

COUNTY NOTICES PURSUANT TO A.R.S. § 49-112(A) OR (B)

NOTICE OF PROPOSED RULE ADOPTED PURSUANT TO A.R.S. §  
49-112 (A) OR (B)

Pinal County

(Pinal County Air Quality Control District)

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

NOTE - For the sake of clarity, red-lining and strike-throughs have been eliminated from the section titles.

A. PINAL COUNTY AIR QUALITY CONTROL DISTRICT CODE OF REGULATIONS, as last amended 8/29/94

CHAPTER 1. GENERAL PROVISIONS AND DEFINITIONS

ARTICLE 1. PROVISIONS

- 1-1-010. Declaration of policy
- 1-1-055. Authorization to charge and collect fees
- 1-1-105. SIP list
- 1-1-106. Jurisdictional limitation Statement

ARTICLE 3. DEFINITIONS

- 1-3-140. Definitions

CHAPTER 2. AMBIENT AIR QUALITY STANDARDS

ARTICLE 5. LIMITATION OF POLLUTANTS IN CLASSIFIED ATTAINMENT AREAS

- 2-5-160. Ambient air increment ceilings
- 2-5-190. Baseline area
- 2-5-200. Exemptions

ARTICLE 9. ODOR LIMITING STANDARD

Reserved

CHAPTER 3. PERMITS AND PERMIT REVISIONS

ARTICLE 1. GENERAL PROVISIONS RELATING TO PERMITS AND PERMIT REVISIONS

- 3-1-040. Applicability and classes of permits
- 3-1-042. Operating authority and obligations for a source subject to permit reopening
- 3-1-045. Transition from installation and operating permit program
- 3-1-050. Permit application requirements
- 3-1-060. Permit application review process
- 3-1-080. Appeals to the Hearing Board
- 3-1-081. Permit conditions
- 3-1-083. Compliance provisions
- 3-1-084. Voluntarily Accepted Federally Enforceable Emissions Limitations; Applicability; Reopening; Effective Date.
- 3-1-087. Permit reopenings, reissuance and termination
- 3-1-089. Permit term, renewal and expiration
- 3-1-100. Permit posting
- 3-1-103. Annual emissions inventory questionnaire
- 3-1-107. Public notice and participation
- 3-1-109. Material permit condition

ARTICLE 3. PERMIT REQUIREMENTS FOR NEW MAJOR SOURCES AND MAJOR MODIFICATIONS TO EXISTING MAJOR SOURCES

- 3-3-210. Application review process
- 3-3-230. Offset and net air quality benefit standards
- 3-3-250. Permit and permit revision requirements for sources located in attainment and unclassifiable areas

ARTICLE 5. GENERAL PERMITS

- 3-5-470. Applicability
- 3-5-480. General permit development administration
- 3-5-490. Application for coverage under general permit
- 3-5-500. Public notice
- 3-5-510. General Term of authorization to operate under a general permit renewal
- 3-5-530. General permit variances
- 3-5-540. General permit shield under an authorization to operate
- 3-5-550. General permit appeals
- 3-5-560. Revocations of authority to operate under a general permit
- 3-5-560. District-issued General Permits - Transition Provision

ARTICLE 6. FEDERAL ACID RAIN PROGRAM

- 3-6-565. Adoption of 40 C.F.R. Part 72 by reference

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**ARTICLE 7. PERMIT FEES**

- 3-7-575. Fees for sources relying upon §3-1-045 for authority to operate - Transition provision
- 3-7-576. Fees for sources subject to permit reopening - Transition provision
- 3-7-577. Fees for Class A sources prior to Title V program approval - Transition provision
- 3-7-590. Class A permit fees
- 3-7-600. Class B permit fees
- 3-7-602. Local designation of complex sources
- 3-7-610. General permit fees - Class I sources
- 3-7-612. General permit fees - Class II sources
- 3-7-620. Annual permit fee payment
- 3-7-650. Hourly rate and late fee charge
- 3-7-660. Hearing Board appeal fee

**ARTICLE 8. OPEN BURNING**

- 3-8-700. General provisions
- 3-8-710. Definitions
- 3-8-720. Standards
- 3-8-730710. Permit requirements provisions and administration

**CHAPTER 5. EXISTING STATIONARY SOURCE PERFORMANCE STANDARDS**

**ARTICLE 1. GENERAL PROVISIONS**

- 5-1-010. Effective date of compliance
- 5-1-020. Scope
- 5-1-030. Applicability in non-attainment areas
- 5-1-040. Extension of effective date for certain holders of Permits to Operate

**ARTICLE 2. HOT MIX ASPHALT PLANTS RECYCLING PLANTS**

- 5-2-050. Standards of performance for existing hot mix asphalt plants

**ARTICLE 3. INCINERATORS**

- 5-3-100. Standard of Performance for Incinerators

**ARTICLE 4. SANDBLASTING OR ABRASIVE BLASTING**

- 5-4-175. Applicability and Performance Standard

**ARTICLE 7. CONCRETE BATCH PLANTS**

Reserved

**ARTICLE 9. VOLATILE ORGANIC COMPOUNDS EMISSIONS**

- 5-9-278. Applicability
- 5-9-280. Organic Solvents; Volatile Organic Compounds; Ambient Temperature Processes
- 5-9-290. Organic Solvents; Volatile Organic Compounds; Heated Processes

**ARTICLE 10. PETROLEUM SOLVENT DRY CLEANING**

- 5-10-330. Petroleum Solvent Dry Cleaners

**ARTICLE 11. CHLORINATED SYNTHETIC SOLVENT DRY CLEANING**

- 5-11-350. Chlorinated Solvent Dry Cleaners

**ARTICLE 12. ARCHITECTURAL COATINGS**

- 5-12-370. Architectural Coating Operations

**ARTICLE 13. SURFACE COATING OPERATION**

- 5-13-390. Spray Paint and Other Surface Coating Operations

**ARTICLE 14. GRAPHIC ARTS**

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- 5-15-622. Degreasers - SIP Limitation

**ARTICLE 16. CUTBACK AND EMULSIFIED ASPHALT**

- 5-16-660. Definitions

**ARTICLE 18. STORAGE OF ORGANIC LIQUIDS**

- 5-18-740. Storage of Volatile Organic Compounds; Organic Compound Emissions
- 5-18-742. Standards of performance for existing storage vessels for petroleum liquids

**ARTICLE 19. LOADING OF ORGANIC LIQUIDS**

- 5-19-800. General
- 5-19-810. Definitions
- 5-19-820. Performance standards
- 5-19-830. Exemptions
- 5-19-840. Administrative requirements
- 5-19-850. Monitoring and records

**ARTICLE 20. STATIONARY GASOLINE DISPENSING TANKS**

Reserved

**ARTICLE 21. FOSSIL FUEL-FIRED INDUSTRIAL AND COMMERCIAL EQUIPMENT**

- 5-21-920. Fossil Fuel fired Industrial and Commercial Equipment Standard Applicability
- 5-21-930. Fossil Fuel Fired Industrial and Commercial Equipment Particulate Emission Standard

**ARTICLE 22. FOSSIL FUEL-FIRED STEAM GENERATORS AND GENERAL FUEL BURNING EQUIPMENT**

- 5-22-950. Fossil Fuel Fired Steam Generator Standard Applicability
- 5-22-960. Fossil Fuel Fired Steam Generator Sulfur Dioxide Emission Limitation

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- 5-22-970. Fossil Fuel Fired Steam Generator Nitrogen Oxide Emission Limitation  
**ARTICLE 23. STATIONARY ROTATING MACHINERY**  
5-23-1010. Performance standards  
**ARTICLE 24. MISCELLANEOUS AND UNCLASSIFIED SOURCE REQUIREMENTS**  
5-24-1030. Generally Applicable Minimum Standards of Performance  
5-24-1032. Federally Enforceable Minimum Standard of Performance - Process Particulate Emissions  
5-24-1040. Carbon monoxide emissions - industrial processes  
5-24-1045. Sulfite pulp mills - sulfur compound emissions  
5-24-1050. Reduced sulfur emissions - default limitation  
5-24-1055. Pumps and Compressors - organic compound emissions  
**ARTICLE 26. MISCELLANEOUS METAL PROCESSING PLANTS**  
5-26-1082. Applicability  
5-26-1084. Miscellaneous Metal Processing Plants - Performance Standards  
**ARTICLE 27. EXISTING IRON AND STEEL PLANTS**  
5-27-1086. Applicability  
5-27-1088. Irons and Steel Plants - Performance Standards  
**ARTICLE 28. COAL PREPARATION PLANTS**  
5-28-1090. Applicability  
5-28-1092. Coal Preparation Plants - Performance Standards  
**ARTICLE 29. STEEL PLANTS; ELECTRIC ARC FURNACES**  
5-29-2000. Applicability  
5-29-2002. Electric Arc Furnace Steel Plants - Performance Standards  
**ARTICLE 30. KRAFT PULP MILLS**  
5-30-2010. Applicability  
5-30-2012. Kraft Pulp Mills - Performance Standards  
**ARTICLE 31. LIME MANUFACTURING FACILITIES**  
5-31-2020. Applicability  
5-31-2022. Lime Manufacturing Facilities - Performance Standards  
**ARTICLE 32. NONFERROUS METALS INDUSTRY SOURCES**  
5-32-2030. Applicability  
5-32-2032. Nonferrous Metals Industry Sources - Performance Standards  
**ARTICLE 33. AMMONIUM SULFIDE MANUFACTURING PLANTS**  
5-33-2040. Applicability  
5-33-2042. Ammonium Sulfide Manufacturing Plants - Performance Standards

**CHAPTER 6. NEW SOURCE PERFORMANCE STANDARDS**

**ARTICLE 1. ADOPTED DOCUMENTS**

- 6-1-010. General  
6-1-020. Definitions  
6-1-030. Performance standards  
6-1-040. Standards of Performance for New Storage Vessels for Petroleum Liquids.

**CHAPTER 7. HAZARDOUS AIR POLLUTANT STANDARDS**

**ARTICLE 1. FEDERAL HAZARDOUS AIR POLLUTANT PROGRAM**

- 7-1-010. General  
7-1-020. Definitions  
7-1-030. Performance standards for federally listed hazardous air pollutants  
7-1-040. Control of federally listed hazardous air pollutants  
7-1-060. Alternative emission limitations  
7-1-060. Asbestos NESHAP Program Administration and Administration Funding

**ARTICLE 2. COUNTY HAZARDOUS AIR POLLUTANT PROGRAM**  
Reserved

**CHAPTER 8. ENFORCEMENT PROCEDURES**

**ARTICLE 1. VIOLATIONS**

- 8-1-030. Mitigating factors in the event of a violation

**CHAPTER 10. SPECIFIC NON-ATTAINMENT AREA PROVISIONS**

**ARTICLE 1. PHOENIX PM<sub>10</sub> NON-ATTAINMENT AREA PROVISIONS**

- 10-1-010. Applicability and Purpose  
10-1-020. RACM Implementation

**ARTICLE 2. HAYDEN/MIAMI PLANNING AREA PM<sub>10</sub> NON-ATTAINMENT AREA PROVISIONS**

- 10-2-030. Applicability and Purpose  
10-2-040. RACM Implementation

**APPENDIX A. PERMIT APPLICATION FORM AND FILING INSTRUCTIONS**

**APPENDIX C. CONTROLLED OPEN BURNING FEE SCHEDULE**

- B. PINAL - GILA COUNTIES AIR QUALITY CONTROL DISTRICT RULES AND REGULATIONS**, as last amended by the Pinal County Board of Supervisors on 3/31/75, which provisions were also approved as elements of the Arizona State Implementation Plan at 43 FR 50531 (11/15/78):

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

- REG. 7-1-1.1 POLICY AND LEGAL AUTHORITY
- REG. 7-1-1.2 DEFINITIONS
- REG. 7-1-1.3 AIR POLLUTION PROHIBITED
- REG. 7-1-2.2 PERMIT UNIT DESCRIPTION AND FEES
- REG. 7-1-2.4 APPEALS TO HEARING BOARD
- REG. 7-1-2.5 TRANSFER: EXPIRATION: POSTING
- REG. 7-1-2.6 RECORD KEEPING AND REPORTING
- REG. 7-1-2.7 ENFORCEMENT
- REG. 7-1-4.1 VIOLATIONS: ORDER OF ABATEMENT: TIME FOR COMPLIANCE
- REG. 7-1-4.2 HEARINGS ON ORDERS OF ABATEMENT
- REG. 7-1-5.1 CLASSIFICATION AND REPORTING: PRODUCTION OF RECORDS: CONFIDENTIALITY OF RECORDS: VIOLATION: PENALTY
- REG. 7-1-5.2 SPECIAL INSPECTION WARRANT
- REG. 7-1-5.3 DECISIONS OF HEARING BOARDS: SUBPOENAS: EFFECTIVE DATE:
- REG. 7-1-5.4 JUDICIAL REVIEW: GROUNDS: PROCEDURES
- REG. 7-1-5.5 NOTICE OF HEARING: PUBLICATION: SERVICE:
- REG. 7-1-5.6 INJUNCTIVE RELIEF
- REG. 7-2-1.1 NON-SPECIFIC PARTICULATE AMBIENT AIR QUALITY STANDARDS
- REG. 7-2-1.2 SULFUR DIOXIDE AMBIENT AIR QUALITY STANDARDS
- REG. 7-2-1.3 NON-METHANE HYDROCARBONS AMBIENT AIR QUALITY STANDARDS
- REG. 7-2-1.4 PHOTOCHEMICAL OXIDANTS AMBIENT AIR QUALITY STANDARDS
- REG. 7-2-1.5 CARBON MONOXIDE AMBIENT AIR QUALITY STANDARDS
- REG. 7-2-1.6 NITROGEN DIOXIDE AMBIENT AIR QUALITY STANDARDS
- REG. 7-2-1.7 EVALUATION AMBIENT AIR QUALITY STANDARDS
- REG. 7-2-1.8 ANTI-DEGRADATION
- REG. 7-3-1.1 VISIBLE EMISSIONS: GENERAL
- REG. 7-3-1.2 FUGITIVE DUST
- REG. 7-3-1.3 OPEN BURNING
- REG. 7-3-1.4 INCINERATION
- REG. 7-3-1.5 WOOD WASTE BURNERS
- REG. 7-3-1.6 REDUCTION OF ANIMAL OR VEGETABLE MATTER
- REG. 7-3-1.7 FUEL-BURNING EQUIPMENT - Particulate Emissions
- REG. 7-3-1.8 PROCESS INDUSTRIES
- REG. 7-3-2.2 FUEL BURNING INSTALLATIONS SULFUR COMPOUNDS
- REG. 7-3-2.3 SULFITE PULP MILLS SULFUR COMPOUNDS
- REG. 7-3-2.4 SULFURIC ACID PLANTS SULFUR COMPOUNDS
- REG. 7-3-2.5 OTHER INDUSTRIES SULFUR COMPOUNDS
- REG. 7-3-3.1 STORAGE OF VOLATILE ORGANIC COMPOUNDS - ORGANIC COMPOUND EMISSIONS
- REG. 7-3-3.2 LOADING OF VOLATILE ORGANIC COMPOUNDS - ORGANIC COMPOUND EMISSIONS
- REG. 7-3-3.3 PUMPS AND COMPRESSORS - ORGANIC COMPOUND EMISSIONS
- REG. 7-3-3.4 ORGANIC SOLVENTS: OTHER VOLATILE COMPOUNDS - ORGANIC COMPOUND EMISSIONS
- REG. 7-3-4.1 INDUSTRIAL - CARBON MONOXIDE EMISSIONS
- REG. 7-3-5.1 FUEL-BURNING EQUIPMENT - NITROGEN OXIDE EMISSIONS
- REG. 7-3-5.2 NITRIC ACID PLANTS - NITROGEN OXIDE EMISSIONS
- REG. 7-3-6.1 POLICY AND LEGAL AUTHORITY - MAJOR SOURCES

C. PINAL - GILA COUNTIES AIR QUALITY CONTROL DISTRICT RULES AND REGULATIONS, as last amended by the Pinal County Board of Supervisors on 3/31/75, which provisions were also approved as elements of the Arizona State Implementation Plan at 44 FR 73033 (12/17/79):

- REG. 7-2-1.8 ANTI-DEGRADATION
- REG. 7-3-2.5 OTHER INDUSTRIES SULFUR COMPOUNDS

D. PINAL - GILA COUNTIES AIR QUALITY CONTROL DISTRICT RULES AND REGULATIONS, as last amended by the Pinal County Board of Supervisors on 6/16/80, which provisions were also approved as elements of the Arizona State Implementation Plan at 47 FR 15579 (4/12/82):

- REG. 7-1-1.2 DEFINITIONS
- REG. 7-1-1.3 AIR POLLUTION PROHIBITED
- REG. 7-3-1.1 VISIBLE EMISSIONS: GENERAL
- REG. 7-3-1.4 Incineration
- REG. 7-3-1.7 FUEL-BURNING EQUIPMENT
- REG. 7-3-3.4 ORGANIC SOLVENTS: VOLATILE ORGANIC COMPOUNDS

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

A. Adoption or revision of a number of provisions to reflect statutory requirements and/or ADEQ rules, including:

1. Conforming emission standards/performance standards
  - a. Adoption of "existing source" performance standards as stringent as those of the ADEQ.
  - b. Adoption of several standards promulgated by the EPA under CAA §112, which standards have already been adopted by ADEQ.
  - c. Revision of the particulate-related standards, to generally address PM<sub>10</sub> rather than total suspended particulates as the prevailing classification for analyzing particulate emissions.
2. Conforming permit program revisions

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- a. Adoption of a system for implementing in an orderly manner the administration of ADEQ-issued general permits, along with adoption of corresponding fees.
- b. Exclusion of non-major Title V sources, regulated under CAA §111/112, from the requirement to actually get a Title V permit, along with corresponding adjustments to the applicable fee schedules, all to reflect ADEQ's treatment of such sources.
- c. With respect to certain sources regulated by standards under CAA §§111/112, exclusion of fugitive emissions with respect to a major source determination under CAA §302(j), unless EPA rules dictate otherwise.
- d. Express inclusion of fugitive emissions when determining the major source status under CAA §112.
- e. Conformity of PSD/NSR permit processing procedures.
3. Conforming permit fee revisions
  - a. Reduction of minimum fees for certain small Title V sources, to thereby limit local fees to not greater than "approximately equal" to ADEQ's fees.
  - b. Effectively capping fees for both Title V and non-Title V sources, to comply with the obligation to limit local fees to not greater than "approximately equal" to ADEQ's fees.
  - c. Revision of fee-payment schedule.
  - d. Imposition of inspection fees and test fees for all sources.
4. Miscellaneous conforming changes
  - a. Express adoption of CAA Title V acid rain program provisions.
  - b. Other conforming revisions, including: clarification of the limited authority of the Control Officer; reconciliation of permit applicability provisions; clarification of authority of the Board of Supervisors; clarification that the District's jurisdiction is founded on, but not absolutely limited by, the "original" jurisdiction defined in statute; only the ADEQ Director has authority to designate "material permit conditions".
- B. Incorporation of the vintage Pinal-County SIP provisions into the current code structure. This will include some deletions and some modifications, which changes may be conditioned upon prior EPA approval of the changes as revisions to the SIP.
- C. Adjustment of certain fee provisions, including:
  1. Local designation of certain sources/ source classes as "complex," which will affect the maximum fee allowable while maintaining "approximate equality" with ADEQ fees.
  2. Proposed elimination of permit issuance as a condition of fee payment, possibly including retroactive application to sources whose permits have expired.
  3. Addition of fee-offset provisions, applicable where a subsequent permit action, such as one relying on §3-1-045 for authority to operate and therefore potentially subject to a fee obligation under proposed §3-6-575, could result in double payment.
  4. Imposition of a cost-recovery fee for administering the asbestos NESHAP.
  5. Imposition of a requirement that a source subject to permit reopening must continue to pay periodic permit fees.
  6. Expansion of hearing board fee schedule to also apply to general permit related appeals.
  7. Clarification that existing rule-defined hourly rates should be utilized with respect to all billable activity.
- D. Revision of certain permit program provisions, including:
  1. Reconciliation of permit revision applicability and new permit applicability.
  2. Reconciliation of permit applicability threshold for fuel burning equipment with the generally prevailing *de minimis* emission level applicability threshold.
  3. Expressly providing continued operating authority, with correspondingly continued permit obligations, for a source whose permit has expired or been reopened.
  4. Addition of an appeal right with respect to decisions under a general permit.
  5. Relaxation of compliance reporting requirements for small Class B sources.
- E. Restructuring of the open burning permit program, with corresponding fee revisions.
- F. Technical corrections in response to EPA comments on the District's Title V operating permit program, including:
  1. An expanded public notice provision.
  2. A requirement for transmittal to the Administrator of materials supporting a claim of confidentiality.
  3. Clarification of the meaning of "prompt," with respect to submittal of upset reports.
- G. Other technical corrections: elimination of any suggestion that the Control Officer has authority to adopt rules; clarification of the definition of "federally enforceability;" conformity of definition of "VOC" and "fugitive emissions" to mirror ADEQ's definitions; clarification that NSPS and NESHAP provisions are enforceable upon adoption, rather than only after a corresponding EPA delegation of enforcement authority; clarification of the District's administrative and enforcement responsibility with respect to standards under CAA §§111/112; clarification that only actually adopted acid rain provisions are enforceable under the Code; clarification that "existing" source standards are universally applicable; other definitional corrections.
- H. Implementation of outstanding nonattainment area RACM commitments as enforceable provisions.
- I. Various typographical corrections.
3. **A demonstration of the grounds and evidence of compliance with 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:

  - A. **Regarding "More Stringent" Provisions**

Certain of the emission standards which are embodied in the identified rules and revisions are more stringent than those promulgated by ADEQ.

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Based on a review of operating costs of the Pinal County Air Quality Control District, and a rational projection of permit revenues associated with permits required to implement and enforce any or all of such "more stringent" emission standards, there is believed to be no danger whatever that the resulting fees will exceed the reasonable costs of the District to administer such a program.

Insofar as other demonstrations are required under A.R.S. §49-112(A) with respect adoption of "more stringent" provisions, or arguably "more stringent" provisions, the demonstrations follow:

1. **Recodification/modification of Existing SIP Provisions**

Certain emission limitations embodied in rule provisions adopted by the Pinal County Board of Supervisors in 1975, and amended in 1980, are arguably "more stringent" than prevailing generally applicable ADEQ emission limitations. The portions of those old rules of current concern were also approved by the Administrator of the EPA as elements of the State Implementation Plan in 1978, 1979 and 1982, and are therefore enforceable as a matter of federal law in Pinal County. Modification or elimination of that independent enforceability as a matter of federal law requires the approval of the Administrator of the EPA.

Insofar as the rules are merely being renumbered and effectively codified within the current regulatory structure, they are not being "adopted" or "revised" and therefore are believed to not fall subject to the obligation of A.R.S. §49-479(C), and therefore do not trigger any of the demonstrations required under A.R.S. §49-112. Those provisions are not merely required by federal law; they are the federal law.

However, one or more of those existing SIP provisions (e.g. §§5-9-280 and 5-9-290) are being substantively modified, and therefore do unquestionably require a showing under A.R.S. §49-112(A) by virtue of A.R.S. §49-479(C). The federal enforceability of these provisions with respect to only Pinal County creates a peculiar local condition that gives rise to a need for the subject proposed revisions. The requirements arising from the original, existing text of those provisions proposed for modification are believed to pose a significant threat to the environment in Pinal County, and more specifically to the economic environment in the County. The proposed revisions are believed to be far more technically and economically feasible than the existing federally enforceable provisions. Further, given the need for EPA-approval of the proposed changes in order to mitigate the existing federally enforceable provisions, the proposed configuration is believed to strike an optimal balance between addressing the threat to the local environment identified above, and the simplicity required to receive EPA approval in a timely manner.

2. **Local Designation of Sources as "Complex"**

New §3-7-602 designates certain sources and classes of sources as "complex," and §3-7-600 allows sources locally designated as complex to be charged the higher fees that would befall a "complex" source subject to ADEQ regulation. Since these fee-related provisions constitute elements of the permit program authorized under A.R.S. §49-480, they are not believed to trigger the requirements under A.R.S. §49-479(C) pertaining to the adoption of "more stringent" emission standards.

Nonetheless, out of an overabundance of caution, the text of §3-7-602 has incorporated any finding or showing that may arguably be required by virtue of A.R.S. §§49-479(C) and 49-112(A).

3. **Adoption of Enforceable Rules Embodying Outstanding RACM Commitments**

The provisions of new Chapter 10, Article 1, set forth proposed rule-embodiments of those RACM commitments made by the Pinal County Board of Supervisors in adopting a proposed implementation plan on November 15, 1991, addressing the Pinal County portion of the plan required with respect to the Phoenix Metropolitan PM<sub>10</sub> nonattainment area.

The nonattainment designation with respect to the subject portion of Pinal County creates a peculiar local condition that gives rise to a need for the subject rules. CAA §110 requires that control measures proposed as elements of an implementation plan be adopted in enforceable form. Therefore, the proposed revisions are believed to be required under a federal statute.

B. **Regarding "As Stringent" Provisions**

To the extent that many of the subject rule provisions establishing emission limitations that mirror ADEQ's corresponding regulations, A.R.S. §49-479(C) clearly gives rise to an obligation to make a showing under A.R.S. §49-112(B).

Based on a review of operating costs of the Pinal County Air Quality Control District, and a rational projection of permit revenues associated with permits required to implement and enforce the foregoing emission standards, there is believed to be no danger whatever that the whole of the resulting fees will exceed the reasonable costs of the District to administer such a program.

Based on a review of ADEQ's existing permit fee structure, and the District's fee structure under the proposed revisions, the District's fees are believed to be approximately equal to those of ADEQ.

Further, the newly added fee limitations in §§3-7-590 and 3-7-600 effectively limit the maximum County imposed fees at a level "approximately equal" to parallel ADEQ fees.

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

Name: Donald P. Gabrielson, Director  
Address: Pinal County Air Quality Control District  
P.O. Box 987  
Florence, Arizona 85232  
Telephone: 602-868-6760  
Fax: 602-868-6754

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

**5. Where persons may obtain a full copy of the proposed rule, ordinance, or other regulation:**

Name: Pinal County Air Quality Control District

Address: P.O. Box 987  
457 South Central  
Florence, Arizona 85232

Telephone: 602-868-6760

Fax: 602-868-6754

**Note - the District has the proposed revisions, as well as supporting materials, available in hard-copy or on disk.**

**Editor's Note: Pinal County has established dates and times for public hearings on these rules. Please see the following Notice of Public Hearing Pursuant to A.R.S. § 49-112(D).**

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**NOTICE OF PUBLIC HEARING  
PURSUANT TO A.R.S. § 49-112(A) OR (B)  
Pinal County**

1. **Heading and number of the proposed rule, ordinance, or other regulation that is the subject of this public hearing:**  
For the list of rules, please see the Notice of Proposed Rule Adopted Pursuant to A.R.S. § 49-112(A) or (B), which immediately precedes this Notice of Public Hearing.
2. **Date, time, and location of each public hearing scheduled:**
  - Public Workshop**  
Date: January 27, 1995  
Time: 9:00 a.m.  
Location: Board of Supervisor's Hearing Room  
Administration Building No. 1.  
31 North Pinal Avenue  
Florence, Arizona  
Nature of meeting: Public workshop to explain, discuss, and accept preliminary comment on the proposed changes.
  - Public Hearing**  
Date: February 22, 1995  
Time: 9:30 a.m.  
Location: Board of Supervisor's Hearing Room  
Administration Building No. 1.  
31 North Pinal Avenue  
Florence, Arizona  
Nature of meeting: Public hearing before the Pinal County Board of Supervisors, to consider formal adoption of the proposed revisions.
3. **County personnel to whom questions and comments may be addressed:**  
Name: Donald P. Gabrielson, Director  
Address: Pinal County Air Quality Control District  
P.O. Box 987  
Florence, Arizona 85232  
Telephone: 602-868-6760  
Fax: 602-868-6754
4. **Any other pertinent information concerning the above named proposed rule, ordinance, or other regulation:**  
Please refer to the Notice of Proposed Rule Adopted Pursuant to A.R.S. § 49-112(A) or (B) which appears in this issue of the Register immediately before this Notice of Public Hearing.