



## Enhanced Regulatory Outreach Program Maricopa County Air Quality Department

### **Notice of Board of Health Meeting**

**Date/Time: Monday, October 24, 2016 at 3:00 p.m.**

**Location: Board Of Supervisors' Conference Room, 10<sup>th</sup> Floor  
301 W. Jefferson Street, Phoenix, Arizona 85003**

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The Maricopa County Board of Health will host a public meeting to approve for Expedited Process for two (2) Maricopa County Air Quality Department rulemakings. One rulemaking addresses proposed rule revisions regarding reducing a limited number of fees and one rulemaking addresses the proposed rescission of a rule.

A summary of each rulemaking is described below. For more information, please visit: <http://www.maricopa.gov/regulations/>. Also, you may comment at: <http://www.maricopa.gov/regulations/comments.aspx>. Thank you for participating in the rulemaking process.

**The following rule is being revised to reduce a limited number of fees:**

**AQ-2016-003-Rule 280 (Fees)**

Rule 280 establishes the fees charged to owners and operators of sources of air pollution. The Maricopa County Air Quality Department (department) is largely funded by a fee for service model by charging permit application fees, annual administrative fees, hourly fees for staff time to process Title V and Non-Title V permit applications and emission based fees. Revenues generated from fees cover the operating costs of several programs within the department. Currently, revenues generated by fees exceed the expenses of the fee funded programs within the department, resulting in a yearly positive balance in the department's fee fund. The department is proposing dust control permit fee reductions in Rule 280 to balance fee revenues with the expenses of the department's fee funded dust program.

Rule 280 was last revised in 2010 and fees have been adjusted annually thereafter per the Consumer Price Index (CPI). The department is unable to revise the fee rule annually; therefore, fee adjustments are made annually per the CPI and a revised fee schedule is established annually. The revised fee schedule is posted annually on the department's website. The department is proposing to update all of the Title V, Non-Title V and General Permit fees to the most current 2017 Air Quality Fee Schedule. In addition, the department is proposing to make several other revisions to update and improve Rule 280, including asbestos refunds options, accelerated permit processing, and expanded general permit options.

**The following rule is being rescinded:**

**AQ-2016-005-Rule 372 (Maricopa County Hazardous Air Pollutants (HAPS) Program)**

Rule 372 and associated Appendix H (Procedures for Determining Ambient Air Concentrations for Hazardous Air Pollutants) implement/establish procedures for a Maricopa County program for the regulation of de minimis amounts of federally listed hazardous air pollutants (HAPs). In 2007, Maricopa County had been given the mandate to create a County HAPs program by A.R.S. § 49-480.04. On March 20, 2008, as a result of a final judgment of the Maricopa County Superior Court, the superior court held that the State of Arizona does not have authority to regulate de minimis amounts of federal HAPs. Consequently, the department is proposing to rescind Rule 372 and associated Appendix H.