

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

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

NOTICE OF SUBSTANTIVE POLICY STATEMENT PIMA COUNTY DEPARTMENT OF ENVIRONMENTAL QUALITY

[M06-243]

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

TECH 213, Rule Interpretation, Title 17 of the Pima County Code (PCC)

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

March 30, 2006 (date of issuance/effect)

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

This policy statement clarifies incorrect citing of the Pima County Code 17.12.035.A.4 and 17.12.035.A.5. PCC17.12.035.A.4 incorrectly cites 17.12.280.F instead of PCC 17.16.280.F, which has been intentionally removed from the PCC. This rule was deleted from the PCC because only ADEQ has jurisdiction over copper smelters in the state of Arizona. Therefore, there is no need for Pima County to have this performance standard in the Pima County Code.

PCC17.12.035.A.5 incorrectly cites 17.12.590.A.5 instead of 17.16.590.A.5 due to a typographical error. When assessing the applicability of PCC17.12.035.A.5 in permitting or enforcement, the correct reference is PCC17.16.590.A.5.

“This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the department and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedures Act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under Arizona Revised Statutes section 41-1033 for a review of the statement.”

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

New policy statement

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

Name: Richard Grimaldi
Deputy Director
Address: Pima County Department of Environmental Quality
150 W. Congress, Room 109
Tucson, Arizona 85701
Telephone: (520) 740-3332
FAX: (520) 882-7709
E-Mail: richard.grimaldi@deq.pima.gov

The policies are available on our website at www.deq.pima.gov or copies will be provided for 20 cents per page.