

# Maricopa County Air Quality Department

## Program Briefing: Air Quality Rules

February 26, 2015

Question And Answer section added on the  
last slides



WALK MORE USE CFLS MORE CARPOOL MORE  
BIKE MORE RAKE MORE TELECOMMUTE  
MORE DRIVE HYBRIDS MORE CONSOLIDATE  
ERRANDS MORE RIDE PUBLIC TRANSPORTATION  
MORE USE ENERGY EFFICIENT APPLIANCES  
MORE CARRY REUSABLE TOTE BAGS MORE  
CONSIDER SOLAR MORE RUN COLD WATER  
CYCLES MORE USE REUSABLE CONTAINERS  
MORE CONSERVE ELECTRICITY MORE REDUCE  
WOODBURNING MORE RECYCLE MORE USE  
ELECTRIC LAWN AND GARDEN EQUIPMENT  
MORE REFUEL AFTER DARK MORE RIDE  
THE BUS MORE RIDE THE LIGHT RAIL MORE  
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**CLEAN AIR  
MAKE  
MORE**

## *How Rules Become Part Of A SIP*

National Ambient Air Quality Standards (NAAQS) were established with the enactment of the Clean Air Act in the 1970s.

According to the Clean Air Act, if an area does not meet the NAAQS (is in nonattainment) for a pollutant, the area must write a State Implementation Plan (SIP).

A SIP tells the Environmental Protection Agency (EPA) how the area is going to meet the NAAQS for that pollutant.

Rules are one piece of a SIP and include measures to reduce the pollutant in an area that does not meet the NAAQS.

# How Rules Interface With Permits And A SIP

If a source/business is going to create air pollution, in most cases it must get a permit from the Maricopa County Air Quality Department.

A permit tells a source/business how much air pollution it is allowed to make and how it must operate to make sure that it does not make more air pollution than it is permitted to make.

A permit is made-up-of permit conditions. Permit conditions include:

- VOC limits of products
- Storage of work tools, i.e., rags and cleaners
- Records that must be maintained

Permit conditions come from the rules.

Rules are in a SIP.



**CLEAN AIR**  
**MAKE**  
**MORE**

WALK MORE USE CFLS MORE  
ERRANDS MORE RIDE  
MORE CONSIDER SOLAR MORE  
REDUCE WOODBURNING MORE  
MORE RIDE THE BUS MORE

# How Rules Interface With Permits And A SIP

USE MORE CONSOLIDATE  
REUSABLE TOTE BAGS  
CONSERVE ELECTRICITY MORE  
REFUEL AFTER DARK  
BIKE MORE RAKE MORE

If a source/business complies with its permit/permit conditions, then there should be less air pollution.

If there is less air pollution, then the area should be able to meet (or attain) the NAAQS.

When the area meets (or attains) the NAAQS, then the area is meeting its SIP and the Maricopa County Air Quality Department is meeting its mission – to provide clean air.



DRIVE HYBRIDS MORE CONSOLIDATE ERRANDS MORE RIDE PUBLIC TRANSPORTATION MORE USE ENERGY EFFICIENT APPLIANCES MORE CARRY REUSABLE TOTE BAGS MORE CONSIDER SOLAR MORE RUN COLD WATER CYCLES MORE USE REUSABLE CONTAINERS MORE CONSERVE ELECTRICITY MORE REDUCE WOODBURNING MORE RECYCLE MORE USE ELECTRIC LAWN AND GARDEN EQUIPMENT MORE REFUEL AFTER DARK MORE RIDE THE BUS MORE WALK MORE

## Summary Of NSR And Rulemaking Status

A SIP tells the EPA how the area is going to meet the NAAQS for that pollutant.

Rules are one piece of a SIP and “Programs” are other pieces of a SIP.

Some Programs include criteria for issuing permits, timeframes for submitting permit applications, and public comment opportunities regarding permit applications.

New Source Review (NSR) is an example of a “Program”.

Title V is another example of a “Program”.



## Summary Of NSR And Rulemaking Status

The Maricopa County Air Quality Department is revising its New Source Review (NSR) Program.

Major NSR: Rule revisions are consistent with the state's (Arizona Department of Environmental Quality's (ADEQ's)) major NSR program (effective August 7, 2012).

Minor NSR: Rule revisions include:

- Annual thresholds (tons per year) for permit requirements, exemptions from a permit, Best Available Control Technology (BACT), Reasonably Available Control Technology (RACT), insignificant activities and trivial activities.
- Public notice threshold instead of using the fee tables in Rule 280 (Fees) as such threshold.

Rulemaking Status: To present proposed rule revisions to the Board of Health during their meeting scheduled for April 27, 2015.



# Ozone

Maricopa County does not meet the NAAQS for ozone.

The EPA has designated Maricopa County as a “marginal” nonattainment area for the 2008 eight-hour ozone NAAQS.

The SIP for ozone is called the “Draft MAG 2014 Eight-Hour Ozone Plan”. This SIP projects attainment of the 2008 eight-hour ozone NAAQS by July 20, 2015.

If the air pollution levels in Maricopa County do not meet the 2008 eight-hour ozone NAAQS by July 20, 2015, then Maricopa County could be bumped-up to “moderate” nonattainment.

# 2008 Ozone Standard And State Implementation Plans



3/2008 EPA revised NAAQS to 0.075 ppm (75 ppb); Phoenix classified Marginal with 12/31/15 attainment.

Marginal plans don't need an attainment demo, RACT/M & CTGs, RFP demo, or contingency measures; submitted 6/27/14.

But court case said EPA could not extend attainment deadline so now 7/20/15!  
**We will not attain.**



Failure to attain by 7/20/15 results in a "bump up" to Moderate classification. New plan due early 2017, and with all the above pieces previously not required.  
New attainment deadline is 7/20/18.  
Reclassification does not equal redesignation.

**2015 proposed standard could be final October 2015; due dates set after final designations or around 12/2017.**

# *NO<sub>x</sub>: Elimination Of Waiver*

Because Maricopa County is designated as a “marginal” nonattainment area for the 2008 eight-hour ozone NAAQS, Maricopa County is not required to have nitrogen oxides (NO<sub>x</sub>) Reasonably Available Control Technology (RACT) controls for major NO<sub>x</sub> sources (sources that emit or have the potential to emit 100 tons per year NO<sub>x</sub>).

This is called a “NO<sub>x</sub> Waiver”.

If Maricopa County is bumped-up to “moderate” nonattainment for the 2008 eight-hour ozone NAAQS, then the Maricopa County Air Quality Department will have to ensure that all major sources of NO<sub>x</sub> have NO<sub>x</sub> RACT controls.



# *Rule Revisions Being Planned And Why*

If Maricopa County is bumped-up to “moderate” nonattainment for the 2008 eight-hour ozone NAAQS, then the Maricopa County Air Quality Department will have to ensure:

- The NSR Program is up-to-date.
- All major sources of volatile organic compounds (VOCs) have RACT controls.
- All major sources of NO<sub>x</sub> have NO<sub>x</sub> RACT controls.
- All Reasonably Available Control Measures (RACM) are implemented.
- If there are any sources in Maricopa County that are subject to one of the Control Techniques Guidelines (CTGs) that the EPA has developed that Maricopa County has a rule that addresses the CTG and that sources subject to the CTG are subject to such rule.



# *Rule Revisions Being Planned And Why*

The Maricopa County Air Quality Department anticipates revising the following rules, if Maricopa County is bumped-up to “moderate” nonattainment for the 2008 eight-hour ozone NAAQS:

- Rule 331: Solvent Cleaning
- Rule 333: Petroleum Solvent Dry Cleaning
- Rule 335: Architectural Coatings
- Rule 336: Surface Coating Operations
- Rule 341: Metal Investment Casting
- Rule 342: Coating Wood Furniture And Fixtures
- Rule 346: Coating Wood Millwork
- Rule 347: Ferrous Sand Casting
- Rule 348: Aerospace Manufacturing And Rework Operations
- Rule 350: Storage Of Organic Liquids At Bulk Plants And Terminals
- Rule 351: Loading Of Organic Liquids
- Rule 352: Gasoline Delivery Vessel Testing And Use
- Rule 353: Gasoline In Stationary Dispensing Tanks
- Rule 322: Power Plant Operations
- Rule 323: Fuel Burning Equipment From Industrial / Commercial / Institutional (ICI) Sources
- Rule 324: Stationary Internal Combustion (IC) Engines



Maricopa County  
Air Quality Department

# *Rules That Are Currently Being Revised And EROP*

## **Rules That Are Currently Being Revised**

- Rule 345: Vehicle And Mobile Equipment Coating
- New Source Review (NSR)
- Incorporation By Reference 2014-2015

## **Enhanced Regulatory Outreach Program (EROP)**

- A County-wide effort to promote consistency and transparency among regulatory departments
- EROP website allows citizens to monitor and engage in adoption and amendment of regulations
- <http://www.maricopa.gov/regulations/>

## **Maricopa County Air Quality Department Program Briefing: Air Quality Rules, February 26, 2015**

**Question:** How will the bump-up to moderate change how I comply with my current permit?

**Answer:** If Maricopa County is bumped-up to “moderate” nonattainment for the 2008 eight-hour ozone National Ambient Air Quality Standards (NAAQS), you must still comply with your permit. If a Maricopa County rule is revised that applies to your business, then you must comply with the revised rule. Your permit will reflect the revised rule when your permit is renewed or revised by you or the department. With significant rule changes, the department will provide outreach to affected permittees informing them of the revised requirements and any compliance dates. If you have a specific question about your permit, please contact the Maricopa County Air Quality Department Business Assistance Coordinator at 602-506-5102.

**Question:** When would a permit be changed to address a new rule requirement?

**Answer:** Your permit would be changed to address a new rule requirement, when your permit is renewed or revised by you or the department. However, new rule requirements are expected to be followed once they are final and approved by the Maricopa County Board of Supervisors. If you have a specific question about your permit, please contact the Maricopa County Air Quality Department Business Assistance Coordinator at 602-506-5102.



# Q & A

**Question:** If we are bumped-up to moderate, will the major New Source Review (NSR) limits change?

**Answer:** No. The NSR emission limits will remain at 100 tons per year.

**Question:** Have we started gathering data on what the NO<sub>x</sub> Reasonably Available Control Technology (RACT) will be?

**Answer:** We are researching what NO<sub>x</sub> RACT will be. At least three rules currently in the Maricopa County Air Pollution Control Regulations regulating NO<sub>x</sub> will most likely have to be revised: Rule 322 (Power Plant Operations), Rule 323 (Fuel Burning Equipment From Industrial / Commercial / Institutional (ICI) Sources), and Rule 324 (Stationary Internal Combustion (IC) Engines).

**Question:** Do we foresee any new rules?

**Answer:** We may have to write new rules to regulate NO<sub>x</sub> and volatile organic compounds (VOCs) sources.

**Question:** Are all comments visible on the Enhanced Regulatory Outreach Program (EROP) website? How do I see them if they are?

**Answer:** The department is required to provide Staff Reports for the Board of Health and the Board of Supervisors for each rulemaking. Such Staff Reports must include all written and electronic copies of Stakeholders' comments. Staff Reports are posted on the EROP website at least two weeks before their associated public meeting. You can access the EROP website at <http://www.maricopa.gov/regulations/> and sign-up to receive notices when documents are posted to the website.

**Question:** How are people notified when changes are going to be made to rules?

**Answer:** If you sign-up on the Enhanced Regulatory Outreach Program (EROP) website, you will receive notifications of rulemaking workshops and public meetings. Notifications are sent to your e-mail address at least two weeks before a workshop or public meetings.

**Question: If the rules change, will I need new technology? When will I need to comply?**

**Answer:** Not in all cases will you need new technology if the rules change; it depends upon what changes in the rules. Sometimes when rules change, you might need to change your work practices or the type of products that you use. Sometimes when rules change, the changes are effective immediately upon the Board of Supervisors' approval of the rule. Other times when rules change, there is a compliance schedule written into the rule. In this case, upon the Board of Supervisors' approval of the rule, you will be required to follow the compliance schedule.

**Question: Are contingency measures included in the rule?**

**Answer:** Not always. National Ambient Air Quality Standards (NAAQS) were established with the enactment of the Clean Air Act in the 1970s. According to the Clean Air Act, if an area does not meet the NAAQS for a pollutant, the area must write a State Implementation Plan (SIP) to tell the Environmental Protection Agency (EPA) how the area is going to meet the NAAQS for that pollutant. "Contingency measures" are one element that a SIP must include. Contingency measures are specific measures to be undertaken if the area fails to attain the NAAQS by the attainment date. Contingency measures could be written in rules but not necessarily.

**Question: Is there a list of volatile organic compounds (VOCs)?**

**Answer:** The Maricopa County Air Pollution Control Regulations do not include a list of VOCs; however, the regulations include a list of **non-precursor** organic compounds, organic compounds which have been determined by the Environmental Protection Agency (EPA) as having negligible photochemical reactivity. Non-precursor organic compounds are listed in Maricopa County Air Pollution Control Regulations, Appendix G (Incorporated Materials).

**Question: Is there a way to keep track of when the National Ambient Air Quality Standards (NAAQS) change and when we submit State Implementation Plans (SIPs)?**

**Answer:** Information about NAAQS is available on the Environmental Protection Agency's (EPA's) website at: <http://www.epa.gov/air/criteria.html>. Information about SIPs is available on the EPA's website at: <http://www.epa.gov/region9/air/sips/>.

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