



Enhanced Regulatory Outreach Program Maricopa County Air Quality Department

AQ-2013-005-New Source Review (NSR)

30-Day Comment Period

December 18, 2015 – January 18, 2016

A Notice of Supplemental Proposed Rulemaking is anticipated to be published in the Arizona Administrative Register on December 18, 2015; the 30-day comment period will close at 5:00 pm on January 18, 2016. The Notice of Supplemental Proposed Rulemaking will be available at: http://apps.azsos.gov/public_services/register/2015/contents.htm. In addition, you can submit comments about this rulemaking and the rulemaking process at: <http://www.maricopa.gov/regulations/comments.aspx>.

Overview Of The Maricopa County Air Quality Department's NSR Rulemaking: The purpose of AQ-2013-005-New Source Review (NSR) is to update the Maricopa County Air Quality Department's (department's) NSR rules in order to secure their approval as part of the State Implementation Plan (SIP) under the federal Clean Air Act. The update will be consistent with revisions the Arizona Department of Environmental Quality (ADEQ) and the U.S. Environmental Protection Agency (EPA) made to the NSR Program required by the federal Clean Air Act. NSR is a long-standing Clean Air Act permitting program that requires businesses to get an air pollution control permit before they start construction or make major modifications to their business. NSR must ensure that air quality is not significantly degraded from the addition of new or modified businesses, while also providing flexibility to businesses to improve or modernize their operations. Air quality permits must include an air quality analysis to demonstrate that new emissions emitted from the business will not cause or contribute to a violation of a National Ambient Air Quality Standard. Maricopa County Air Quality Department permit fees are not changing due to this rulemaking.

According to Arizona Revised Statutes § 49-471.07(C), "The Board of Supervisors shall not adopt a rule or ordinance that is substantially different from the proposed rule or ordinance contained in the Notice of Proposed Rulemaking..." Since the Notice of Proposed Rulemaking for the department's NSR rules was published in the Arizona Administrative Register on July 31, 2015 (21 A.A.R. 1302), the department is proposing additional amendments to its NSR rules. The scope of the amendments incorporate changes that ADEQ is implementing in their NSR rules to address the basis for the EPA's "limited disapproval" and to comport with federal regulations and in response to comments submitted by the Salt River Project Agricultural Improvement and Power District (SRP). Such amendments are described in a Notice of Supplemental Proposed Rulemaking.

Thank you for participating in the rulemaking process.