single listed HAP or 2.5 tpy of any combination of listed HAPs, if such new minor sources of HAPs belong to one of the 24 source categories listed in Chapter 7, Article 2 - Pinal County Hazardous Air Pollutants (HAPs) Program, Table 1- Pinal County HAPs Minor Source Categories. The sources included in the 24 source categories listed in Chapter 7, Article 2, Table 1 have been determined to emit HAPs that individually or in the aggregate result in adverse effects to human health or adverse environmental effects (i.e., effects that result in or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness). The proposed Pinal County Hazardous Air Pollutants (HAPs) Program requires new minor sources of HAPs to implement, on a case-by-case basis, Hazardous Air Pollutant Reasonably Available Control Technology (HAPRACT). A new minor source of HAPs is exempted from this requirement, if the new minor source of HAPs conducts a Risk Management Analysis (RMA). Also, the proposed Pinal County Hazardous Air Pollutants (HAPs) Program requires new minor sources of HAPs to obtain a new permit that would include either a proposal for Hazardous Air Pollutant Reasonably Available Control Technology (HAPRACT) or a Risk Management Analysis (RMA).

Modifications to Existing Minor Sources Of HAPs: The proposed Pinal County Hazardous Air Pollutants (HAPs) Program applies to existing minor sources of HAPs (i.e., sources that emit or have the potential to emit either 1 ton per year (tpy) of a single listed HAP or 2.5 tpy of any combination of listed HAPs), if such existing minor sources of HAPs belong to one of the 24 source categories listed in Chapter 7, Article 2 - Pinal County Hazardous Air Pollutants (HAPs) Program, Table 1- Pinal County HAPs Minor Source Categories that make a modification (i.e., increase the emissions of a HAP by more than a de minimis amount). The proposed Pinal County Hazardous Air Pollutants (HAPs) Program requires that existing minor sources of HAPs that make a modification (i.e., increase the emissions

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of a HAP by more than a de minimis amount) obtain a significant permit revision that includes either Hazardous Air Pollutant Reasonably Available Control Technology (HAPRACT) or a Risk Management Analysis (RMA).

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

The proposed Pinal County Hazardous Air Pollutants (HAPs) Program is similar to and no more stringent than the Arizona Department Of Environmental Quality's (ADEQ's) Arizona program for the regulation of HAPs. The studies relevant to the Arizona Department of Environmental Quality's (ADEQ's) Arizona program for the regulation of HAPs are relevant to the proposed Pinal County Hazardous Air Pollutants (HAPs) Program:

Arizona Hazardous Air Pollutant Research Program, Final Report (ENSR Consulting and Engineering, August 1995). Available for review at the ADEQ Library, First Floor, 1110 W. Washington St., Phoenix, AZ 85007.

Arizona DEQ – Development of Chronic Ambient Air Concentrations (Long-Term) (Weston Solutions, Inc., April 2005). Available for review at the ADEQ Library, First Floor, 1110 W. Washington St., Phoenix, AZ 85007, and online at <http://www.azdeq.gov/function/laws/download/hapsambient.pdf>.

Arizona DEQ – Development of Acute Health-Based Ambient Air Criteria (Weston Solutions, Inc., June, 2005). Available for review at the ADEQ Library, First Floor, 1110 W. Washington St., Phoenix, AZ 85007, and online at <http://www.azdeq.gov/function/laws/download/hapsacute.pdf>.

Procedure for Air Quality Dispersion Modeling for the Arizona HAPRACT Rule (Weston Solutions, Inc., July, 2005). Available for review at the ADEQ Library, First Floor, 1110 W. Washington St., Phoenix, AZ 85007, and online at <http://www.azdeq.gov/function/laws/download/hapsmodel.pdf>.

Determination of De Minimis Levels (Weston Solutions, Inc. August 2005). Available for review at the ADEQ Library, First Floor, 1110 W. Washington St., Phoenix, AZ 85007, and online at <http://www.azdeq.gov/function/laws/download/hapsdemin.pdf>.

Modeling Analysis Spreadsheet, Screen Modeling for Source Categories, (Weston Solutions, September, 2005). Available for review at the ADEQ Library, First Floor, 1110 W. Washington St., Phoenix, AZ 85007, and online at <http://www.azdeq.gov/function/laws/download/hapspread.pdf>.

- F. Economic, small business and consumer impact statement

The proposed Pinal County Hazardous Air Pollutants (HAPs) Program creates new Rule Chapter 7, Article 2 - Pinal County Hazardous Air Pollutants (HAPs) Program, a Pinal County program for the regulation of hazardous air pollutants (HAPs) as required by Arizona Revised Statutes (A.R.S.) §49-480.04, and creates new Appendix L - Procedures For Determining Ambient Air Concentrations For Hazardous Air Pollutants. In addition, the proposed rulemaking amends existing rules §1-1-105, §1-3-140, §3-1-030, §3-1-040, §3-1-055, §3-1-107, §3-2-180, §3-3-250, §3-5-530 to reflect the requirements of the new program and to improve the rules' clarity, conciseness, and regulatory uniformity among related rules in the Pinal County Air Pollution Control Regulations.

The proposed Pinal County Hazardous Air Pollutants (HAPs) Program is similar to and no more stringent than the Arizona Department Of Environmental Quality's (ADEQ's) Arizona program for the regulation of HAPs. The proposed Pinal County Hazardous Air Pollutants (HAPs) Program applies to new sources of HAPs or modified sources of HAPs. The proposed Pinal County Hazardous Air Pollutants (HAPs) Program also applies to existing sources of HAPs, when such existing sources increase the emissions of a hazardous air pollutant by more than a de minimis amount. Hazardous air pollutants (HAPs) proposed to be regulated by this program are the hazardous air pollutants on the federal list of hazardous air pollutants - Section 112(b) of the Clean Air Act.

The Pinal County Hazardous Air Pollutants (HAPs) Program:

- Adopts the federally listed hazardous air pollutants
- Lists de minimis levels for Pinal County hazardous air pollutants (HAPs) in Chapter 7, Article 2, Table 2-Pinal County HAPs De Minimis Levels
- Lists 24 minor source categories subject to the program in Chapter 7, Article 2 -Pinal County Hazardous Air Pollutants (HAPs) Program, Table 1-Pinal County HAPs Minor Source Categories

Other sections in new Chapter 7, Article 2 - Pinal County Hazardous Air Pollutants (HAPs) Program, provide for case by case determinations of Hazardous Air Pollutant Reasonably Available Control Technology (HAPRACT) and Arizona Maximum Achievable Control Technology (AZMACT), risk management analyses, and periodic review.

Introduction: The Pinal County Hazardous Air Pollutants (HAPs) Program will protect human health and the environment through the application of control technology to reduce emissions of HAPs. The statute authorizes a risk reduction approach similar to the federal New Source Review Program that requires source-specific control technology (A.R.S. §49-426.06). New and modified sources under this proposed program could be impacted.

Proposed new Chapter 7, Article 2 - Pinal County Hazardous Air Pollutants (HAPs) Program will require the determination of control technology on a case-by-case basis through permits for new sources and permit modifications for existing sources. The level of control technology will vary by the size of the source (i.e., major sources will be subject

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to AZMACT, while minor sources will be subject to HAPRACT). Although this is not a risk management program, a source subject to this program may conduct a risk management analysis (RMA) to avoid the application of a control technology. The rule provides for risk management analyses using a tiered approach. The tiers range in complexity: Tier 1 is a relatively simple, arithmetic calculation while Tier 4 could involve emission modeling and the development of a site specific risk assessment. Tiers 1-3 are expected to generate minimal compliance costs, while Tier 4 could result in relatively moderate compliance costs. However, the overall compliance costs to a source could be significantly reduced by conducting an RMA.

Proposed new Chapter 7, Article 2 - Pinal County Hazardous Air Pollutants (HAPs) Program regulates emissions of 187 HAPs that are the basis of the federal HAPs control program. All major sources of HAPs with the potential to emit (PTE) 10 tons per year (tpy) of a single HAP or 25 tpy of any combination of HAPs will be subject to this program. Minor sources, those with a PTE of one tpy of a single HAP or 2.5 tpy of any combination of HAPs, which belong to the 24 categories listed in proposed new Chapter 7, Article 2 - Pinal County Hazardous Air Pollutants (HAPs) Program will also be subject to this program.

Proposed new Chapter 7, Article 2 - Pinal County Hazardous Air Pollutants (HAPs) Program also establishes de minimis amounts for listed HAPs for new sources or existing sources making modifications. If a modification results in an increase of actual emissions of any regulated HAP by more than any de minimis amount or results in the emission for any HAP not previously emitted by more than the relevant de minimis amount, the source would be subject to the program (A.R.S. §49-401.01).

Classes Of Persons Impacted. Entities impacted by this proposed rulemaking include:

- New major sources emitting HAPs (i.e., sources that emit or have the potential to emit either 10 tons per year (tpy) of a single listed HAP or 25 tpy of any combination of listed HAPs)
- Existing major sources of HAPs (i.e., sources that emit or have the potential to emit either 10 tons per year (tpy) of a single listed HAP or 25 tpy of any combination of listed HAPs) that make a modification resulting in emissions greater than the de minimis amounts listed in proposed new Chapter 7, Article 2 –Pinal County Hazardous Air Pollutants (HAPs) Program, Table 2
- New minor sources that emit or have the potential to emit either 1 ton per year (tpy) of a single listed HAP or 2.5 tpy of any combination of listed HAPs, if such new minor sources of HAPs belong to one of the 24 source categories listed in Chapter 7, Article 2 - Pinal County Hazardous Air Pollutants (HAPs) Program, Table 1
- Existing minor sources of HAPs (i.e., sources that emit or have the potential to emit either 1 ton per year (tpy) of a single listed HAP or 2.5 tpy of any combination of listed HAPs) that belong to one of the 24 source categories listed in Chapter 7, Article 2 - Pinal County Hazardous Air Pollutants (HAPs) Program, Table 1 and that make a modification resulting in emissions greater than the de minimis amounts listed in proposed new Chapter 7, Article 2 - Pinal County Hazardous Air Pollutants (HAPs) Program, Table 2
- Consultants, including engineering services, lawyers, and associated businesses
- Pollution control vendors
- ADEQ, as the implementing agency
- Counties with approved air pollution control programs
- The general public

From Pinal County emissions inventory records, 21 minor sources reported HAP emissions in 2005 and of those 21 sources, 10 sources belong to the source categories for minor sources subject to the Pinal County HAPs Program:

Primary SIC Code	Source Category	Number of Minor Sources
2434	Wood Kitchen Cabinets	0
2451	Mobile Homes	1
2621	Paper Mills	0
2679	Converted Paper Products – Not Elsewhere Classified	0
2851	Paints and Allied Products	1
2911	Petroleum Refining	0
3086	Plastics Foam Products	2
3088	Plastics Plumbing Fixtures	0
3089	Plastics Products – Not Elsewhere Classified	0

3241	Cement – Hydraulic	0
3281	Cut Stone and Stone Products	0
3296	Mineral Wool	1
3312	Blast Furnaces and Steel Mills	0
3331	Primary Copper	0
3411	Metal Cans	0
3444	Sheet Metal Work	2
3451	Screw Machine Products	0
3479	Metal Coating And Allied Services	1
3585	Refrigeration And Heating Equipment	0
3672	Printed Circuit Boards	0
3999	Manufacturing Industries – Not Elsewhere Classified	1
4922	Natural Gas Transmission	1
5169	Chemicals And Allied Products – Not Elsewhere Classified	0
5171	Petroleum Bulk Stations And Terminals	0

Probable Costs and Benefits. Pinal County expects the probable benefits to outweigh the probable costs of this rule-making. The rulemaking is not expected to have a negative impact on state revenues. Potentially, permit fees, annual inspection fees, and the associated hourly fee revenues to Pinal County will increase.

Sources (Major And Minor). The compliance impact of this rulemaking is dependent upon the number of new and modified sources that would have to comply and the time period considered. It also will be dependent on the proportion of major sources versus minor sources that must comply with the rule provisions. Pinal County expects compliance costs to vary among sources and across industry groups, depending on the type of HAPs emitted and the technology required to control those pollutants. As a result, smaller business sources could experience a higher per unit cost of output than larger sources. Some small businesses (minor sources) will have to obtain an air quality permit that could cost approximately \$20,000 over five years. This cost includes processing fees and annual inspection fees. Costs could also include permit applications, significant permit revisions, Risk Management Analysis' (RMAs), capital expenditures, increased operation and maintenance, and testing. Annualized costs could range from a few thousand dollars to hundreds of thousands of dollars. Because the cost of pollution control equipment is so variable and dependent on the type of HAPs emitted as well as the configuration of the control devices, it is not possible to estimate a total compliance cost to sources at this time. The preparation of RMAs could range from a simple calculation (Tier 1) to using the SCREEN Model (Tier 2) or a modified SCREEN Model (Tier 3). The final tier (Tier 4) would require either the SCREEN model or a refined model. Preliminary information suggests that costs to sources could range from a very minimal dollar amount to \$10,000 for Tiers 1-3, and for Tier 4 evaluations, as much as \$250,000. Pinal County expects sources to pass on part, if not most, of the increased costs of compliance to consumers, depending on price elasticity of demand and supply, as well as market conditions.

Consultants (Engineering Services, Laboratories, Epidemiologists, Lawyers, And Associated Businesses). This group of classes impacted is expected to experience increasing revenues as sources seek consulting services for permit applications, significant permit revisions, testing, Risk Management Analysis' (RMAs), and other associated services. Potentially, increased revenues for this class of persons could range from several thousand dollars to hundreds of thousands of dollars.

Political Subdivisions of The State. Unless a political subdivision is an emitter of HAPs, it will be unaffected by this rulemaking.

Pollution Control Vendors. This represents another class of persons that is expected to experience increased revenues as sources install air pollution control equipment. Potentially, revenues could range from several thousands of dollars to hundreds of thousands of dollars. Revenues would depend on the quantity and type of control equipment installed by sources.

Pinal County Air Quality Department. In addition to the resources used for activities associated with proposing this rulemaking, Pinal County estimates that the current staffing level will be sufficient to implement and enforce Pinal County's HAPs Program.

Employment (Private and Public). As previously indicated by the potential for increased compliance costs, Pinal County expects a higher demand for labor requirements for sources impacted by this rulemaking as well as increased labor requirements from the “consulting” class of persons. Pollution control vendors, however, are expected to handle the increase in sales with their current level of personnel. Pinal County does not expect short-term or long-term employment, production, or industrial growth in Pinal County to be negatively impacted. Product prices and profitability may only be affected in a minor fashion. Further, no facility closures are expected from the implementation of this rulemaking. Finally, competition is not expected to be impacted in an adverse way.

General Public. Hazardous air pollutants include numerous chemical compounds that could produce cancer and other adverse health effects such as respiratory disease, birth defects, eye irritation, and effects on the nervous system. HAPs may result in excess cancer deaths with greater risks to persons living near the sources. Therefore, reductions in HAPs emissions should result in health benefits. Reductions in HAPs emissions also could have a greater positive impact on persons in higher risk categories, such as children, elderly, and those whose health status has been compromised. Exposure to HAPs can increase the risk of experiencing health problems. Adverse health impacts can range from relatively minor (e.g., skin rash, nausea, cough, headache, dizziness) to severe, including irreversible, debilitating, and life threatening effects (e.g., asthma, chronic bronchitis, emphysema, kidney and liver damage, and reproductive disorders). Sometimes full recovery may occur, while other times, recovery may be slow and incomplete. Excess cancer deaths can be attributable to HAPs emissions. Populations living near sources emitting HAPs may be at greater risk of getting cancer and other non-cancer effects. Exposure to certain types of HAPs (e.g., hydrogen fluoride, hydrogen chloride, and HAP metals) causes adverse chronic and acute health effects. Chronic health disorders include irritation to lung, skin, and mucus membranes, certain effects on central nervous system, and damage to kidneys. Acute health effects include lung irritation, congestion, alimentary effects, such as nausea and vomiting, and effects on kidney and central nervous system. HAPs emissions also can cause adverse environmental impacts on wildlife, aquatic life, and other natural resources. The statute includes the consideration of overall environmental impacts, and Pinal County considers the approach taken in this rulemaking to have a collateral benefit to wildlife, aquatic life and other natural resources as sources now subject to regulation would not be required to control HAPs under the current approach. Potential health and environmental benefits are expected to accrue as HAPs emissions are reduced in Pinal County. Consumers may experience higher product costs as sources pass-on higher compliance costs. However, any increases in product costs are expected to be minimal. In some cases, sources may experience less profit from the higher costs of doing business.

Small Business Reduction of Impacts. State law requires agencies to reduce the impact of a rule on small businesses by using certain methods, when they are legal and feasible, in meeting the statutory objectives of the rulemaking. Pinal County considered each of the methods prescribed in Arizona Revised Statutes (A.R.S.) §41-1035 and A.R.S. §41-1055(B) for reducing the impact on small businesses. Methods that may be used include the following: (1) exempt them from any or all rule requirements, (2) establish performance standards that would replace any design or operational standards, or (3) institute reduced compliance or reporting requirements, such as establishing less stringent requirements, consolidating or simplifying them or setting less stringent schedules or deadlines. Other than the following examples, Pinal County could not find other alternative methods that would reduce the impact of this rulemaking on small businesses, or that would be less intrusive or less costly to implement the statutory objectives. Although all sources may take advantage of methods to reduce or eliminate impacts, Pinal County is sensitive to the needs of small businesses. As a result, this rulemaking allows sources to do the following: (1) perform a Risk Management Analysis (RMA) to establish the applicability of HAPRACT or AZMACT, (2) voluntarily propose an emissions limitation in order to avoid the imposition of HAPRACT or AZMACT, (3) apply for a general permit, or (4) control HAPs emissions through the application of certain design measures, work practices, process changes, or techniques. Additionally, sources could reject the implementation of certain proposed control technologies by considering economic impacts and cost effectiveness in an RMA. This means that some costly control measures potentially could be eliminated by determining adverse economic, environmental, or energy impacts. Finally, if a reliable method of measuring HAPs emissions is not available, instead of imposing a numeric emissions limitation, a design, equipment, work practice, or operational standard, or some combination thereof, would be required.

- G. In accord with A.R.S. §49-471.07(F), the proposed changes will take effect upon approval by the Board of Supervisors.
- H. Compliance with the Fee-limitations of A.R.S. §49-112 (A) or (B).

Based on information and belief, the Director of the Pinal County Air Quality Control District affirms the following:

Initially, the total of the fees and other charges currently assessed in connection with the administration of the County's air quality program do not now equal the cost of program administration. To the extent that both the County and ADEQ impose parallel fees, the County's fees are capped by rule at ADEQ's rates, which implicitly affirms that the County's fees are reasonable. To the extent the County's program affects certain sources that ADEQ either does not regulate or does not charge, these proposed changes do not impose any additional fees on those sources.

- I. No prior notices were published.
- 2. **The full text of the proposed changes follows:**

1-1-105. SIP list

- A. As a declaration of Board policy rather than a rule, and subject to the limitations of paragraphs B. and C. of this section, the Board of Supervisors expressly designates the following list of sections within this Code, to be presented to the Gov-

error of Arizona for transmittal to the Administrator of the EPA with a request that they be included as elements in the Arizona SIP:

1. Chapter 1
 - a. No change
 - b. No change
 - c. Article 3. (As amended 5/14/97, 5/27/98 and 10/27/04, except for §1-3-130 and the definition in ~~§1-3-140.81~~ §1-3-140.82 (10/12/95) of "maximum achievable control technology.")
 2. Chapter 2
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
 - g. No change
 - h. No change
 3. Chapter 3
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 4. Chapter 4
 - a. No change
 - b. No change
- B. Notwithstanding the approval as elements of the SIP of those provisions of the Code identified in paragraph A of this section, those provisions, save §3-1-084 which shall be expressly exempted from the limitation of this paragraph, shall operate as elements of the SIP only insofar as they pertain to:
1. "construction," as defined in Nov. '93 Code §1-3-140.28; or
 2. "modification," as defined in Nov. '93 Code ~~§1-3-140.84~~ §1-3-140.85; and
- C. No change
- D. No change

1-3-140. Definitions

Definitions used in this Code shall have the following meanings except where any narrative portion specifically indicates otherwise:

1. ACID MIST - No change
- 1.a ACT - No change
2. ACTIVITY EQUIPMENT - No change
3. ACTUAL EMISSIONS - No change
4. ADEQ DIRECTOR - No change
5. ADMINISTRATOR - No change
6. ADVISORY COUNCIL - No change
7. AFFECTED FACILITY - No change
8. AIR CONTAMINANTS - No change
9. AIR POLLUTANT - No change
10. AIR POLLUTION - No change
11. AIR POLLUTION CONTROL EQUIPMENT - No change
12. ALLOWABLE EMISSIONS - No change
13. AMBIENT AIR - No change
14. APPLICABLE IMPLEMENTATION PLAN - No change
15. APPLICABLE REQUIREMENT - No change
16. APPROVED - No change
- 16.a AREA SOURCE
Depending upon context:
 1. Any stationary source of hazardous air pollutants that is not a major source as defined in ~~§1-3-140.79.b~~ §1-3-140.80.b; or
 2. A non-point source of any regulated pollutant.
17. ARIZONA STATE IMPLEMENTATION PLAN - No change
18. ARIZONA TESTING MANUAL - No change
19. ATTAINMENT AREA - No change

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- 19.a. BEGIN ACTUAL CONSTRUCTION - No change
20. BEST AVAILABLE CONTROL TECHNOLOGY (BACT) - No change
21. BUILDING, STRUCTURE, FACILITY or INSTALLATION - No change
22. BOARD - No change
23. BULK PLANT - No change
24. BULK TERMINAL - No change
- 24a. CAPACITY FACTOR -No change
25. CATEGORICAL SOURCE - No change
26. CODE - No change
27. COMMENCE (used as a verb) -No change
28. CONSTRUCTION - No change
29. CONTIGUOUS GEOGRAPHICAL AREA - No change
30. CONTROL - No change
31. CONTROL DEVICE - No change
32. CONTROL OFFICER - No change
33. CONVENTIONAL AIR POLLUTANT - No change
34. COUNTY - No change
35. CRITERIA POLLUTANT - No change
36. DAY -No change
37. *DE MINIMIS* AMOUNT - No change
38. DELIVERY VESSELS - No change
39. DEPARTMENT - No change
40. DEPUTY CONTROL OFFICER - No change
41. DEVICE, MACHINE, EQUIPMENT or OTHER ARTICLES - No change
42. DISCHARGE - No change
43. DISPENSING TANK - No change
44. DISTRICT - No change
45. DOWNWASH - No change
46. DRY WASH - No change
47. DUST - No change
48. DUST SUPPRESSANT - No change
49. EMERGENCY ELECTRICAL ENERGY EQUIPMENT -No change
50. EMISSION - No change
51. EMISSION LIMITATION and EMISSION STANDARD - No change
52. EMISSIONS UNIT - No change
53. EQUIPMENT - No change
54. EXCESS EMISSIONS - No change
55. EXCESS ORGANIC LIQUID DRAINAGE - No change
56. EXISTING SOURCE - No change
57. FARM - No change
58. FEDERAL APPLICABLE REQUIREMENT - No change
59. FEDERALLY ENFORCEABLE - No change
60. FEDERALLY LISTED HAZARDOUS AIR POLLUTANT - No change
61. FLOATING ROOF - No change
62. FLUE - No change
63. FOSSIL FUEL-FIRED STEAM GENERATOR - No change
64. FUEL - No change
65. FUGITIVE DUST - No change
66. FUGITIVE EMISSIONS - No change
67. GAS TIGHT - No change
68. GASOLINE - No change
69. GASOLINE VAPORS - No change
70. HAUL ROAD - No change
71. HAZARDOUS AIR POLLUTANT: No change
72. HAZARDOUS AIR POLLUTANT REASONABLY AVAILABLE CONTROL

TECHNOLOGY (HAPRACT) - An emissions standard for hazardous air pollutants which the Control Officer, acting pursuant to §49-480.04(C), determines is reasonably available for a source. In making the foregoing determination, the Control Officer shall take into consideration the estimated actual air quality impact of the standard, the cost of complying with the standard, the demonstrated reliability and widespread use of the technology required to meet the

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standard, and any non-air quality health and environmental impacts and energy requirements. For purposes of this definition, an emissions standard may be expressed as a numeric emissions limitation or as a design, equipment, work practice, or operational standard.

- 7273. HAZARDOUS WASTE - No change
- 7374. HEARING BOARD - No change
- 7475. HEREIN - No change
- 74a75a. INSIGNIFICANT ACTIVITY - No change
- 7576. LAND STRIPPING or LAND STRIPPING ACTIVITY - No change
- 7677. LEAK FREE - No change
- 7778. LOADING FACILITY - No change
- 7879. MAJOR MODIFICATION - No change
- 7980. MAJOR SOURCE (MAJOR STATIONARY SOURCE) - No change
- 8081. MALFUNCTION - No change
- 8182. MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY (MACT) - No change
- 8283. MINING ACTIVITY - No change
- 8384. MINOR SOURCE - No change
- 8485. MODIFICATION or MODIFY - No change
- 8586. NET EMISSIONS INCREASE - No change
- 8687. NEW SOURCE - No change
- 8788. NONATTAINMENT AREA - No change
- 8889. NONPOINT SOURCE - No change
- 8990. NON-PRECURSOR ORGANIC COMPOUND - No change
- 9091. NORMAL FARM OPERATIONS - No change
- 9192. ODOR - No change
- 9293. OPACITY - No change
- 9394. OPEN OUTDOOR FIRE or OPEN BURNING - No change
- 9495. ORGANIC COMPOUND - No change
- 9596. ORGANIC LIQUID - No change
- 9697. ORGANIC SOLVENT - No change
- 9798. OWNER or OPERATOR - No change
- 9899. PARTICULATE MATTER - No change
- 98a99a. PM₁₀ - No change
- 98b99b. PM_{2.5} - No change
- 99100. PERMIT (used as a verb) - No change
- 100101. PERMIT SHIELD - No change
- 101102. PERSON - No change
- 102103. PETROLEUM LIQUID - No change
- 103104. POTENTIAL TO EMIT - No change
- 104105. PRIVATE DRIVEWAY - No change
- 105106. PROCESS - No change
- 106107. PROCESS SOURCE - No change
- 107108. PROCESS WEIGHT - No change
- 108109. PROCESS WEIGHT RATE - No change
- 109110. PUBLIC OFFICER - No change
- 110111. RECONSTRUCTION - No change
- 111112. REDUCTION - No change
- 112113. REGULATED AIR POLLUTANT - Any of the following:
 - a. Any conventional air pollutant as defined in §1-3-140.33.
 - b. Nitrogen oxides and volatile organic compounds.
 - c. Any air contaminant that is subject to a standard contained in Chapter 6. of this Code or promulgated under §111 of the Clean Air Act (1990).
 - d. Any hazardous air pollutant as defined in ~~A.R.S. §49-401.01.11. (1992)~~ or subject to a standard promulgated ~~under §112 of the Clean Air Act (1990)~~ Chapter 7 Article 2 of these rules.
 - e. Any Class I or II substance listed in §602 of the Clean Air Act (1990).
- 113114. REID VAPOR PRESSURE - No change
- 114115. RIVERBED - No change
- 115116. ROAD - No change
- 116117. ROAD CONSTRUCTION - No change
- 117118. SCRAP METAL FURNACE - No change

~~118~~119. SECONDARY EMISSIONS - No change

~~119~~120. SERVICE ROAD - No change

~~120~~121. SHUTDOWN - No change

~~121~~122. SIGNIFICANT -

- a. In reference to a net emissions increase or the potential of a source to emit any of the following pollutants, a rate of emissions that would equal or exceed any one of the following rates:

<u>Pollutant</u>	<u>Emissions Rate (TPY)</u>
Carbon Monoxide	100
Nitrogen Oxides	40
Sulfur Dioxide	40
Particulate Matter	25
PM ₁₀	15
Ozone (VOC)	40
Lead	0.6
Fluoride	3
Sulfuric Acid Mist	7
Hydrogen Sulfide	10
Total Reduced Sulfur (including H ₂ S)	10
Reduced Sulfur Compounds (including H ₂ S)	10
Municipal Waste Combustor Organics (measured as total tetra- through octa-chlorinated dibenzo- <i>p</i> -dioxins and dibenzofurans)	3.5x10 ⁻⁶
Municipal Waste Combustor Metals (measured as particulate matter)	15
Municipal Waste Combustor Acid Gases (measured as sulfur dioxide and hydrogen chloride)	40
Municipal solid waste landfill emissions (measured as nonmethane organic compounds)	50 (45 megagrams)

- b. In ozone nonattainment areas classified as serious or severe, significant emissions of VOC shall be determined under §3-3-240.

- c. In reference to a net emissions increase or the potential of a source to emit a pollutant subject to regulation under this article that is not listed in Paragraph a. of this subdivision and is not a hazardous air pollutant according to ~~A.R.S. §49-401.01(11) (1992)~~ Chapter 7, Article 2 of these rules, any emission rate.

- d. Notwithstanding the emission amount listed in Paragraph a. of this subdivision, "significant" means any emission rate or any net emissions increase associated with a major stationary source or major modification subject to Chapter 3 which would be constructed within 10 km of a Class I area and have an impact on the ambient air quality of such area equal to or greater than 1 µg/m³/24-hr average.

~~122~~123. SMOKE - No change

~~123~~124. SOURCE - No change

~~124~~125. SOURCE OPERATOR - No change

~~125~~126. STACK - No change

~~126~~127. STACK EMISSIONS - No change

~~127~~128. STAGE I VAPOR COLLECTION SYSTEM - No change

~~128~~129. STAGE II VAPOR COLLECTION SYSTEM - No change

~~129~~130. STANDARD CONDITIONS - No change

~~130~~131. START-UP - No change

~~131~~132. STATE - No change

~~132~~133. STATE HAZARDOUS AIR POLLUTANT - Any air pollutant that the ADEQ Director has designated as a hazardous air pollutant pursuant to A.R.S. §49-426.04.A. (1992) and has not been deleted pursuant to A.R.S. §49-426.04.B. (1992).

~~133~~134. STATIONARY SOURCE - No change

~~134~~135. STATIONARY STORAGE TANK - No change

~~135~~136. SUBMERGED FILL PIPE - No change

~~136~~137. TRUE VAPOR PRESSURE (TVP) - No change

~~137~~138. UNCLASSIFIED AREA - No change

~~138~~139. UNPAVED PARKING LOT - No change

~~139~~140. UNPAVED ROAD - No change

~~140~~141. VAPOR - No change

- ~~141~~142. VAPOR LOSS CONTROL DEVICE - No change
- ~~142~~143. VAPOR PRESSURE - No change
- ~~143~~144. VAPOR RECOVERY/DISPOSAL SYSTEM - No change
- ~~144~~145. VAPOR TIGHT - No change
- ~~145~~146. VISIBLE EMISSIONS - No change
- ~~146~~147. VOLATILE ORGANIC COMPOUND (VOC) - Any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions, which includes any such organic compound other than those non-precursor organic compounds listed in ~~§1-3-140.89~~ §1-3-140.90.

3-1-030. Definitions

For the purpose of this chapter, the following definitions shall apply:

- 1. AFFECTED SOURCE - No change
- 2. AFFECTED STATE - No change
- 3. ALTERNATIVE METHOD - No change
- 3a. BILLABLE PERMIT ACTION - No change
- 4. COMPLETE - No change
- 5. DISPERSION TECHNIQUE – No change
- 5a. EMISSIONS ALLOWABLE UNDER THE PERMIT - No change
- 6. EQUIPMENT USED IN NORMAL FARM OPERATIONS – No change
- 7. EXISTING STACK – No change
- 8. FINAL PERMIT - No change
- 8a. GASOLINE DISPENSING OPERATION - No change
- 9. GOOD ENGINEERING PRACTICE (GEP) STACK HEIGHT - No change
- 10. HIGH TERRAIN - No change
- 11. INNOVATIVE CONTROL TECHNOLOGY - No change
- 12. LOW TERRAIN - No change
- 13. LOWEST ACHIEVABLE EMISSION RATE (LAER) – No change
- 13a. MINOR SCREENING SOURCE - A source that requires a permit under Code §3-1-040, but which does not have an uncontrolled potential to emit that exceeds the significant emission rates defined in Code ~~§1-3-140.121~~ §1-3-140.122.
- 13b. NAICS - No change
- 13c. PERMIT PROCESSING TIME - No change
- 14. PORTABLE SOURCE - No change
- 15. PROPOSED PERMIT - No change
- 16. PROPOSED FINAL PERMIT - No change
- 16a. QUALIFYING GENERAL SOURCE - No change
- 17. REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT) - No change
- 18. RESPONSIBLE OFFICIAL – No change
- 19. SIGNIFICANCE LEVELS - No change
- 20. SMALL SOURCE - No change
- 20a. SPRAY OPERATIONS (MEDIUM) - No change
- 20b. SPRAY OPERATIONS (SMALL) - No change
- 21. SYNTHETIC MINOR SOURCES - No change

3-1-040. Applicability and classes of permits

- A. No change
- B. No change
 - 1. No change
 - 2. No change
 - 3. A Class III or "minor screening" permit shall be required for:
 - a. Facilities or sources that require a permit under Code §3-1-040, but which do not have an uncontrolled potential to emit that exceeds the significant emissions rates defined in ~~§1-3-140.121~~ §1-3-140.122.
 - b. No change
 - 4. No change
- C. No change
- D. No change

3-1-055. Completeness determination

- A. No change
- B. A complete application is one that satisfies all of the following:
 - 1. No change

2. An application for a new permit or permit revision shall contain an applicability assessment of the requirements of Article 3 of this chapter. If the applicant determines that the proposed new source is a major source as defined in §3-3-203, or the proposed permit revision constitutes a major modification as defined in ~~§1-3-140.78~~ §1-3-140.79, then the application shall comply with all applicable requirements of Article 3.
3. No change
4. No change
5. No change
6. No change

3-1-107. Public notice and participation

- A. No change
 1. No change
 2. No change
 3. No change
 4. No change
- B. No change
- C. No change
 1. No change
 2. No change
 3. No change
- D. The notice required by Subsection C of this section shall include the following:
 1. No change
 2. No change
 3. No change
 4. No change
 5. No change
 6. No change
 7. No change
 8. No change
 9. No change
 10. A summary of any notice of confidentiality filed under §3-1-120 of these rules.
 11. If applicable, a statement that the source has submitted a risk management analysis (RMA) under Chapter 7, Article 2 – Pinal County Hazardous Air Pollutants (HAPs) Program of these rules.
 12. A statement in the public record if the permit or permit revision would result in the generation of emission reduction credits under A.A.C. R-18-2-1204, or the utilization of emission reduction credits under A.A.C. R18-2-1206.
- E. No change
- F. No change
- G. No change

ARTICLE 2. PERMIT AMENDMENTS AND REVISIONS

3-2-180. Facility changes allowed without permit revisions

- A. A facility with a permit may make changes without a permit revision if all of the following apply:
 1. The changes are not modifications under any provision of Title I of the Clean Air Act (1990) or ~~§1-3-140.78~~ §1-3-140.79.
 2. No change
 3. No change
 4. No change
 5. 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

3-3-250. Permit and permit revision requirements for sources located in attainment and unclassifiable areas

- A. Except as provided in Subsections B. through G. in this section and §3-3-270, Innovative Control Technology, no permit

or permit revision under this article shall be issued to a person proposing to construct a new major source or make a major modification to a major source that would be constructed in an area designated as attainment or unclassifiable for any pollutant unless the source or modification meets the following conditions:

1. No change
 2. No change
 3. No change
 4. Best available control technology (BACT) shall be determined on a case-by-case basis and may constitute application of production processes or available methods, systems, and techniques, including fuel cleaning or treatment, clean fuels, or innovative fuel combustion techniques, for control of such pollutant. In no event shall such application of best available control technology (BACT) result in emissions of any pollutant which would exceed the emissions allowed by any applicable new source performance standard or national emission standard for hazardous air pollutants under Chapter 6, and Chapter 7 of these rules. If the Control Officer determines that technological or economic limitations on the application of measurement methodology to a particular emissions unit would make the imposition of an emissions standard infeasible, a design, equipment, work practice, operational standard or combination thereof may be prescribed instead to satisfy the requirement for the application of best available control technology (BACT). Such standard shall, to the degree possible, set forth the emissions reduction achievable by implementation of such design, equipment, work practice or operation, and shall provide for compliance by means which achieve equivalent results.
 45. The person applying for the permit or permit revision under this article performs an air impact analysis and monitoring as specified in §3-3-260 and such analysis demonstrates that allowable emission increases from the proposed new major source or major modification, in conjunction with all other applicable emission increases or reductions, including secondary emissions, for all pollutants listed in §2-5-160, and minor and mobile sources for oxides of nitrogen and PM10:
 - a. No change
 - b. No change
 56. Air quality models:
 - a. No change
 - b. No change
- B. No change
C. No change
D. No change
E. No change
F. No change
G. No change
H. No change

3-5-530. General permit variances

- A. No change
- B. Where MACT or HAPRACT has been established in a general permit for a source category designated pursuant to ~~A.R.S. §49-426-05(A) (supp. 1993)~~ Chapter 7, Article 2 of these rules, the owner or operator of a source within that source category may apply for a variance from the standard. To be entitled to a variance, the person seeking the variance shall first make a showing in accord with ~~A.R.S. §49-426-06.D (supp. 1993)~~ §7-2-030.6 that the imposition of MACT or HAPRACT is not necessary to avoid adverse effects to human health or adverse environmental effects.
- C. If the owner or operator makes the showing required by ~~A.R.S. §49-426-06.D (supp. 1993)~~ §7-2-030.6 and otherwise qualifies for an authorization to operate under the general permit issued by the ADEQ Director, the Control Officer shall, in accordance with the procedures established pursuant to this article, approve the application and authorize operation under a variance from the standard of the general permit.
- D. No change
- E. No change

CHAPTER 7. HAZARDOUS AIR POLLUTANT STANDARDS

ARTICLE 2. ~~Reserved~~ PINAL COUNTY HAZARDOUS AIR POLLUTANTS (HAPs) PROGRAM

7-2-010. General

- A. The purpose of this article is to establish procedures for a Pinal County program for the regulation of federally listed hazardous air pollutants (HAPs).
- B. The provisions of this article apply to:
 1. Minor sources of Pinal County hazardous air pollutants (HAPs) that are in one of the source categories listed in Table 1 – Pinal County HAPs Minor Source Categories of this rule; and

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2. Major sources of Pinal County hazardous air pollutants (HAPs).

Table 1 – Pinal County HAPs Minor Source Categories

<u>Primary SIC Code</u>	<u>Source Category</u>
<u>2434</u>	<u>Wood Kitchen Cabinets</u>
<u>2451</u>	<u>Mobile Homes</u>
<u>2621</u>	<u>Paper Mills</u>
<u>2679</u>	<u>Converted Paper Products – Not Elsewhere Classified</u>
<u>2851</u>	<u>Paints and Allied Products</u>
<u>2911</u>	<u>Petroleum Refining</u>
<u>3086</u>	<u>Plastics Foam Products</u>
<u>3088</u>	<u>Plastics Plumbing Fixtures</u>
<u>3089</u>	<u>Plastics Products – Not Elsewhere Classified</u>
<u>3241</u>	<u>Cement – Hydraulic</u>
<u>3281</u>	<u>Cut Stone and Stone Products</u>
<u>3296</u>	<u>Mineral Wool</u>
<u>3312</u>	<u>Blast Furnaces and Steel Mills</u>
<u>3331</u>	<u>Primary Copper</u>
<u>3411</u>	<u>Metal Cans</u>
<u>3444</u>	<u>Sheet Metal Work</u>
<u>3451</u>	<u>Screw Machine Products</u>
<u>3479</u>	<u>Metal Coating and Allied Services</u>
<u>3585</u>	<u>Refrigeration and Heating Equipment</u>
<u>3672</u>	<u>Printed Circuit Boards</u>
<u>3999</u>	<u>Manufacturing Industries – Not Elsewhere Classified</u>
<u>4922</u>	<u>Natural Gas Transmission</u>
<u>5169</u>	<u>Chemical and Allied Products – Not Elsewhere Classified</u>
<u>5171</u>	<u>Petroleum Bulk Stations and Terminals</u>

C. If the Clean Air Act has established provisions including specific schedules for the regulation of source categories under Section 112(e)(5) and Section 112(n) of the Act, those provisions and schedules shall apply to the regulation of those source categories.

D. The provisions of this article shall not apply to:

1. An affected source for which a standard under 40 CFR Part 61 or 40 CFR Part 63 imposes an emissions limitation.
2. An affected source at a minor source of Pinal County HAPs, if the minor source is in a source category for which a standard under 40 CFR Part 63 has been adopted and has agreed to comply with the emissions limitation under §3-1-084 or
3. Sources for which the Administrator has made one of the following findings under Section 112(n) of the Act (42 U.S.C. 7412(n)):
 - a. A finding that regulation is not appropriate or necessary, or
 - b. A finding that the source should apply alternative control strategies.
4. Any category or subcategory of facilities licensed by the Nuclear Regulatory Commission. The Control Officer shall not adopt or enforce any standard or limitation respecting emissions of radionuclides, which is more stringent than the standard or limitation adopted by the Administrator under Section 112 of the Act.

7-2-020. Definitions

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For the purpose of this article, the following definitions shall apply:

1. ACUTE ADVERSE EFFECTS TO HUMAN HEALTH – Means those effects described in A.R.S. §49-401.01(2) that are of short duration or rapid onset.
2. ACUTE AMBIENT AIR CONCENTRATION (AAAC) – That concentration of a hazardous air pollutant, in the ambient air, above which the general population, including susceptible populations, could experience acute adverse effects to human health.
3. AFFECTED SOURCE – Notwithstanding the definition of “affected source” as defined in §3-1-030, “affected source” in this Article, has the meaning of “affected source” contained in 40 CFR 63.2, as of July 1, 2004 (and no future amendments or editions), (the collection of equipment, activities, or both within a single contiguous area and under common control that is included in a section 112(c) source category or subcategory for which a section 112(d) standard or other relevant standard is established pursuant to section 112 of the Act. Each relevant standard will define the “affected source,” as defined in this paragraph unless a different definition is warranted based on a published justification as to why this definition would result in significant administrative, practical, or implementation problems and why the different definition would resolve those problems. The term “affected source,” as used in this part, is separate and distinct from any other use of that term in EPA regulations such as those implementing title IV of the Act. Affected source may be defined differently for part 63 than affected facility and stationary source in parts 60 and 61, respectively. This definition of “affected source,” and the procedures for adopting an alternative definition of “affected source,” shall apply to each section 112(d) standard for which the initial proposed rule is signed by the Administrator after June 30, 2002.).
4. AMBIENT AIR CONCENTRATION (AAC) – That concentration of a hazardous air pollutant in the ambient air, listed in §7-2-030.6 - Risk Management Analysis (RMA) of this rule or determined in accordance with §7-2-030.6.3.b - Risk Management Analysis (RMA) – Health Based Ambient Air Concentrations of Pinal County HAPs of this rule or §7-2-030.6.3.c - Risk Management Analysis (RMA) – Health Based Ambient Air Concentrations of Pinal County HAPS of this rule, above which the general population, including susceptible populations, could experience adverse health effects to human health.
5. ARIZONA MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY (AZMACT) – An emission standard that requires the maximum degree of reduction in emissions of hazardous air pollutants subject to these rules, including a prohibition on the emissions where achievable, and that the Control Officer, according to §7-2-030.5 - Case-By-Case AZMACT Determination of this rule, has determined to be achievable by an affected source to which the standard applies, through application of measures, processes, methods, systems, or techniques, including measures that:
 1. Reduce the volume of, or eliminate emissions of, the pollutants through process changes, substitution of materials, or other modifications;
 2. Enclose systems or processes to eliminate emissions;
 3. Collect, capture, or treat the pollutants when released from a process, stack, storage, or fugitive emissions point;
 4. Are design, equipment, work practice, or operational standards, including requirements for operator training or certification; or
 5. Are a combination of 7-2-020.5(1) thru 7-2-020.5(4) of this rule.
6. CHEMICAL ABSTRACT SERVICE (CAS) NUMBER – A unique, identifying number assigned by the Chemical Abstract Service to each distinct chemical substance.
7. CHRONIC ADVERSE EFFECTS TO HUMAN HEALTH – Those effects described in A.R.S. §49-401.01(2) that are of a persistent, recurring, or long-term nature or that are delayed in onset.
8. CHRONIC AMBIENT AIR CONCENTRATION (CAAC) – That concentration of a hazardous air pollutant, in the ambient air, above which the general population, including susceptible populations, could experience chronic adverse effects to human health.
9. FEDERALLY LISTED HAZARDOUS AIR POLLUTANT – Any pollutant adopted under §7-2-030.1 - Pinal County List of Hazardous Air Pollutants of this rule.
10. HAZARDOUS AIR POLLUTANT – Any federally listed hazardous air pollutant.
11. MAJOR SOURCE OF PINAL COUNTY HAZARDOUS AIR POLLUTANTS (HAPs) means –
 1. A stationary source that emits or has the potential to emit in the aggregate, including fugitive emissions, 10 tons per year or more of any Pinal County hazardous air pollutant or 25 tons per year or more of any combination of Pinal County hazardous air pollutants.
 2. Any change to a minor source of hazardous air pollutants that would increase its emissions to the qualifying levels in §7-2-020.11.1 of this rule.
12. MINOR SOURCE OF PINAL COUNTY HAZARDOUS AIR POLLUTANTS (HAPs) – A stationary source that emits or has the potential to emit, including fugitive emissions, one ton or more but less than 10 tons per year of any hazardous air pollutant or two and one-half tons or more but less than 25 tons per year of any combination of hazardous air pollutants.
13. MODIFICATION/MODIFY –
 1. A physical change in, or change in the method of operation of, a source that increases the actual emissions of any

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Pinal County hazardous air pollutant (HAP) emitted by the source by more than any de minimis amount listed in Table 2 – Pinal County HAPs De Minimis Levels, or which results in the emission of any HAP not previously emitted by the source by more than any de minimis amount listed in Table 2 – Pinal County HAPs De Minimis Levels.

Table 2 – Pinal County HAPs De Minimis Levels

<u>Chemical</u>	<u>De Minimis (Lb/Hour)</u>	<u>De Minimis (Lb/Year)</u>
<u>1,1,1-Trichloroethane (Methyl Chloroform)</u>	<u>117</u>	<u>14,247</u>
<u>1,1,2,2-Tetrachloroethane</u>	<u>N/A</u>	<u>0.20</u>
<u>1,3-Butadiene</u>	<u>N/A</u>	<u>0.39</u>
<u>1,4-Dichlorobenzene</u>	<u>N/A</u>	<u>1.9</u>
<u>2,2,4-Trimethylpentane</u>	<u>51</u>	<u>N/A</u>
<u>2,4-Dinitrotoluene</u>	<u>N/A</u>	<u>0.13</u>
<u>2-Chloroacetophenone</u>	<u>N/A</u>	<u>0.19</u>
<u>Acetaldehyde</u>	<u>N/A</u>	<u>5.3</u>
<u>Acetophenone</u>	<u>1.4</u>	<u>2,261</u>
<u>Acrolein</u>	<u>0.013</u>	<u>0.129</u>
<u>Acrylonitrile</u>	<u>N/A</u>	<u>0.17</u>
<u>Antimony Compounds (Selected Compound: Antimony)</u>	<u>0.71</u>	<u>9.0</u>
<u>Arsenic Compounds (Selected Compound: Arsenic)</u>	<u>N/A</u>	<u>0.0027</u>
<u>Benzene</u>	<u>N/A</u>	<u>1.5</u>
<u>Benzyl Chloride</u>	<u>N/A</u>	<u>0.25</u>
<u>Beryllium Compounds (Selected Compound: Beryllium)</u>	<u>0.000707</u>	<u>0.0049</u>
<u>Biphenyl</u>	<u>2.1</u>	<u>1,130</u>
<u>bis (2-Ethylhexy) Phthalate</u>	<u>0.71</u>	<u>3.0</u>
<u>Bromoform</u>	<u>0.42</u>	<u>11</u>
<u>Cadmium Compounds (Selected Compound: Cadmium)</u>	<u>N/A</u>	<u>0.0065</u>
<u>Carbon Disulfide</u>	<u>18</u>	<u>4,522</u>
<u>Carbon Tetrachloride</u>	<u>N/A</u>	<u>0.78</u>
<u>Carbonyl Sulfide</u>	<u>1.7</u>	<u>N/A</u>
<u>Chlorobenzene</u>	<u>57</u>	<u>6,442</u>
<u>Chloroform</u>	<u>N/A</u>	<u>2.2</u>
<u>Chromium Compounds (Selected Compound: Hexavalent Chromium)</u>	<u>N/A</u>	<u>0.0010</u>
<u>Cobalt Compounds (Selected Compound: Cobalt)</u>	<u>N/A</u>	<u>0.0042</u>
<u>Cumene</u>	<u>53</u>	<u>2,583</u>
<u>Cyanide Compounds (Selected Compound: Hydrogen Cyanide)</u>	<u>0.22</u>	<u>19</u>
<u>Dibenzofurans</u>	<u>1.4</u>	<u>45</u>
<u>Dichloromethane (Methylene Chloride)</u>	<u>20</u>	<u>25</u>

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<u>Dimethyl Formamide</u>	<u>9.3</u>	<u>194</u>
<u>Dimethyl Sulfate</u>	<u>0.018</u>	<u>N/A</u>
<u>Ethyl Benzene</u>	<u>14</u>	<u>6,442</u>
<u>Ethyl Chloride (Chloroethane)</u>	<u>71</u>	<u>64,420</u>
<u>Ethylene Dibromide (Dibromoethane)</u>	<u>N/A</u>	<u>0.020</u>
<u>Ethylene Dichloride (1,2-Dichloroethane)</u>	<u>N/A</u>	<u>0.45</u>
<u>Ethylene Glycol</u>	<u>2.8</u>	<u>2,583</u>
<u>Ethylidene Dichloride (1,1-Dichloroethane)</u>	<u>354</u>	<u>3,230</u>
<u>Formaldehyde</u>	<u>N/A</u>	<u>0.90</u>
<u>Glycol Ethers (Selected Compound: Diethylene Glycol, Monoethyl Ether)</u>	<u>14</u>	<u>19</u>
<u>Hexachlorobenzene</u>	<u>N/A</u>	<u>0.026</u>
<u>Hexane</u>	<u>659</u>	<u>13,689</u>
<u>Hydrochloric Acid</u>	<u>0.93</u>	<u>129</u>
<u>Hydrogen Fluoride (Hydrofluoric Acid)</u>	<u>0.56</u>	<u>90</u>
<u>Isophorone</u>	<u>0.71</u>	<u>12,946</u>
<u>Manganese Compounds (Selected Compound: Manganese)</u>	<u>0.14</u>	<u>0.32</u>
<u>Mercury Compounds (Selected Compound: Elemental Mercury)</u>	<u>0.058</u>	<u>1.9</u>
<u>Methanol</u>	<u>53</u>	<u>25,830</u>
<u>Methyl Bromide</u>	<u>15</u>	<u>32</u>
<u>Methyl Chloride</u>	<u>67</u>	<u>582</u>
<u>Methyl Hydrazine</u>	<u>N/A</u>	<u>0.0024</u>
<u>Methyl Isobutyl Ketone (Hexone)</u>	<u>28</u>	<u>19,388</u>
<u>Methyl Methacrylate</u>	<u>18</u>	<u>4,522</u>
<u>Methyl Tert-Butyl Ether</u>	<u>N/A</u>	<u>46</u>
<u>N, N-Dimethylaniline</u>	<u>1.4</u>	<u>45</u>
<u>Naphthalene</u>	<u>N/A</u>	<u>0.35</u>
<u>Nickel Compounds (Selected Compound: Nickel Refinery Dust)</u>	<u>N/A</u>	<u>0.049</u>
<u>Phenol</u>	<u>3.3</u>	<u>1,295</u>
<u>Polychlorinated Biphenyls (Selected Compound: Aroclor 1254)</u>	<u>N/A</u>	<u>0.12</u>
<u>Polycyclic Organic Matter (Selected Compound: Benzo(a)pyrene)</u>	<u>N/A</u>	<u>0.013</u>
<u>Propionaldehyde</u>	<u>N/A</u>	<u>5.3</u>
<u>Propylene Dichloride</u>	<u>14</u>	<u>26</u>
<u>Selenium Compounds (Selected Compound: Selenium)</u>	<u>0.028</u>	<u>113</u>
<u>Styrene</u>	<u>31</u>	<u>6,442</u>

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<u>Tetrachloroethylene (Perchloroethylene)</u>	<u>N/A</u>	<u>2.0</u>
<u>Toluene</u>	<u>109</u>	<u>146,766</u>
<u>Trichlorethylene</u>	<u>N/A</u>	<u>0.10</u>
<u>Vinyl Acetate</u>	<u>22</u>	<u>1,295</u>
<u>Vinyl Chloride</u>	<u>N/A</u>	<u>1.3</u>
<u>Vinylidene Chloride (1,2-Dichloroethylene)</u>	<u>2.1</u>	<u>1,295</u>
<u>Xylene (Mixed Isomers)</u>	<u>98</u>	<u>644</u>

2. A physical change in, or change in the method of operation of, a source that increases the actual emissions of any Pinal County HAPs emitted by the source, if it results in total source emissions that exceed one ton per year (tpy) of any individual HAP of 2.5 tpy of any combination of HAPs.
3. A physical change in, or change in the method of operation of, a source is not a modification subject to this rule, if:
 - a. The Change, together with any other changes implemented or planned by the source, qualifies for an alternative emission limitation under Section 112(i)(5) of the Act;
 - b. The Clean Air Act Section 112(d) or Section 112(f) imposes a standard requiring the change that is implemented after the Administrator promulgates the standard;
 - c. The change is routine maintenance, repair, or replacement;
 - d. The change is the use of an alternative fuel or raw material by reason of an order under Section 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974, 15 U.S.C. 792, or by reason of a natural gas curtailment plan under the Federal Power Act, 16 U.S.C. 792-825r;
 - e. The change is the use of an alternative fuel by reason of an order or rule under Section 125 of the Act;
 - f. The change is the use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste;
 - g. The change is an increase in the hours of operation or in the production rate, unless the change would be prohibited under an enforceable permit condition; or
 - h. The change is any change in ownership at a stationary source.
14. PINAL COUNTY HAZARDOUS AIR POLLUTANT (HAP) – Any federally listed hazardous air pollutant.
15. POTENTIAL TO EMIT / POTENTIAL EMISSION RATE – The maximum capacity of a stationary source to emit a pollutant, excluding secondary emissions, taking into account controls that are enforceable under any federal, state, or local law, rule, or regulation or that are inherent in the design of the source.
16. SIC CODE - The standard industrial classification code number for a source category derived from 1987 Standard Industrial Classification Manual (U.S. Office of Management And Budget, 1987).
17. TECHNOLOGY TRANSFER - The process by which existing control technologies that have been successfully applied in other source categories that have similar processes or emissions units are reviewed for potential use in a different source category.

7-2-030. Standards

1. PINAL COUNTY LIST OF HAZARDOUS AIR POLLUTANTS: The following federally listed hazardous air pollutants listed in Section 112(b)(1) of the Act (42 U.S.C. 7412(b)(1)) are hazardous air pollutants (HAPs) under this rule:

CAS No. HAPs
75070 Acetaldehyde
60355 Acetamide
75058 Acetonitrile
98862 Acetophenone
53963 2-Acetylaminofluorene
107028 Acrolein
79061 Acrylamide
79107 Acrylic acid
107131 Acrylonitrile
107051 Allyl chloride
92671 4-Aminobiphenyl
62533 Aniline
90040 o-Anisidine

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1332214 Asbestos
71432 Benzene (Including benzene from gasoline)
92875 Benzidine
98077 Benzotrachloride
100447 Benzyl chloride
92524 Biphenyl
117817 Bis(2-ethylhexyl)phthalate (DEHP)
542881 Bis(chloromethyl)ether
75252 Bromoform
106990 1,3-Butadiene
156627 Calcium cyanamide
133062 Captan
63252 Carbaryl
75150 Carbon disulfide
56235 Carbon tetrachloride
463581 Carbonyl sulfide
120809 Catechol
133904 Chloramben
57749 Chlordane
7782505 Chlorine
79118 Chloroacetic acid
532274 2-Chloroacetophenone
108907 Chlorobenzene
510156Chlorobenzilate
67663 Chloroform
107302 Chloromethyl methyl ether
126998 Chloroprene
1319773 Cresols/Cresylic acid (Isomers and mixture)
95487 o-Cresol
108394 m-Cresol
106445 p-Cresol
98828 Cumene
94757 2,4-D, salts and esters
3547044 DDE
334883 Diazomethane
132649 Dibenzofurans
96128 1,2-Dibromo-3-chloropropane
84742 Dibutylphthalate
106467 1,4-Dichlorobenzene(p)
91941 3,3-Dichlorobenzidine
111444 Dichloroethyl ether (Bis(2-chloroethyl)ether)
542756 1,3-Dichloropropene
62737 Dichlorvos
111422 Diethanolamine
121697 N,N-Diethylaniline (N,N-Dimethylaniline)
64675 Diethyl sulfate
119904 3,3-Dimethoxybenzidine
60117 Dimethyl aminoazobenzene
119937 3,3'-Dimethyl benzidine
79447 Dimethyl carbamoyl chloride
68122 Dimethyl formamide
57147 1,1-Dimethyl hydrazine
131113 Dimethyl phthalate
77781 Dimethyl sulfate
534521 4,6-Dinitro-o-cresol, and salts
51285 2,4-Dinitrophenol
121142 2,4-Dinitrotoluene
123911 1,4-Dioxane (1,4-Diethyleneoxide)
122667 1,2-Diphenylhydrazine

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106898 Epichlorohydrin (1-Chloro-2,3-epoxypropane)
106887 1,2-Epoxybutane
140885 Ethyl acrylate
100414 Ethyl benzene
51796 Ethyl carbamate (Urethane)
75003 Ethyl chloride (Chloroethane)
106934 Ethylene dibromide (Dibromoethane)
107062 Ethylene dichloride (1,2-Dichloroethane)
107211 Ethylene glycol
151564 Ethylene imine (Aziridine)
75218 Ethylene oxide
96457 Ethylene thiourea
75343 Ethylidene dichloride (1,1-Dichloroethane)
50000 Formaldehyde
76448 Heptachlor
118741 Hexachlorobenzene
87683 Hexachlorobutadiene
77474 Hexachlorocyclopentadiene
67721 Hexachloroethane
822060 Hexamethylene-1,6-diisocyanate
680319 Hexamethylphosphoramide
110543 Hexane
302012 Hydrazine
7647010 Hydrochloric acid
7664393 Hydrogen fluoride (Hydrofluoric acid)
123319 Hydroquinone
78591 Isophorone
58899 Lindane (All isomers)
108316 Maleic anhydride
67561 Methanol
72435 Methoxychlor
74839 Methyl bromide (Bromomethane)
74873 Methyl chloride (Chloromethane)
71556 Methyl chloroform (1,1,1-Trichloroethane)
60344 Methyl hydrazine
74884 Methyl iodine (Iodomethane)
108101 Methyl isobutyl ketone (Hexone)
624839 Methyl isocyanate
80626 Methyl methacrylate
1634044 Methyl tert butyl ether
101144 4,4-Methylene bis(2-chloroaniline)
75092 Methylene chloride (Dichloromethane)
101688 Methylene diphenyl diisocyanate (MDI)
101779 4,4'-Methylenedianiline
91203 Naphthalene
98953 Nitrobenzene
92933 4-Nitrobiphenyl
100027 4-Nitrophenol
79469 2-Nitropropane
684935 N-Nitroso-N-methylurea
62759 N-Nitrosodimethylamine
59892 N-Nitrosomorpholine
56382 Parathion
82688 Pentachloronitrobenzene (Quintobenzene)
87865 Pentachlorophenol
108952 Phenol
106503 p-Phenylenediamine
75445 Phosgene
7803512 Phosphine

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7723140 Phosphorus
85449 Phthalic anhydride
1336363 Polychlorinated biphenyls (Aroclors)
1120714 1,3-Propane sultone
57578 beta-Propiolactone
123386 Propionaldehyde
114261 Propoxur (Baygon)
78875 Propylene dichloride (1,2-Dichloropropane)
75569 Propylene oxide
75558 1,2-Propylenimine (2-Methyl aziridine)
91225 Quinoline
106514 Quinone
100425 Styrene
96093 Styrene oxide
1746016 2,3,7,8-Tetrachlorodibenzo-p-dioxin
79345 1,1,2,2-Tetrachloroethane
127184 Tetrachloroethylene (Perchloroethylene)
7550450 Titanium tetrachloride
108883 Toluene
95807 2,4-Toluene diamine
584849 2,4-Toluene diisocyanate
95534 o-Toluidine
8001352 Toxaphene (Chlorinated camphene)
120821 1,2,4-Trichlorobenzene
79005 1,1,2-Trichloroethane
79016 Trichloroethylene
95954 2,4,5-Trichlorophenol
88062 2,4,6-Trichlorophenol
121448 Triethylamine
1582098 Trifluralin
540841 2,2,4-Trimethylpentane
108054 Vinyl acetate
593602 Vinyl bromide
75014 Vinyl chloride
75354 Vinylidene chloride (1,1-Dichloroethylene)
1330207 Xylenes (Isomers and mixture)
95476 o-Xylenes
108383 m-Xylenes
106423 p-Xylenes

Antimony Compounds

Arsenic Compounds (Inorganic including arsine)

Beryllium Compounds

Cadmium Compounds

Chromium Compounds

Cobalt Compounds

Coke Oven Emissions

Cyanide Compounds

X'CN where X = H' or any other group where a formal dissociation may occur. For example,

KCN or Ca(CN)₂

Glycol Ethers

a. Glycol ethers include mono- and di- ethers of ethylene glycol, diethylene glycol, and triethylene glycol R-(OCH₂CH₂)_[n]-OR' where:

(1) n = 1, 2, or 3;

(2) R = alkyl C7 or less; or

(3) R = phenyl or alkyl substituted phenyl;

(4) R' = H or alkyl C7 or less; or

(5) OR' consisting of carboxylic acid ester, sulfate, phosphate, nitrate, or sulfonate

b. Glycol ethers does not include ethylene glycol monobutyl ether

Lead Compounds

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Manganese Compounds

Mercury Compounds

Fine Mineral Fibers (Including mineral fiber emissions from facilities manufacturing or processing glass, rock, or slag or other mineral-derived fibers of average diameter 1 micrometer or less)

Nickel Compounds

Polycyclic Organic Matter (Including organic compounds with more than one benzene ring and which have a boiling point greater than or equal to 100°C)

Radionuclides (Including radon. Radionuclide is a type of atom which spontaneously undergoes radioactive decay)

Selenium Compounds

2. NOTICE OF TYPES AND AMOUNTS OF HAPS: An owner and/or operator of a source subject to this rule shall provide the Control Officer with notice, in a permit application, of the types and amounts of HAPs emitted by the source. The notice shall include readily available data regarding emissions from the source. The Control Officer shall not require the owner and/or operator to conduct performance tests, sampling, or monitoring in order to fulfill the requirements of this section of this rule.
3. MODIFICATIONS;PERMITS;PERMIT REVISIONS:
 1. Any person who constructs or modifies a source that is subject to this rule must first obtain a permit or significant permit revision that complies with chapter 3 of these rules and §7-2-030.3.2 of this rule or §7-2-030.3.3 of this rule
 2. A permit or significant permit revision that the Control Officer issues to a new or modified minor source of Pinal County hazardous air pollutants (HAPs) that is in one of the source categories listed in Table 1-Pinal County HAPs Minor Source Categories of this rule shall impose HAPRACT under §7-2-030.4 of this rule, unless the applicant demonstrates, with a risk management analysis (RMA) under §7-2-030.6 of this rule, that the imposition of HAPRACT is not necessary to avoid adverse effects to human health or adverse environmental effects.
 3. A permit or significant permit revision that the Control Officer issues to a new or modified major source of Pinal County hazardous air pollutants (HAPs) shall impose AZMACT under §7-2-030.5 of this rule, unless the applicant demonstrates, with a risk management analysis (RMA) under §7-2-030.6 of this rule, that the imposition of AZMACT is not necessary to avoid adverse effects to human health or adverse environmental effects.
 4. If the Control Officer establishes a general permit establishing HAPRACT according to Chapter 3, Article 5, the following apply:
 - a. The owner and/or operator of a source covered by that general permit may obtain a variance from HAPRACT by complying with a risk management analysis (RMA) under §7-2-030.6 of this rule when the source applies for the general permit;
 - b. If the owner and/or operator makes the applicable demonstration required by a risk management analysis (RMA) under §7-2-030.6 of this rule and otherwise qualifies for the general permit, the Control Officer shall approve the application according to A.R.S. §49-480-County Air Pollution Control-Permits; Fees and issue an authorization-to-operate granting a variance from the specific provisions of the general permit relating to HAPRACT; and
 - c. Except as modified by a variance, the general permit governs the source.
 5. When determining whether HAP emissions from a new source or modification exceed the thresholds prescribed in §7-2-020.11-Definition Of Major Source Of Pinal County Hazardous Air Pollutants (HAPs) of this rule and §7-2-020.12-Minor Source Of Pinal County Hazardous Air Pollutants (HAPs) of this rule or a de minimis amount described in Table 2-Pinal County HAPs De Minimis Levels in §7-2-020.13.1 of this rule, the Control Officer shall exclude particulate matter emissions that consist of natural crustal material and that are produced either by natural forces, such as wind or erosion, or by anthropogenic activities, such as agricultural operations, excavation, blasting, drilling, handling, storage, earthmoving, crushing, grinding, or traffic over paved or unpaved roads, or other similar activities.
 6. In addition to the requirements of Appendix A-Standard Permit Application Form And Filing Instructions of these rules, an application for a permit or a permit revision required under this section of this rule shall include one of the following:
 - a. The applicant's proposal and documentation for HAPRACT under §7-2-030.4 of this rule;
 - b. The applicant's proposal and documentation for AZMACT under §7-2-030.5 of this rule; or
 - c. A risk management analysis (RMA) submitted under §7-2-030.6 of this rule.
 7. Any applicant for a permit or a permit revision under this rule may request accelerated permit processing under §3-7-630.
4. CASE-BY-CASE HAPRACT DETERMINATION:
 1. The applicant shall include in the application sufficient documentation to show that the proposed control technology or methodology meets the requirements of A.R.S. §49-480.04-County Air Pollution Control-County Program For Control Of Hazardous Air Pollutants and of this section of this rule.

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2. An applicant subject to §7-2-030.3.2 shall propose HAPRACT for the new source or modification, to be included in the applicant's permit or significant permit revision. The applicant shall document each of the following steps:
 - a. The applicant shall identify the range of applicable control technologies, including:
 - i. A survey of similar emission sources to determine the emission limitations currently achieved in practice in the United States;
 - ii. Controls applied to similar source categories, emissions units, or gas streams through technology transfer; and
 - iii. Innovative technologies that are demonstrated to be reliable, that reduce emissions for HAP under review at least to the extent achieved by the control technology that would otherwise have been proposed and that meets all the requirements of A.R.S. §49-480.04-County Air Pollution Control-County Program For Control Of Hazardous Air Pollutants and this section of this rule.
 - b. The applicant shall propose as HAPRACT one of the control technologies identified under §7-2-030.4.2(a)-Case-By-Case HAPRACT Determination of this rule and shall provide:
 - i. The rationale for selecting the specific control technologies from the range identified in §7-2-030.4.2(a)-Case-By-Case HAPRACT Determination;
 - ii. Estimated control efficiency, described as percent HAP removed;
 - iii. Expected emission rates in tons per year and pounds per hour;
 - iv. Expected emission reduction in tons per year and pounds per hour;
 - v. Economic impacts and cost effectiveness of implementing the proposed control technology;
 - vi. Other environmental impacts of the proposed control technology; and
 - vii. Energy impact of the proposed technology.
 - c. The applicant shall identify rejected control technologies identified in §7-2-030.4.2(a)-Case-By-Case HAPRACT Determination of this rule and shall provide for each rejected control technology:
 - i. The rationale for rejecting the specific control technologies identified in §7-2-030.4.2(a)-Case-By-Case HAPRACT Determination of this rule;
 - ii. Estimated control efficiency described as percent HAP removed;
 - iii. Expected emission rate in tons per year and pounds per hour;
 - iv. Expected emission reduction in tons per year and pounds per hour;
 - v. Economic impact and cost effectiveness of implementing the rejected control technologies;
 - vi. Other environmental impact of the rejected control technology; and
 - vii. Energy impact of the rejected control technologies.
 3. The Control Officer shall determine whether the applicant's HAPRACT selection complies with A.R.S. §49-480.04-County Air Pollution Control-County Program For Control Of Hazardous Air Pollutants and this section of this rule based on the documentation provided in §7-2-030.4.2-Case-By-Case HAPRACT Determination of this rule:
 - a. If the Control Officer finds that the applicant's proposal complies with A.R.S. §49-480.04-County Air Pollution Control-County Program For Control Of Hazardous Air Pollutants and this section of this rule, the Control Officer shall include the applicant's proposed HAPRACT selection in the permit or permit revision.
 - b. If the Control Officer finds that the applicant's proposal fails to comply with A.R.S. §49-480.04-County Air Pollution Control-County Program For Control Of Hazardous Air Pollutants and this section of this rule, the Control Officer shall:
 - i. Notify the applicant that the proposal failed to meet requirements;
 - ii. Specify the deficiencies in the proposal; and
 - iii. State that the applicant shall submit a new HAPRACT proposal according to the provisions regarding permit application processing procedures in Chapter 3 of these rules.
 - c. If the applicant does not submit a new proposal, the Control Officer shall deny the application for a permit or permit revision.
 - d. If the Control Officer finds that the new proposal fails to comply with A.R.S. §49-480.04-County Air Pollution Control-County Program For Control Of Hazardous Air Pollutants and this section of this rule, the Control Officer shall deny the application for a permit or permit revision.
 4. If the Control Officer finds that a reliable method of measuring HAP emissions is not available, the Control Officer shall require, in the permit, the applicant to comply with a design, equipment, work practice or operational standard, or combination of these, but shall not impose a numeric emissions limitation upon the applicant.
 5. The Control Officer shall not impose a control technology that would require the application of measures that are incompatible with measures required under Chapter 7 Article 1 - Federal Hazardous Air Pollutant Program of these rules or 40 CFR Part 63-National Emission Standards For Hazardous Air Pollutants For Source Categories. An applicable control technology for a source or source category that is promulgated by the Administrator shall supersede control technology imposed by the Control Officer for that source or source category.
5. CASE-BY-CASE AZMACT DETERMINATION:

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1. The applicant shall include in the application sufficient documentation to show that the proposed control technology meets the requirements of A.R.S. §49-480.04-County Air Pollution Control-County Program For Control Of Hazardous Air Pollutants and of this section of this rule.
2. An applicant subject to §7-2-030.3.3 -Modifications; Permits; Permit Revisions of this rule shall propose AZMACT for the new source or modification, to be included in the applicant's permit or permit revision. The applicant shall document each of the following steps:
 - a. The applicant shall identify all available control options, taking into consideration the measures cited in §7-2-020.5-Definition Of Arizona Maximum Achievable Control Technology (AZMACT) of this rule. The analysis shall include a survey of emission sources to determine the most stringent emission limitation currently achieved in practice in the United States. The survey may include technologies employed outside of the United States and may include controls applied through technology transfer to similar source categories and gas streams.
 - b. The applicant shall eliminate options that are technically infeasible because of source-specific factors. The applicant shall clearly document the demonstration of technical infeasibility and shall base the demonstration upon physical, chemical, and engineering barriers that would preclude the successful use of each control option that the applicant has eliminated.
 - c. The applicant shall list the remaining control technologies in order of overall removal efficiency for the HAP under review, with the most effective at the top of the list. The list shall include the following information, for the control technology proposed and for any control technology that is ranked higher than the proposed technology:
 - i. Estimated control efficiency described by percent of HAP removed;
 - ii. Expected emission rate in tons per year and pounds per hour;
 - iii. Expected emission reduction in tons per year and pounds per hour;
 - iv. Economic impact and cost effectiveness;
 - v. Other environmental impact; and
 - vi. Energy impact.
 - d. The applicant shall evaluate the most effective controls, listed according to §7-2-030.5.2.c-Case-By-Case AZMACT Determination of this rule and document the results as follows:
 - i. For new major sources, the applicant shall consider the factors described in §7-2-030.5.2.c-Case-By-Case AZMACT Determination of this rule to arrive at the final control technology proposed as AZMACT.
 - a. The applicant shall discuss the beneficial and adverse economic, environmental, and energy impacts and quantify them where possible, focusing on the direct impacts of each control technology.
 - b. If the applicant proposes the top alternative in the list as AZMACT, the applicant shall consider whether other environmental impacts mandate the selection of an alternative control technology. If the applicant does not propose the top alternative as AZMACT, the applicant shall evaluate the next most stringent technology in the list. The applicant shall continue the evaluation process until the applicant arrives at a technology that the applicant does not eliminate because of source-specific, economic, environmental, or energy impacts.
 - ii. For a modification, the applicant shall evaluate the control technologies according to §7-2-030.5.2.d(1)-Case-By-Case AZMACT Determination of this rule. AZMACT for a modification may be less stringent than AZMACT for a new source in the same source category but shall not be less stringent than:
 - a. In cases where the applicant has identified 30 or more sources, the average emission limitation achieved by the best performing 12% of the existing similar sources, which the applicant shall include in the permit application; or
 - b. In cases where the applicant has identified fewer than 30 similar sources, the average emission limitation achieved by the best performing five sources, which the applicant shall include in the permit application.
 - e. The applicant shall propose as AZMACT for the HAP under review:
 - i. The most effective control technology or methodology not eliminated in the evaluation described in §7-2-030.5.2(d)-Case-By-Case AZMACT Determination of this rule; or
 - ii. An innovative technology that reduces emissions to the extent achieved by the control technology that the applicant otherwise would have proposed under §7-2-030.5.2(e)(1)-Case-By-Case AZMACT Determination of this rule and that meets all the requirements of A.R.S. §49-480.04-County Air Pollution Control-County Program For Control Of Hazardous Air Pollutants and this section of this rule.
3. The Control Officer shall not approve a control technology or methodology less stringent than any applicable federal new source performance standard (NSPS) at 40 CFR Part 60 or national emission standard for hazardous air pollutants (NESHAP) at 40 CFR Part 61.

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4. The Control Officer shall determine whether the applicant's AZMACT proposal complies with A.R.S. §49-480.04-County Air Pollution Control-County Program For Control Of Hazardous Air Pollutants and this section of this rule.
 - a. If the Control Officer determines that the applicant's proposal complies with A.R.S. §49-480.04-County Air Pollution Control-County Program For Control Of Hazardous Air Pollutants and this section of this rule, the Control Officer shall include the applicant's proposed AZMACT selection in the permit or permit revision.
 - b. If the Control Officer determines that the applicant's proposal does not comply with A.R.S. §49-480.04-County Air Pollution Control-County Program For Control Of Hazardous Air Pollutants and this section of this rule, the Control Officer shall:
 - i. Notify the applicant that the proposal does not meet the requirements;
 - ii. Specify the deficiencies; and
 - iii. State that the applicant shall submit a new AZMACT proposal according to permit application processing procedures in Chapter 3 of these rules.
 - c. If the applicant does not submit a new proposal, the Control Officer may deny the application for permit or permit revision.
 - d. If the Control Officer determines that the new proposal fails to comply with A.R.S. §49-480.04-County Air Pollution Control-County Program For Control Of Hazardous Air Pollutants and this section of this rule, the Control Officer shall deny the application for a permit or permit revision.
 5. If a reliable method of measuring HAP emissions is not available, the Control Officer shall require the applicant to comply with a design, equipment, work practice, or operational standards, or combination of these, to be included in the applicant's permit, but shall not impose a numeric emissions limitation.
 6. The Control Officer shall not impose a control technology that would require the application of measures that are incompatible with measures required under Chapter 7 Article 1- Federal Hazardous Air Pollutant Program of these rules or 40 CFR Part 63-National Emission Standards For Hazardous Air Pollutants For Source Categories. An applicable control technology for a source or source category that is promulgated by the Administrator shall supersede control technology imposed by the Control Officer for that source or source category.
6. RISK MANAGEMENT ANALYSIS (RMA):
1. Applicability:
 - a. An applicant seeking to demonstrate that HAPRACT or AZMACT is not necessary to prevent adverse effects to human health or the environment by conducting a risk management analysis (RMA) shall first apply for a permit or a significant permit revision that complies with Chapter 3 of these rules.
 - b. An applicant seeking to demonstrate that HAPRACT or AZMACT is not necessary to prevent adverse effects to human health or the environment shall conduct a risk management analysis (RMA) according to this section of this rule.
 - c. The risk management analysis (RMA) for a new source shall apply to:
 - i. The source's annual total potential to emit Pinal County HAPs for evaluation of chronic exposure; or
 - ii. The source's hourly total potential to emit Pinal County HAPs for evaluation of acute exposure.
 - d. The risk management analysis (RMA) for a modified source shall apply to:
 - i. The source's annual total potential to emit Pinal County HAPs, after the modification, for evaluation of chronic exposure; or
 - ii. The source's hourly total potential to emit Pinal County HAPs, after the modification, for evaluation of acute exposure.
 - e. An applicant shall conduct a risk management analysis (RMA) for each Pinal County HAP emitted by the source in greater than de minimis amounts.
 2. The applicant may use any of the following methods for conducting a risk management analysis (RMA):
 - a. Tier 1-Equation:
 - i. For emissions of a HAP included in a listed group of hazardous compounds, other than those HAPs identified in Table 3-Acute And Chronic Ambient Air Concentrations of this rule as selected compounds, the applicant shall determine a health-based ambient air concentration, under §7-2-030.6.3(c)-Risk Management Analysis (RMA)-Health Based Ambient Air Concentrations Of Pinal County HAPs of this rule.
 - ii. The applicant shall determine the potential maximum hourly exposure resulting from emissions of the HAP by applying the following equation:
MHE = PPH * 17.68, where:
 - a. MHE = maximum hourly exposure in milligrams per cubic meter, and
 - b. PPH = hourly potential to emit the HAP in pounds per hour.
 - iii. The applicant shall determine the potential maximum annual exposure resulting from emissions of the HAP by applying the following equation: MAE = PPY * 1/MOH * 1.41, where:
 - a. MAE = maximum annual exposure in milligrams per cubic meter,

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- b. PPY = annual potential to emit the HAP in pounds per year, and
- c. MOH = maximum operating hours for the source, taking into account any enforceable operational limitations.
- iv. The Control Officer shall not require compliance with HAPRACT for the HAP under §7-2-030.4-Case-By-Case HAPRACT Determination of this rule or with AZMACT for the HAP under §7-2-030.5-Case-By-Case AZMACT Determination of this rule, if both of the following are true:
 - a. The maximum hourly concentration determined under §7-2-030.6.2(a)(2)-Risk Management Analysis (RMA)-Tier 1-Equation of this rule is less than the acute ambient air concentrations determined under §7-2-030.6.3(c)-Risk Management Analysis (RMA)-Health Based Ambient Air Concentrations Of Pinal County HAPs of this rule; and
 - b. The maximum annual concentration determined under §7-2-030.6.2(a)(3)-Risk Management Analysis (RMA)-Tier 1-Equation of this rule is less than the chronic ambient air concentrations determined under §7-2-030.6.3(c)-Risk Management Analysis (RMA) -Health Based Ambient Air Concentrations Of Pinal County HAPs of this rule.
- v. If either the maximum hourly concentration determined under §7-2-030.6.2(a)(2)-Risk Management Analysis (RMA)-Tier 1-Equation of this rule or the maximum annual concentration determined under §7-2-030.6.2(a)(3)-Risk Management Analysis (RMA)-Tier 1-Equation is greater than or equal to the relevant ambient air concentration:
 - a. The Control Officer shall require compliance with HAPRACT under §7-2-030.4-Case-By-Case HAPRACT Determination of this rule or with AZMACT under §7-2-030.5-Case-By-Case AZMACT Determination of this rule; or
 - b. The applicant may use the Tier 2-SCREEN model method under §7-2-030.6(2)(b) of this rule, the Tier 3-Modified SCREEN Model method under §7-2-030.6(2)(c) of this rule, or the Tier 4-Modified SCREEN Model or Refined Air Quality Model method under §7-2-030.6(2)(d) of this rule for conducting a risk management analysis (RMA) under §7-2-030.6-Risk Management Analysis (RMA) of this rule.
- b. Tier 2-SCREEN Model:
 - i. The applicant shall use the SCREEN model performed in a manner consistent with the Guideline specified in Chapter 3, Article 3-Permit Requirements For New Major Sources And Major Modifications To Existing Major Sources, §3-3-250-Permit Requirements For Sources Located In Attainment And Unclassifiable Areas-Air Quality Models of these rules. The applicant shall compare the maximum concentration that is predicted in the ambient air with the relevant ambient air concentration determined under §7-2-030.6.3-Risk Management Analysis (RMA)-Health Based Ambient Air Concentrations Of Pinal County HAPs of this rule.
 - ii. If the predicted maximum concentration is less than the relevant ambient air concentration, the Control Officer shall not require compliance with HAPRACT under §7-2-030.4-Case-By-Case HAPRACT Determination of this rule or AZMACT under §7-2-030.5-Case-By-Case AZMACT Determination of this rule.
 - iii. If the predicted maximum concentration is greater than or equal to the relevant ambient air concentration:
 - a. The Control Officer shall require compliance with HAPRACT under §7-2-030.4-Case-By-Case HAPRACT Determination of this rule or AZMACT under §7-2-030.5-Case-By-Case AZMACT Determination of this rule; or
 - b. The applicant may use the Tier 3-Modified SCREEN Model method under §7-2-030.6(2)(c) of this rule or the Tier 4-Modified SCREEN Model or Refined Air Quality Model method under §7-2-030.6(2)(d) of this rule for determining maximum public exposure to Pinal County HAPs under §7-2-030.6(2)(c)-Risk Management Analysis (RMA)-Tier 3-Modified SCREEN Model of this rule.
- c. Tier 3-Modified SCREEN Model:
 - i. The applicant shall use the SCREEN model performed in a manner consistent with the Guideline specified in Chapter 3, Article 3-Permit Requirements For New Major Sources And Major Modifications To Existing Major Sources, §3-3-250-Permit Requirements For Sources Located In Attainment And Unclassifiable Areas-Air Quality Models of these rules.
 - ii. For evaluation of acute exposure, the applicant shall assume exposure in the ambient air.
 - iii. For evaluation of chronic exposure:
 - a. The applicant may use exposure assumptions consistent with institutional or engineering controls that are permanent and enforceable outside the permit.
 - b. The applicant shall notify the Control Officer of these controls. If the Control Officer does not approve of the proposed controls or if the controls are not permanent and enforceable outside of the permit, the applicant shall not use the method specified in §7-2-030.6(2)(c)(3)-Risk Management

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- Analysis (RMA)-Tier 3- Modified SCREEN Model of this rule to determine maximum public exposure to the Pinal County HAP.
- iv. If the predicted maximum concentration is less than the relevant ambient air concentration, the Control Officer shall not require compliance with HAPRACT under §7-2-030.4-Case-By-Case HAPRACT Determination of this rule or AZMACT under §7-2-030.5-Case-By-Case AZMACT Determination of this rule.
 - v. If the predicted maximum concentration is greater than or equal to the relevant ambient air concentration:
 - a. The Control Officer shall require compliance with HAPRACT under §7-2-030.4-Case-By-Case HAPRACT Determination of this rule or AZMACT under §7-2-030.5-Case-By-Case AZMACT Determination of this rule; or
 - b. The applicant may use the Tier 4-Modified SCREEN Model or Refined Air Quality Model method under §7-2-030.6(2)(d) of this rule for determining maximum public exposure to Pinal County HAPs, under §7-2-030.6(2)(d) of this rule.
 - d. Tier 4-Modified SCREEN Model or Refined Air Quality Model:
 - i. The applicant shall employ either the SCREEN model or a refined air quality model performed in a manner consistent with the Guideline specified in Chapter 3, Article 3-Permit Requirements For New Major Sources And Major Modifications To Existing Major Sources, §3-3-250-Permit Requirements For Sources Located In Attainment And Unclassifiable Areas-Air Quality Models of these rules.
 - ii. For evaluation of acute exposure, the applicant shall assume exposure in the ambient air.
 - iii. For evaluation of chronic exposure:
 - a. The applicant may use exposure assumptions consistent with institutional or engineering controls that are permanent and enforceable outside the permit.
 - b. The applicant shall notify the Control Officer of these controls. If the Control Officer does not approve of the proposed controls or if the proposed controls are not permanent and enforceable outside of the permit, the applicant shall assume chronic exposure in the ambient air.
 - iv. The applicant may include in the Tier 4 risk management analysis (RMA) documentation of the following factors:
 - a. The estimated actual exposure to the HAP of persons living in the airshed of the source;
 - b. Available epidemiological or other health studies;
 - c. Risks presented by background concentrations of hazardous air pollutants;
 - d. Uncertainties in risk assessment methodology or other health assessment techniques;
 - e. Health or environmental consequences from efforts to reduce the risk; or
 - f. The technological and commercial availability of control methods beyond those otherwise required for the source and the cost of such methods.
 - v. The applicant shall submit a written protocol for conducting a risk management analysis (RMA), consistent with the requirements of §7-2-030.6(2)(d)-Risk Management Analysis (RMA)-Tier 4-Modified SCREEN Model or Refined Air Quality Model of this rule, to the Control Officer for the Control Officer's approval. If the Control Officer does not approve the written protocol, the applicant may:
 - a. Submit a revised protocol to the Control Officer;
 - b. Propose HAPRACT under §7-2-030.4-Case-By-Case HAPRACT Determination of this rule or AZMACT under §7-2-030.5 - Case-By-Case AZMACT Determination of this rule; or
 - c. Refuse to submit a revised protocol, in which case the Control Officer shall deny the application.
 - vi. If the predicted maximum concentration is less than the relevant ambient air concentration or if warranted under the factors listed in §7-2-030.6(2)(d)(4)-Risk Management Analysis (RMA)-Tier 4-Modified SCREEN Model or Refined Air Quality Model of this rule, the Control Officer shall not require compliance with HAPRACT under §7-2-030.4-Case-By-Case HAPRACT Determination of this rule or AZMACT under §7-2-030.5-Case-By-Case AZMACT Determination of this rule.
 - vii. Except as provided in §7-2-030.6(2)(d)(6)-Risk Management Analysis (RMA)- Tier 4-Modified SCREEN Model or Refined Air Quality Model of this rule, if the predicted maximum concentration is greater than or equal to the relevant ambient air concentration, the Control Officer shall require compliance with HAPRACT under §7-2-030.4-Case-By-Case HAPRACT Determination of this rule or AZMACT under §7-2-030.5-Case-By-Case AZMACT Determination of this rule.
 - 3. Health Based Ambient Air Concentrations Of Pinal County HAPs:
 - a. For Pinal County HAPs for which the Control Officer has already determined an ambient air concentration, the applicant shall use the acute and chronic values listed in Table 3-Acute And Chronic Ambient Air Concentrations of this rule.

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Table 3 – Acute and Chronic Ambient Air Concentrations

<u>Chemical</u>	<u>Acute Ambient Air Concentrations (ug/m³)</u>	<u>Chronic Ambient Air Concentrations (ug/m³)</u>
<u>1,1,1-Trichloroethane (Methyl Chloroform)</u>	<u>2,075</u>	<u>2.30E+00</u>
<u>1,1,2,2-Tetrachloroethane</u>	<u>18</u>	<u>3.27E-05</u>
<u>1,3-Butadiene</u>	<u>7,514</u>	<u>6.32E-05</u>
<u>1,4-Dichlorobenzene</u>	<u>300</u>	<u>3.06E-04</u>
<u>2,2,4-Trimethylpentane</u>	<u>900</u>	<u>N/A</u>
<u>2,4-Dinitrotoluene</u>	<u>5.0</u>	<u>2.13E-05</u>
<u>2-Chloroacetophenone</u>	<u>N/A</u>	<u>3.13E-05</u>
<u>Acetaldehyde</u>	<u>306</u>	<u>8.62E-04</u>
<u>Acetophenone</u>	<u>25</u>	<u>3.65E-01</u>
<u>Acrolein</u>	<u>0.23</u>	<u>2.09E-05</u>
<u>Acrylonitrile</u>	<u>38</u>	<u>2.79E-05</u>
<u>Antimony Compounds (Selected Compound: Antimony)</u>	<u>13</u>	<u>1.46E-03</u>
<u>Arsenic Compounds (Selected Compound: Arsenic)</u>	<u>2.5</u>	<u>4.41E-07</u>
<u>Benzene</u>	<u>1,276</u>	<u>2.43E-04</u>
<u>Benzyl Chloride</u>	<u>26</u>	<u>3.96E-05</u>
<u>Beryllium Compounds (Selected Compound: Beryllium)</u>	<u>0.013</u>	<u>7.90E-07</u>
<u>Biphenyl</u>	<u>38</u>	<u>1.83E-01</u>
<u>bis (2-Ethylhexy) Phthalate</u>	<u>13</u>	<u>4.80E-04</u>
<u>Bromoform</u>	<u>7.5</u>	<u>1.72E-03</u>
<u>Cadmium Compounds (Selected Compound: Cadmium)</u>	<u>0.25</u>	<u>1.05E-06</u>
<u>Carbon Disulfide</u>	<u>311</u>	<u>7.30E-01</u>
<u>Carbon Tetrachloride</u>	<u>201</u>	<u>1.26E-04</u>
<u>Carbonyl Sulfide</u>	<u>30</u>	<u>N/A</u>
<u>Chlorobenzene</u>	<u>1,000</u>	<u>1.04E+00</u>
<u>Chloroform</u>	<u>195</u>	<u>3.58E-04</u>
<u>Chromium Compounds (Selected Compound: Hexavalent Chromium)</u>	<u>0.10</u>	<u>1.58E-07</u>
<u>Cobalt Compounds (Selected Compound: Cobalt)</u>	<u>10</u>	<u>6.86E-07</u>
<u>Cumene</u>	<u>935</u>	<u>4.17E-01</u>
<u>Cyanide Compounds (Selected Compound: Hydrogen Cyanide)</u>	<u>3.9</u>	<u>3.13E-03</u>
<u>Dibenzofurans</u>	<u>25</u>	<u>7.30E-03</u>
<u>Dichloromethane (Methylene Chloride)</u>	<u>347</u>	<u>4.03E-03</u>
<u>Dimethyl Formamide</u>	<u>164</u>	<u>3.13E-02</u>
<u>Dimethyl Sulfate</u>	<u>0.31</u>	<u>N/A</u>

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<u>Ethyl Benzene</u>	<u>250</u>	<u>1.04E+00</u>
<u>Ethyl Chloride (Chloroethane)</u>	<u>1,250</u>	<u>1.04E+01</u>
<u>Ethylene Dibromide (Dibromoethane)</u>	<u>100</u>	<u>3.16E-06</u>
<u>Ethylene Dichloride (1,2-Dichloroethane)</u>	<u>405</u>	<u>7.29E-05</u>
<u>Ethylene Glycol</u>	<u>50</u>	<u>4.17E-01</u>
<u>Ethylidene Dichloride (1,1-Dichloroethane)</u>	<u>6,250</u>	<u>5.21E-01</u>
<u>Formaldehyde</u>	<u>17</u>	<u>1.46E-04</u>
<u>Glycol Ethers (Selected Compound: Diethylene Glycol, Monoethyl Ether)</u>	<u>250</u>	<u>3.14E-03</u>
<u>Hexachlorobenzene</u>	<u>0.50</u>	<u>4.12E-06</u>
<u>Hexane</u>	<u>11,649</u>	<u>2.21E+00</u>
<u>Hydrochloric Acid</u>	<u>16</u>	<u>2.09E-02</u>
<u>Hydrogen Fluoride (Hydrofluoric Acid)</u>	<u>9.8</u>	<u>1.46E-02</u>
<u>Isophorone</u>	<u>13</u>	<u>2.09E+00</u>
<u>Manganese Compounds (Selected Compound: Manganese)</u>	<u>2.5</u>	<u>5.21E-05</u>
<u>Mercury Compounds (Selected Compound: Elemental Mercury)</u>	<u>1.0</u>	<u>3.13E-04</u>
<u>Methanol</u>	<u>943</u>	<u>4.17E+00</u>
<u>Methyl Bromide</u>	<u>261</u>	<u>5.21E-03</u>
<u>Methyl Chloride</u>	<u>1,180</u>	<u>9.39E-02</u>
<u>Methyl Hydrazine</u>	<u>0.43</u>	<u>3.96E-07</u>
<u>Methyl Isobutyl Ketone (Hexone)</u>	<u>500</u>	<u>3.13E+00</u>
<u>Methyl Methacrylate</u>	<u>311</u>	<u>7.30E-01</u>
<u>Methyl Tert-Butyl Ether</u>	<u>1,444</u>	<u>7.40E-03</u>
<u>N, N-Dimethylaniline</u>	<u>25</u>	<u>7.30E-03</u>
<u>Naphthalene</u>	<u>75</u>	<u>5.58E-05</u>
<u>Nickel Compounds (Selected Compound: Nickel Refinery Dust)</u>	<u>5.0</u>	<u>7.90E-06</u>
<u>Phenol</u>	<u>58</u>	<u>2.09E-01</u>
<u>Polychlorinated Biphenyls (Selected Compound: Aroclor 1254)</u>	<u>2.5</u>	<u>1.90E-05</u>
<u>Polycyclic Organic Matter (Selected Compound: Benzo(a)pyrene)</u>	<u>5.0</u>	<u>2.02E-06</u>
<u>Propionaldehyde</u>	<u>403</u>	<u>8.62E-04</u>
<u>Propylene Dichloride</u>	<u>250</u>	<u>4.17E-03</u>
<u>Selenium Compounds (Selected Compound: Selenium)</u>	<u>0.50</u>	<u>1.83E-02</u>
<u>Styrene</u>	<u>554</u>	<u>1.04E+00</u>
<u>Tetrachloroethylene (Perchloroethylene)</u>	<u>814</u>	<u>3.20E-04</u>
<u>Toluene</u>	<u>1,923</u>	<u>5.21E+00</u>

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<u>Trichlorethylene</u>	<u>1,450</u>	<u>1.68E-05</u>
<u>Vinyl Acetate</u>	<u>387</u>	<u>2.09E-01</u>
<u>Vinyl Chloride</u>	<u>2,099</u>	<u>2.15E-04</u>
<u>Vinylidene Chloride (1,2-Dichloroethylene)</u>	<u>38</u>	<u>2.09E-01</u>
<u>Xylene (Mixed Isomers)</u>	<u>1,736</u>	<u>1.04E-01</u>

- b. For Pinal County HAPs for which an ambient air concentration has not already been determined, the applicant shall determine the acute and chronic ambient air concentrations according to the process in Appendix L-Procedures For Determining Ambient Air Concentrations For Hazardous Air Pollutants of these rules.
- c. For specific compounds included in Pinal County HAPs listed as a group (e.g., arsenic compounds), the applicant may use an ambient air concentration developed according to the process in Appendix L-Procedures For Determining Ambient Air Concentrations For Hazardous Air Pollutants of these rules.
4. As part of the risk management analysis (RMA), an applicant may voluntarily propose emissions limitations under §3-1-084 of these rules, in order to avoid being subject to HAPRACT under §7-2-030.4-Case-By-Case HAPRACT Determination of this rule or to avoid being subject to AZMACT under §7-2-030.5-Case-By-Case AZMACT Determination of this rule.
5. Documentation Of Risk Management Analysis (RMA): The applicant shall document each risk management analysis (RMA) performed for each Pinal County HAP and shall include the following information:
 - a. The potential maximum public exposure of the Pinal County HAP;
 - b. The method used to determine the potential maximum public exposure:
 - i. For Tier 1-Equation, the calculation demonstrating that the emissions of the Pinal County HAP are less than the health-based ambient air concentration, determined under §7-2-030.6(3)(c)-Risk Management Analysis (RMA)-Health Based Ambient Air Concentrations Of Pinal County HAPs of this rule.
 - ii. For Tier 2-SCREEN Model, the input files to and the results of the SCREEN Modeling.
 - iii. For Tier 3-Modified SCREEN Model:
 - a. The input files to and the results of the SCREEN Modeling; and
 - b. The permanent and enforceable institutional or engineering controls approved by the Control Officer under §7-2-030.6(2)(c)(3)-Risk Management Analysis (RMA)-Tier 3-Modified SCREEN Model of this rule.
 - iv. For Tier 4-Modified SCREEN Model or Refined Air Quality Model:
 - a. The model the applicant used;
 - b. The input files to and the results of the modeling;
 - c. The modeling protocol approved by the Control Officer under §7-2-030.6(2)(d)(3)-Risk Management Analysis (RMA)-Tier 4- Modified SCREEN Model or Refined Air Quality Model of this rule; and
 - d. The permanent and enforceable institutional or engineering controls approved by the Control Officer under §7-2-030.6(2)(d)(5)-Risk Management Analysis (RMA)-Tier 4-Modified SCREEN Model or Refined Air Quality Model of this rule;
 - c. The health-based ambient air concentrations determined under §7-2-030.6(3)-Risk Management Analysis (RMA)-Health Based Ambient Air Concentrations of Pinal County HAPs of this rule; and
 - d. Any voluntary emissions limitations that the applicant proposes under §7-2-030.6(4)-Risk Management Analysis (RMA) of this rule.
6. An applicant may conduct a risk management analysis (RMA) for any alternative operating scenario, requested in the application, consistent with the requirements of §7-2-030.6(6)-Risk Management Analysis (RMA) of this rule. The alternative operating scenario may allow a range of operating conditions if the Control Officer concludes that the risk management analysis (RMA) demonstrates no adverse effects to human health or adverse environmental effects from operations within that range. Modifications to a source consistent with the alternative operating scenario are not subject to this rule.

7-2-040. Administrative Requirements

1. EFFECTIVE DATE: The provisions of this rule shall be effective July 1, 2007 and shall not apply to permits or significant permit revisions for which the Control Officer receives the first application component before the effective date of this rule.

7-2-050. Monitoring and Records (NOT APPLICABLE)

APPENDIX L

PROCEDURES FOR DETERMINING AMBIENT AIR CONCENTRATIONS

FOR HAZARDOUS AIR POLLUTANTS

INDEX

SECTION 1 – APPLICABILITY

SECTION 2 – CHRONIC AMBIENT AIR CONCENTRATIONS

SECTION 3 – ACUTE AMBIENT AIR CONCENTRATIONS

APPENDIX L

PROCEDURES FOR DETERMINING AMBIENT AIR CONCENTRATIONS

FOR HAZARDOUS AIR POLLUTANTS

1. **APPLICABILITY:** The procedure described in Appendix L of these rules shall be used to develop chronic ambient air concentrations (CAACs) and acute ambient air concentrations (AAACs) for hazardous air pollutants (HAPs) for the following:
 - a. Any HAP not included in Chapter 7 Article 2 - Pinal County Hazardous Air Pollutants (HAPS) Program- Table 3-Acute And Chronic Ambient Air Concentrations of these rules; and
 - b. Any compound included in a group of HAPs listed in Chapter 7 Article 2- Pinal County Hazardous Air Pollutants (HAPS) Program-Table 3-Acute And Chronic Ambient Air Concentrations of these rules, other than those identified in the group listing as the “selected” compound.
2. **CHRONIC AMBIENT AIR CONCENTRATIONS:**
 - a. The applicant shall review the following data sources and, except as otherwise provided, shall give them the priority indicated in the development of chronic ambient air concentrations (CAACs):
 1. **Tier 1 Data Sources:** Reference Concentrations (RfCs) and air Unit Risk Factors (URFs) as presented in the Integrated Risk Information System (IRIS) of the United States Environmental Protection Agency (EPA).
 2. **Tier 2 Data Sources:**
 - a. Preliminary Remediation Goals (PRGs) developed by Region 9 of the EPA.
 - b. Risk-Based Concentrations (RBCs) developed by Region 3 of the EPA.
 3. **Tier 3 Data Sources:**
 - a. Minimal Risk Levels (MRLs) developed by the Agency For Toxic Substances And Disease Registry (ATSDR).
 - b. Reference Exposure Levels (RELs) and Unit Risk Factors (CalURFs) developed by the California Environmental Protection Agency.
 - b. **Evaluation Of Tier 1 Values:**
 1. **Calculation Of Concentrations:**
 - a. Reference Concentrations (RfCs) shall be multiplied by 1.04 to reflect an assumed exposure of 350 rather than 365 days per year.
 - b. Unit Risk Factors (URFs) shall be transformed into concentrations in milligrams per cubic meter (mg/m³) by applying the following equation:
$$TR \times ATc / (EF \times IFA \text{ adj} \times [URF \times BW / IR])$$

Where: $TR = 1E-06$
 $ATc = 25,550 \text{ days}$
 $EF = 350 \text{ days/year}$
 $IFA \text{ adj} = 11 \text{ m}^3\text{-year/kg-day}$
 $BW = 70 \text{ kg}$
 $IR = 20 \text{ m}^3\text{/day}$
 2. **Comparison To Tier 2 And Tier 3 Concentrations:**
 - a. The concentration developed in accordance with Section 2(b)(1) of this appendix shall be compared to the Tier 2 and Tier 3 concentrations for the compound, if any.
 - b. Unit Risk Factor (URF)-based concentrations shall be compared only to concentrations based on Unit Risk Factors (CalURFs) developed by the California Environmental Protection Agency.
 - c. Reference Concentrations (RfCs) – based concentrations shall be compared to concentrations based on preliminary Remediation Goals (PRGs), Risk-Based Concentrations (RBCs), Minimal Risk Levels

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- (MRLs), and Reference Exposure Levels (RELs).
 - d. If there is reasonable agreement between Tier 1 concentration and the other concentrations for the compound, the Tier 1 concentration shall be selected as the chronic ambient air concentration (CAAC).
 - e. If the Tier 1 concentration is not in reasonable agreement with the other concentrations and one of the other concentrations is based on more recent or relevant studies, that concentration shall be selected as the chronic ambient air concentration (CAAC). Otherwise, the Tier 1 concentration shall be selected.
 - 3. If both a Reference Concentration (RfC)-based and a Unit Risk Factor (URF)-based Tier 1 concentration is selected under Section 2(b)(2) of this appendix, the more stringent of the two shall be used as the chronic ambient air concentration (CAAC).
 - 4. If a Tier 1 value is selected in accordance with this section of this appendix, no further evaluation of Tier 2 or Tier 3 concentrations is required.
 - c. **Evaluation of Tier 2 Concentrations:**
 - 1. **Selection of Tier 2 Values for Further Evaluation:**
 - a. If there is only a Preliminary Remediation Goal (PRG) or Risk-Based Concentrations (RBCs) for the compound, it shall be selected for further evaluation in accordance with Section 2(c)(2) of this appendix.
 - b. If there is both a Preliminary Remediation Goal (PRG) and a Risk-Based Concentration (RBC) for the compound, the concentrations shall be compared. If the concentrations are similar, the Preliminary Remediation Goal (PRG) shall be selected for further evaluation. If the concentrations are not similar and the Risk-Based Concentration (RBC) is based on more relevant or more recent studies, it shall be selected for further evaluation. Otherwise, the Preliminary Remediation Goal (RPG) shall be selected.
 - 2. **Comparison to Tier 3 Concentrations:**
 - a. The concentration developed in accordance with Section 2(c)(1) of this appendix shall be compared to the Tier 3 concentrations for the compound, if any. For purposes of this comparison, only Minimal Risk Level (MRL)-based or Reference Exposure Level (REL)-based concentration shall be considered.
 - b. If there is reasonable agreement between the Tier 2 concentrations and the Tier 3 concentrations for the compound, the Tier 2 concentration shall be selected as the chronic ambient air concentration (CAAC).
 - c. If the Tier 2 concentration is not in reasonable agreement with the Tier 3 concentrations and one of the Tier 3 concentrations is based on more recent or relevant studies, that concentration shall be selected as the chronic ambient air concentration (CAAC). Otherwise, the Tier 2 concentration shall be selected.
 - d. If the Tier 2 concentration is selected in accordance with Section 2(c) of this appendix, no further evaluation of Tier 3 concentrations is required.
 - d. **Evaluation of Tier 3 Values:**
 - 1. **Calculation of Concentrations:**
 - a. Minimal Risk Levels (MRLs) and Reference Exposure Levels (RELs) shall be multiplied by 1.04 to reflect an assumed exposure of 350 rather than 365 days per year.
 - b. Unit Risk Factors (CalURFs) developed by the California Environmental Protection Agency shall be transformed into concentrations in milligrams per cubic meter (mg/m³) by applying the following equation:
$$TR \times ATc / (EF \times IFA \text{ adj} \times [CalURF \times BW / IR])$$

Where: TR = 1E-06
ATc = 25,550 days
EF = 350 days/year
IFA adj = 11m³-year/kg-day
BW = 70 kg
IR = 20 m³/day
 - 2. **Selection of Concentration:**
 - a. If both a Minimal Risk Level (MRL) and a Reference Exposure Level (REL) exist for the compound, the most appropriate shall be selected after considering the relevance and timing of the studies on which the levels are based.
 - b. If there is both a Unit Risk Factors (CalURFs) developed by the California Environmental Protection Agency-based concentration and a concentration based on a Minimal Risk Level (MRL) or a Reference Exposure Level (REL) for the compound, the more stringent of the two shall be selected.
 - e. **No Available Data:** If there is no data available in any of the sources identified in Section 2(a) of this appendix for the compound, the applicant must perform a Tier 4 risk management analysis (RMA) under Chapter 7 Article 2-Pinal County Hazardous Air Pollutants (HAPS) Program-§7-2-030.6-Risk Management Analysis (RMA) of these rules or forego the risk management analysis (RMA) option.
- 3. **ACUTE AMBIENT AIR CONCENTRATIONS:**

a. **Selection of Concentration:**

1. The first concentration identified by evaluating the following data sources in the order listed shall be adjusted, where required, and used as the acute ambient air concentration (AAAC) for the compound:
 - a. The level 2 four-hour average Acute Exposure Guideline Level developed by the EPA Office Of Prevention-Pesticides And Toxic Substances.
 - b. The level 2 Emergency Response Planning Guideline (ERPG) developed by the American Industrial Hygiene Association. The acute ambient air concentration (AAAC) shall be the Emergency Response Planning Guideline (ERPG) divided by two.
 - c. The level 2 Temporary Emergency Exposure Limit (TEEL) developed by the United States Department Of Energy's Emergency Management Advisory Committee's Subcommittee On Consequence Assessment And Protective Action. The acute ambient air concentration (AAAC) shall be the Temporary Emergency Exposure Limit (TEEL) divided by two.
2. **No Available Data:** If there is no data available in any of the sources identified in Section 3(a) of this appendix, the applicant must perform a Tier 4 risk management analysis (RMA) under Chapter 7 Article 2-Pinal County Hazardous Air Pollutants (HAPS) Program-§7-2-030.6-Risk Management Analysis (RMA) of these rules or forego the risk management analysis (RMA) option.

3. **Where persons may obtain a full copy of the proposed rule or existing rules:**

Name: Pinal County Air Quality Control District

Address: P.O. Box 987
Florence, AZ 85232

or

31 N. Pinal St., Bldg. F
Florence, AZ

Telephone: (520) 866-6929

Fax: (520) 866-6967

Note - the District has the proposed revisions, as well as supporting materials, available in hard-copy or on disk, and will endeavor to post these materials on the county's website.

4. **Date, time, and location of scheduled public hearing:**

Oral Proceeding

Date: May 9, 2007

Time: 10:00 a.m.

Location: Emergency Operations Center Hearing Room
Administration Building F
31 N. Pinal St.
Florence, AZ

Nature of meeting: Oral proceeding before the Control Officer or his designee, in accord with A.R.S. §49-471.06(C) to consider public comments upon any or all of this proposal.