



## Enhanced Regulatory Outreach Program Maricopa County Air Quality Department

### 30-Day Comment Period

#### AQ-2012-001-Rule 100 Revision And AQ-2013-006-Definition Of Non-Precursor Organic Compound May 17, 2013 – June 17, 2013

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The Maricopa County Air Quality Department is proposing to revise the rules listed below. The public comment period for these rules began on May 17, 2013 and will close on June 17, 2013. Additional information about these proposed regulatory changes is available at: <http://www.azsos.gov/aar/2013/20/ctynotic.pdf>. In addition, you can submit comments about these regulatory changes and the rulemaking process at: <http://www.maricopa.gov/regulations/comments.aspx>.

#### **AQ-2012-001-Rule 100 Revision**

Rule 100 (General Provisions And Definitions) includes provisions regarding the Maricopa County Air Quality Department's (department's) authority to control air pollutants as well as definitions of terms used in air quality rules. The proposed revision will resolve a disapproval of a state implementation plan submitted to the U.S. Environmental Protection Agency (EPA) by the Arizona Department of Environmental Quality (ADEQ) for the 1997 and 2006 revised ozone and PM<sub>2.5</sub> standards under the Clean Air Act 110(a)(2) "infrastructure" requirements. The EPA requested the Maricopa County Air Quality Department to add language to Rule 100, Section 108 (Hearing Board). The provision states that at least three members of the five member Hearing Board shall not have a substantial interest in persons required to obtain an air pollution permit or persons [new language] "subject to enforcement orders issued under these rules."

#### **AQ-2013-006-Definition Of "Non-Precursor Organic Compound"**

Periodically, the EPA updates the definition of "volatile organic compound (VOC)". Included in the EPA definition of "VOC" is a list of compounds that are not considered to be a contributing factor to the formation of ground level ozone (40 CFR 51.100(1)). The department defines "volatile organic compound" identical to the EPA definition of "volatile organic compound" as found in 40 CFR 51.100(s). The department separately defines the compounds the EPA has "...determined to have negligible photochemical reactivity..." as "non-precursor organic compounds."

Twenty-two (22) rules in the Maricopa County Air Pollution Control Regulations include either a definition of "VOC" or a definition of "non-precursor organic compound" or include both definitions. In the Maricopa County Air Pollution Control Regulations, Rule 100 (General Provisions and Definitions), the department is proposing to delete the list of non-precursor organic compounds. The department is proposing to relocate the list of EPA-recognized non-precursor organic compounds into Maricopa County Air Pollution Control Regulations, Appendix G (Incorporated Materials). Appendix G is routinely revised during the incorporation by reference rulemaking, thus providing a means to expeditiously update any revisions to the EPA definition of "VOC". For the remaining twenty (21) rules, the department is proposing to delete the definitions of "non-precursor organic compound" and "volatile organic compound (VOC)". This will provide a consistent definition of "VOC" and "non-precursor organic compound" throughout the Maricopa County Air Pollution Control Regulations, thus eliminating the current confusion between the definitions found in Rule 100 and the definitions found in each of these rules.

Thank you for participating in the rulemaking process.