

House Engrossed

FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-first Legislature
Second Regular Session
2014

CHAPTER 86

HOUSE BILL 2125

AN ACT

AMENDING SECTION 49-424, ARIZONA REVISED STATUTES; RELATING TO AIR QUALITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 49-424, Arizona Revised Statutes, is amended to
3 read:

4 49-424. Duties of department

5 The department shall:

6 1. Determine whether the meteorology of the state is such that
7 airsheds can be reasonably identified and air pollution, therefore, can be
8 controlled by establishing air pollution control districts within well
9 defined geographical areas.

10 2. Make continuing determinations of the quantity and nature of
11 emissions of air contaminants, topography, wind and temperature conditions,
12 possible chemical reactions in the atmosphere, the character of development
13 of the various areas of the state, the economic effect of remedial measures
14 on the various areas of the state, the availability, use and economic
15 feasibility of air-cleaning devices, the effect on human health and danger to
16 property from air contaminants, the effect on industrial operations of
17 remedial measures and other matters necessary to arrive at a better
18 understanding of air pollution and its control. In a county with a
19 population in excess of one million two hundred thousand persons ~~according to~~
20 ~~the most recent United States decennial census~~, the department shall locate a
21 monitoring system in at least two remote geographic sites.

22 3. Establish substantive policy statements for identifying air quality
23 exceptional events that take into consideration this state's unique
24 geological, geographical and climatological conditions and any other unusual
25 circumstances. These substantive policy statements shall be developed with
26 the planning agency certified pursuant to section 49-406, subsection A and
27 the county air pollution control department or district.

28 4. Determine the standards for the quality of the ambient air and the
29 limits of air contaminants necessary to protect the public health, and to
30 secure the comfortable enjoyment of life and property by the citizens of the
31 state or in any defined geographical area of the state where the
32 concentration of air pollution sources, the health of the population, or the
33 nature of the economy or nature of land and its uses so require, and develop
34 and transmit to the county boards of supervisors minimum state standards for
35 air pollution control.

36 5. Conduct investigations, inspections and tests to carry out the
37 duties of this section under the procedures established by this article.

38 6. Hold hearings relating to any aspect of or matter within the duties
39 of this section, and in connection therewith, compel the attendance of
40 witnesses and the production of records under the procedures established by
41 section 49-432.

42 7. Prepare and develop a comprehensive plan or plans for the abatement
43 and control of air pollution in this state.

44 8. Encourage voluntary cooperation by advising and consulting with
45 persons or affected groups or other states to achieve the purposes of this

1 chapter, including voluntary testing of actual or suspected sources of air
2 pollution.

3 9. Encourage political subdivisions of the state to handle air
4 pollution problems within their respective jurisdictions, and provide as it
5 deems necessary technical and consultative assistance therefor.

6 10. Compile and publish from time to time reports, data and statistics
7 with respect to those matters studied and investigated by the department.

8 11. Develop and disseminate air quality dust forecasts for the Maricopa
9 county PM-10 nonattainment OR MAINTENANCE area AND ANY OTHER PM-10
10 NONATTAINMENT OR MAINTENANCE AREAS THAT ARE DESIGNATED IN THIS STATE FROM AND
11 AFTER DECEMBER 31, 2011. Each forecast shall identify a low, moderate or
12 high risk of dust generation for the next five consecutive days and shall be
13 issued by noon on each day the forecast is generated. At a minimum, the
14 forecasts shall be posted on the department's website and distributed
15 electronically. When developing these forecasts, the department shall
16 consider all of the following:

17 (a) Projected meteorological conditions for the ~~Maricopa county~~ PM-10
18 NONATTAINMENT OR MAINTENANCE area, including all of the following:

19 (i) Wind speed and direction.

20 (ii) Stagnation.

21 (iii) Recent precipitation.

22 (iv) Potential for precipitation.

23 (b) Existing concentrations of air pollution at the time of the
24 forecast.

25 (c) Historic air pollution concentrations that have been observed
26 during meteorological conditions similar to those that are predicted to occur
27 in the forecast.

APPROVED BY THE GOVERNOR APRIL 17, 2014.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 18, 2014.

Passed the House February 10, 2014

Passed the Senate April 15, 2014

by the following vote: 60 Ayes,

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

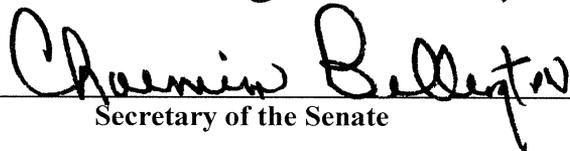
0 Nays, 0 Not Voting



Speaker of the House

President of the Senate

Pro Tempore



Chief Clerk of the House

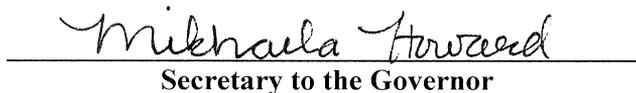
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

16 day of April, 2014

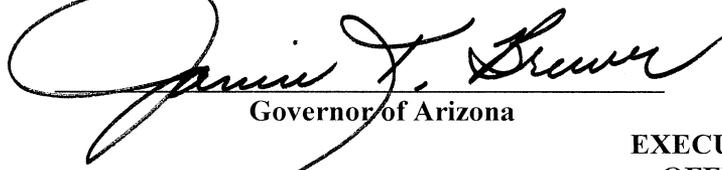
at 11:50 o'clock A M.


Secretary to the Governor

Approved this 17th day of

April

at 11:11 o'clock A M.


Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 18th day of April, 2014

at 8:10 o'clock a M.


Secretary of State

H.B. 2125