Briefing Notification To County Manager: Overview

Prepared by the Maricopa County Air Quality Department

For the 2015 calendar year, the Maricopa County Air Quality Department (department) is proposing to begin the rulemaking process for eight rulemakings and to continue the rulemaking process for four rulemakings (that began in the 2013 calendar year). Below is an overview of such rulemakings.

Ozone-Related Rulemakings

Five rulemakings are being proposed to address the requirements of the State Implementation Plan (SIP) for "moderate" nonattainment for the 2008 eight-hour ozone national ambient air quality standard (NAAQS):

- Two rulemakings are being proposed to address Reasonably Available Control Technology (RACT) for volatile organic compounds (VOCs), which are precursors to ozone:
  - AQ-2015-005-Rule 336
    Rule 336 (Surface Coating Operations) limits VOCs from surface coating operations, i.e., preparation, handling, mixing, and application of any liquid, fluid, or mastic composition which is converted to a solid protective, decorative, or adherent film or deposit after application as a thin layer.

  - AQ-2015-006-Rule 342
    Rule 342 (Coating Wood Furniture And Fixtures) limits the emission of VOCs from the surface preparation and coating of wood furniture and fixtures.

- Three rulemakings are being proposed to address RACT for nitrogen oxides (NO_x), which are precursors to ozone:
  - AQ-2015-002-Rule 322
    Rule 322 (Power Plant Operations) limits the discharge of NO_x, sulfur oxides, particulate matter and carbon monoxide emissions into the atmosphere from stationary fossil-fuel-fired equipment at existing power plants and existing cogeneration plants.

  - AQ-2015-003-Rule 323
    Rule 323 (Fuel Burning Equipment From Industrial / Commercial / Institutional (ICI) Sources) limits the discharge of NO_x, sulfur oxides, particulate matter and carbon monoxide emissions into the atmosphere from fuel burning combustion equipment at industrial, commercial, and institutional (ICI) sources.

- AQ-2015-004-Rule 324
  Rule 324 (Stationary Internal Combustion (IC) Engines) limits the discharge of carbon monoxide, NO_x, sulfur oxides, VOCs, and particulate matter emissions from stationary internal combustion (IC) engines.

AQ-2013-003-Rule 353 will be combined with AQ-2015-008-Organic Liquids And Gasoline Rulemaking. The Organic Liquids And Gasoline Rulemaking will include the following four rules:

- 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)

These rule revisions are being proposed to clarify the requirements regarding organic liquids versus the requirements for gasoline. In addition, the revisions being proposed in Rule 353 will coincide with the Arizona Department of Weights and Measures' rule revisions regarding the decommissioning of Stage II vapor recovery.

AQ-2013-002-Rule 345 (Vehicle And Mobile Equipment Coating) controls the emission of VOCs from vehicle and mobile equipment coating, which does affect ozone. Rule 345 is being revised to remove obsolete requirements, update spray-gun requirements, and revise VOC coating limits and work practices.

Other Rulemakings – Not Ozone-Related

AQ-2013-001-Rule 316 (Nonmetallic Mineral Processing). Rule 316 limits the emission of particulate matter from sand and gravel operations, concrete batch plants, block manufacturers, product transfer operations, landscape yards, and inert landfills. Rule 316 is being revised to clarify the enforceability of emission limitations and work practices. However, the department has delayed pursuing revisions until the law suit filed against the U.S. Environmental Protection Agency's (EPA's) approval of the PM_{10} Five Percent Plan is settled.

AQ-2013-005-New Source Review (NSR). The purpose of this rulemaking is to update the department's NSR rules in order to comply with revisions that the Arizona Department of Environmental Quality (ADEQ) and the EPA made to the NSR Pre-Construction Permitting Program under the federal Clean Air Act. NSR is a pre-construction permitting program that requires stationary sources of air pollution to get air quality permits before they start construction or make major modifications. If a source proposes to either build a new facility or make any modifications to existing facilities that would create a significant increase in emissions of a regulated pollutant, the source must undergo pre-construction review for air pollution controls, before it is issued an air quality permit.

AQ-2015-001-Incorporation By Reference. The purpose of this rulemaking is to incorporate by reference all federal standards and practices for 2014-2015 related to New Source Performance Standards (NSPS) and hazardous air pollutants. This rulemaking will include the following five rules:

- Rule 321 (Municipal Solid Waste Landfills)
- Rule 360 (New Source Performance Standards)
- Rule 370 (Federal Hazardous Air Pollutant Program)
- Rule 371 (Acid Rain)
- Appendix G (Incorporated Materials)

AQ-2015-007-Rule 140 (Excess Emissions). The purpose of this rulemaking is to address the EPA's response to a petition for rulemaking filed by the Sierra Club concerning treatment of excess emissions in State rules by sources during periods of startup, shutdown, or malfunction.

Maricopa County
Air Quality Department

MEMORANDUM

Date: May 4, 2015

To: Tom Manos, County Manager

Via: Joy Rich, AICP, Deputy County Manager

From: Philip A. McNeely, R.G., Director

Subject: AQ-2015-001-Incorporation by Reference – County Manager's Approval

In accordance with the "Moratorium on Increased Regulatory Burdens", the Air Quality Department is seeking your approval to proceed with incorporating by reference into the Maricopa County Air Pollution Control Regulations all federal standards and practices for 2014-2015 related to new source performance standards and hazardous air pollutants. Routine updates make the rule changes short and to the point, allowing for timely implementation by local sources. It also eliminates the "regulatory gap" where sources are subject to different federal and county rules for the same activity. Adoption of these rules by the county is required under our delegation agreement with the U.S. Environmental Protection Agency (EPA).

In March 2013, the Incorporation by Reference Process was recommended by stakeholders and approved by the Board of Supervisors as an appropriate process for the Enhanced Regulatory Outreach Program.

This rule revision qualifies for County Manager approval under the moratorium, as this rule revision will lessen or ease a regulatory burden and will comply with a federal statutory or regulatory requirement or state statutory requirement. We are requesting your approval to move this rule revision, to be referenced as "AQ-2015-001-Incorporation By Reference," forward in accordance with the "Moratorium on Increased Regulatory Burdens".

Approved by Tom Manos, County Manager

1001 N Central Avenue, Suite 125 Phoenix, AZ 85004

Office: 602-506-6443 Fax: 602-372-2440

Briefing Notification to County Manager

Prepared by the Maricopa County Air Quality Department

Case #/Title: AQ-2015-001-Incorporation by Reference

Supervisor Districts: All Districts

Overview: Every year on July 1, the U.S. Environmental Protection Agency (EPA) codifies any changes to New Source Performance Standards (NSPS), National Emission Standards for Hazardous Air Pollutants (NESHAP), Acid Rain and other parts of Title 40 of the Code of Federal Regulations (CFR) that have been made during the past year. The department then incorporates these codified federal revisions and additions into the applicable Maricopa County Air Pollution Control Regulations. Only after the federal regulations are incorporated into the county rules can the department request the EPA's delegation of authority to implement and enforce these federal regulations at the local level.

Maricopa County Air Pollution Control Regulations:
- Rule 321 (Municipal Solid Waste Landfills)
- Rule 360 (New Source Performance Standards)
- Rule 370 (Federal Hazardous Air Pollutant Program)
- Rule 371 (Acid Rain)
- Appendix G (Incorporated Materials)

are the rules that are affected by or directly relate to these federal regulations. In an effort to expedite the rulemaking process of incorporating NSPS, NESHAP and Acid Rain requirements, the department has grouped these rules into a single rulemaking.

The NSPS, NESHAP and Acid Rain federal regulations directly pertain to air quality. For example, Rule 360 (New Source Performance Standards) incorporates the NSPS. These standards apply to new, modified, or reconstructed affected facilities in specific source categories, e.g., manufacturers of glass, cement, rubber tires, and wool fiberglass. In 2014, there were 87 delegable NSPS. Sources subject to NSPS must perform an initial performance test, must demonstrate continuous compliance, and must monitor control device operating parameters. Some NSPS

require sources to utilize continuous emission monitors (CEMs).

Rule 370 (Federal Hazardous Air Pollutant Program) incorporates the NESHAP. NESHAP establish emission standards for federal hazardous air pollutants (HAPs). The standards established in the federally listed HAPs and the NESHAP are applied by the Maricopa County Air Quality Department Control Officer and must be complied with by an owner and/or operator of a source subject to them.

Rule 321 is included in this suite of rules to incorporate the current federal standards of performance for municipal solid waste landfills. Landfills emit non-methane organic compounds (NMOC) and methane. NMOC emissions can include volatile organic compounds (VOC), hazardous air pollutants (HAPs), and odorous compounds that cause, or contribute significantly to air pollution.

Typically, the changes made to the NSPS, NESHAP and Acid Rain Program include technical and editorial corrections for source testing of emissions and operations or the addition of alternative testing provisions. These changes improve the quality of data and provide facilities additional flexibility to use the newly approved alternative procedures.

Next Steps:

The department will make the Incorporation by Reference rulemaking a routine rulemaking. Each year in May, the department will initiate the rulemaking with the "Briefing Notification To The County Manager." The rulemaking will continue to follow the incorporation by reference rulemaking process. The rulemaking is anticipated to conclude each year in November with the department requesting that the Board of Supervisors conduct a public hearing to approve the rulemaking.

Per the Maricopa County Enhanced Regulatory Outreach Program Policy for the Incorporation by Reference rulemaking, no public workshops and no Board of Health notification are required. This Incorporation by Reference rulemaking will follow the Maricopa County Enhanced Regulatory Outreach Program Policy.

Maricopa County
Air Quality Department

MEMORANDUM

Date: May 4, 2015

To: Tom Manos, County Manager

Via: Joy Rich, AICP, Deputy County Manager

From: Philip A. McNeely, R.G., Director PAM

Subject: AQ-2015-002-Rule 322 – County Manager's Approval

In accordance with the "Moratorium on Increased Regulatory Burdens", the Air Quality Department is seeking your approval to proceed with revisions to Rule 322 (Power Plant Operations). Rule 322 limits the discharge of nitrogen oxides (NO_x), sulfur oxides, particulate matter and carbon monoxide emissions into the atmosphere from stationary fossil-fuel-fired equipment at existing power plants and existing cogeneration plants. Revisions to Rule 322 are being proposed to address the requirements of the State Implementation Plan (SIP) for "moderate" nonattainment for the 2008 eight-hour ozone national ambient air quality standard (NAAQS). Rule 322 revisions will include Reasonably Available Control Technology (RACT) for NO_x.

This rule revision qualifies for County Manager approval under the moratorium, as the rule revision will comply with a federal statutory or regulatory requirement or state statutory requirement. We are requesting your approval to move the rule revision, to be referenced as "AQ-2015-002-Rule 322," forward in accordance with the "Moratorium on Increased Regulatory Burdens".

Approved by Tom Manos, County Manager

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Briefing Notification to County Manager

Prepared by the Maricopa County Air Quality Department

Case #/Title: AQ-2015-002-Rule 322

Supervisor Districts: All Districts

Overview: Rule 322 (Power Plant Operations) limits the discharge of nitrogen oxides (NO_x), sulfur oxides, particulate matter and carbon monoxide emissions into the atmosphere from stationary fossil-fuel-fired equipment at existing power plants and existing cogeneration plants. Revisions to Rule 322 are being proposed to address the requirements of the State Implementation Plan (SIP) for "moderate" nonattainment for the 2008 eight-hour ozone national ambient air quality standard (NAAQS). Rule 322 revisions will include Reasonably Available Control Technology (RACT) for NO_x.

Next Steps: The rulemaking will follow the Enhanced Regulatory Outreach Program Policy and workflow process. Stakeholder workshops are tentatively scheduled to begin in June 2015.

Maricopa County
Air Quality Department

MEMORANDUM

Date: May 4, 2015

To: Tom Manos, County Manager

Via: Joy Rich, AICP, Deputy County Manager

From: Philip A. McNeely, R.G., Director

Subject: AQ-2015-003-Rule 323 – County Manager's Approval

In accordance with the "Moratorium on Increased Regulatory Burdens", the Air Quality Department is seeking your approval to proceed with revisions to Rule 323 (Fuel Burning Equipment From Industrial / Commercial / Institutional (ICI) Sources). Rule 323 limits the discharge of nitrogen oxides (NO_x), sulfur oxides, particulate matter and carbon monoxide emissions into the atmosphere from fuel burning combustion equipment at industrial, commercial, and institutional (ICI) sources. Revisions to Rule 323 are being proposed to address the requirements of the State Implementation Plan (SIP) for "moderate" nonattainment for the 2008 eight-hour ozone national ambient air quality standard (NAAQS). Rule 323 revisions will include Reasonably Available Control Technology (RACT) for NO_x.

This rule revision qualifies for County Manager approval under the moratorium, as the rule revision will comply with a federal statutory or regulatory requirement or state statutory requirement. We are requesting your approval to move the rule revision, to be referenced as "AQ-2015-003-Rule 323," forward in accordance with the "Moratorium on Increased Regulatory Burdens".

Approved by Tom Manos, County Manager

1001 N Central Avenue, Suite 125 Phoenix, AZ 85004 Office: 602-506-6443 Fax: 602-372-2440

Briefing Notification to County Manager

Prepared by the Maricopa County Air Quality Department

Case #/Title: AQ-2015-003-Rule 323

Supervisor Districts: All Districts

Overview: Rule 323 (Fuel Burning Equipment From Industrial / Commercial / Institutional (ICI) Sources) limits the discharge of nitrogen oxides (NO_x), sulfur oxides, particulate matter and carbon monoxide emissions into the atmosphere from fuel burning combustion equipment at industrial, commercial, and institutional (ICI) sources. Revisions to Rule 323 are being proposed to address the requirements of the State Implementation Plan (SIP) for "moderate" nonattainment for the 2008 eight-hour ozone national ambient air quality standard (NAAQS). Rule 323 revisions will include Reasonably Available Control Technology (RACT) for NO_x.

Next Steps: The rulemaking will follow the Enhanced Regulatory Outreach Program Policy and workflow process. Stakeholder workshops are tentatively scheduled to begin in June 2015.

Maricopa County
Air Quality Department

MEMORANDUM

Date: May 4, 2015

To: Tom Manos, County Manager

Via: Joy Rich, AICP, Deputy County Manager

From: Philip A. McNeely, R.G., Director PAM

Subject: AQ-2015-004-Rule 324 – County Manager's Approval

In accordance with the "Moratorium on Increased Regulatory Burdens", the Air Quality Department is seeking your approval to proceed with revisions to Rule 324 (Stationary Internal Combustion (IC) Engines). Rule 324 limits the discharge of carbon monoxide, nitrogen oxides (NO_x), sulfur oxides, volatile organic compounds (VOCs), and particulate matter emissions from stationary internal combustion (IC) engines. Revisions to Rule 324 are being proposed to address the requirements of the State Implementation Plan (SIP) for "moderate" nonattainment for the 2008 eight-hour ozone national ambient air quality standard (NAAQS). Rule 324 revisions will include Reasonably Available Control Technology (RACT) for NO_x.

This rule revision qualifies for County Manager approval under the moratorium, as the rule revision will comply with a federal statutory or regulatory requirement or state statutory requirement. We are requesting your approval to move the rule revision, to be referenced as "AQ-2015-004-Rule 324," forward in accordance with the "Moratorium on Increased Regulatory Burdens".

Approved by Tom Manos, County Manager

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Office: 602-506-6443 Fax: 602-372-2440

Briefing Notification to County Manager

Prepared by the Maricopa County Air Quality Department

Case #/Title: AQ-2015-004-Rule 324

Supervisor Districts: All Districts

Overview: Rule 324 (Stationary Internal Combustion (IC) Engines) limits the discharge of carbon monoxide, nitrogen oxides (NO_x), sulfur oxides, volatile organic compounds (VOCs), and particulate matter emissions from stationary internal combustion (IC) engines. Revisions to Rule 324 are being proposed to address the requirements of the State Implementation Plan (SIP) for "moderate" nonattainment for the 2008 eight-hour ozone national ambient air quality standard (NAAQS). Rule 324 revisions will include Reasonably Available Control Technology (RACT) for NO_x.

Next Steps: The rulemaking will follow the Enhanced Regulatory Outreach Program Policy and workflow process. Stakeholder workshops are tentatively scheduled to begin in June 2015.

Maricopa County
Air Quality Department

MEMORANDUM

Date: May 4, 2015

To: Tom Manos, County Manager

Via: Joy Rich, AICP, Deputy County Manager

From: Philip A. McNeely, R.G., Director PAM

Subject: AQ-2015-005-Rule 336 – County Manager's Approval

In accordance with the "Moratorium on Increased Regulatory Burdens", the Air Quality Department is seeking your approval to proceed with revisions to Rule 336 (Surface Coating Operations). Rule 336 limits the emission of volatile organic compounds (VOCs) from surface coating operations, i.e., preparation, handling, mixing, and application of any liquid, fluid, or mastic composition which is converted to a solid protective, decorative, or adherent film or deposit after application as a thin layer. Revisions to Rule 336 are being proposed to address the requirements of the State Implementation Plan (SIP) for "moderate" nonattainment for the 2008 eight-hour ozone national ambient air quality standard (NAAQS). Rule 336 revisions will include Reasonably Available Control Technology (RACT) for VOCs.

This rule revision qualifies for County Manager approval under the moratorium, as the rule revision will comply with a federal statutory or regulatory requirement or state statutory requirement. We are requesting your approval to move the rule revision, to be referenced as "AQ-2015-005-Rule 336," forward in accordance with the "Moratorium on Increased Regulatory Burdens".

Approved by Tom Manos, County Manager

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Briefing Notification to County Manager

Prepared by the Maricopa County Air Quality Department

Case #/Title: AQ-2015-005-Rule 336

Supervisor Districts: All Districts

Overview: Rule 336 (Surface Coating Operations) limits the emission of volatile organic compounds (VOCs) from surface coating operations, i.e., preparation, handling, mixing, and application of any liquid, fluid, or mastic composition which is converted to a solid protective, decorative, or adherent film or deposit after application as a thin layer. Revisions to Rule 336 are being proposed to address the requirements of the State Implementation Plan (SIP) for "moderate" nonattainment for the 2008 eight-hour ozone national ambient air quality standard (NAAQS). Rule 336 revisions will include Reasonably Available Control Technology (RACT) for VOCs.

Next Steps: The rulemaking will follow the Enhanced Regulatory Outreach Program Policy and workflow process. Stakeholder workshops are tentatively scheduled to begin in June 2015.

Maricopa County
Air Quality Department

MEMORANDUM

Date: May 4, 2015

To: Tom Manos, County Manager

Via: Joy Rich, AICP, Deputy County Manager

From: Philip A. McNeely, R.G., Director

Subject: AQ-2015-006-Rule 342 – County Manager's Approval

In accordance with the "Moratorium on Increased Regulatory Burdens", the Air Quality Department is seeking your approval to proceed with revisions to Rule 342 (Coating Wood Furniture And Fixtures). Rule 342 limits the emission of volatile organic compounds (VOCs) from the surface preparation and coating of wood furniture and fixtures. Revisions to Rule 342 are being proposed to address the requirements of the State Implementation Plan (SIP) for "moderate" nonattainment for the 2008 eight-hour ozone national ambient air quality standard (NAAQS). Rule 342 revisions will include Reasonably Available Control Technology (RACT) for VOCs.

This rule revision qualifies for County Manager approval under the moratorium, as the rule revision will comply with a federal statutory or regulatory requirement or state statutory requirement. We are requesting your approval to move the rule revision, to be referenced as "AQ-2015-006-Rule 342," forward in accordance with the "Moratorium on Increased Regulatory Burdens".

Approved by Tom Manos, County Manager

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Briefing Notification to County Manager

Prepared by the Maricopa County Air Quality Department

Case #/Title: AQ-2015-006-Rule 342

Supervisor Districts: All Districts

Overview: Rule 342 (Coating Wood Furniture And Fixtures) limits the emission of volatile organic compounds (VOCs) from the surface preparation and coating of wood furniture and fixtures. Revisions to Rule 342 are being proposed to address the requirements of the State Implementation Plan (SIP) for "moderate" nonattainment for the 2008 eight-hour ozone national ambient air quality standard (NAAQS). Rule 342 revisions will include Reasonably Available Control Technology (RACT) for VOCs.

Next Steps: The rulemaking will follow the Enhanced Regulatory Outreach Program Policy and workflow process. Stakeholder workshops are tentatively scheduled to begin in June 2015.

Maricopa County
Air Quality Department

MEMORANDUM

Date: May 4, 2015

To: Tom Manos, County Manager

Via: Joy Rich, AICP, Deputy County Manager

From: Philip A. McNeely, R.G., Director

Subject: AQ-2015-007-Rule 140 – County Manager's Approval

In accordance with the "Moratorium on Increased Regulatory Burdens", the Air Quality Department is seeking your approval to proceed with revisions to Rule 140 (Excess Emissoins). Rule 140 establishes affirmative defenses and associated administrative requirements for certain emissions in excess of an emission standard or limitation. Revisions to Rule 140 are being proposed to address the U.S. Environmental Protection Agency's (EPA's) response to a petition for rulemaking filed by the Sierra Club concerning treatment of excess emissions in State rules by sources during periods of startup, shutdown, or malfunction.

This rule revision qualifies for County Manager approval under the moratorium, as the rule revision will comply with a federal statutory or regulatory requirement or state statutory requirement. We are requesting your approval to move the rule revision, to be referenced as "AQ-2015-007-Rule 140," forward in accordance with the "Moratorium on Increased Regulatory Burdens".

Approved by Tom Manos, County Manager

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Office: 602-506-6443 Fax: 602-372-2440

Briefing Notification to County Manager

Prepared by the Maricopa County Air Quality Department

Case #/Title: AQ-2015-007-Rule 140

Supervisor Districts: All Districts

Overview: Rule 140 (Excess Emissoins) establishes affirmative defenses and associated administrative requirements for certain emissions in excess of an emission standard or limitation. Revisions to Rule 140 are being proposed to address the U.S. Environmental Protection Agency's (EPA's) response to a petition for rulemaking filed by the Sierra Club concerning treatment of excess emissions in State rules by sources during periods of startup, shutdown, or malfunction.

Next Steps: The rulemaking will follow the Enhanced Regulatory Outreach Program Policy and workflow process. Stakeholder workshops are tentatively scheduled to begin in June 2015.

Maricopa County
Air Quality Department

MEMORANDUM

Date: May 4, 2015

To: Tom Manos, County Manager

Via: Joy Rich, AICP, Deputy County Manager

From: Philip A. McNeely, R.G., Director

Subject: AQ-2015-008-Organic Liquids And Gasoline Rulemaking – County Manager's Approval

In accordance with the "Moratorium on Increased Regulatory Burdens", the Air Quality Department is seeking your approval to proceed with revisions to the following rules which constitute AQ-2015-008-Organic Liquids And Gasoline Rulemaking:

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

The Air Quality Department originally adopted (early 1990s) Rules 350, 351, 352 and 353 to be inclusive of both non-gasoline and gasoline organic liquids. The purpose of the rules was to control the emission of volatile organic compounds (VOCs) from all organic liquids. These rules were required in order for the county to comply with the reasonably available control technology (RACT) documents and other policy statements published by the U.S. Environmental Protection Agency (EPA).

As the organic liquid (non-gasoline) industry and the gasoline industry have evolved, it has become increasingly apparent to both the regulated community and the Air Quality Department that there are different requirements for the two industries. In this rulemaking, the Air Quality Department is proposing to draft rules specific to the organic liquid (non-gasoline) storage and distribution industry and to the gasoline storage and distribution industry. This rulemaking is <u>not</u> proposing new rules for the industries but rather proposing revisions to current rules that will improve the clarity and enforceability of the regulatory requirements for each industry.

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In addition, the revisions being proposed in Rule 353 will coincide with the Arizona Department of Weights and Measures' rule revisions regarding the decommissioning of Stage II vapor recovery.

These rule revisions qualify for County Manager approval under the moratorium, as the rule revisions will lessen or ease a regulatory burden and will comply with a federal statutory or regulatory requirement or state statutory requirement. We are requesting your approval to move these rule revisions, to be referenced as "AQ-2015-008-Organic Liquids And Gasoline Rulemking," forward in accordance with the "Moratorium on Increased Regulatory Burdens".

Approved by Tom Manos, County Manager

Briefing Notification to County Manager

Prepared by the Maricopa County Air Quality Department

Case #/Title: AQ-2015-008-Organic Liquids And Gasoline Rulemaking

Supervisor Districts: All Districts

Overview: The Organic Liquids And Gasoline Rulemaking includes the following rules:

- 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)

The Air Quality Department originally adopted (early 1990s) Rules 350, 351, 352 and 353 to be inclusive of both non-gasoline and gasoline organic liquids. The purpose of the rules was to control the emission of volatile organic compounds (VOCs) from all organic liquids. These rules were required in order for the county to comply with the reasonably available control technology (RACT) documents and other policy statements published by the U.S. Environmental Protection Agency (EPA).

As the organic liquid (non-gasoline) industry and the gasoline industry have evolved, it has become increasingly apparent to both the regulated community and the Air Quality Department that there are different requirements for the two industries. In this rulemaking, the Air Quality Department is proposing to draft rules specific to the organic

liquid (non-gasoline) storage and distribution industry and to the gasoline storage and distribution industry. This rulemaking is not proposing new rules for the industries but rather proposing revisions to current rules that will improve the clarity and enforceability of the regulatory requirements for each industry.

In addition, the revisions being proposed in Rule 353 will coincide with the Arizona Department of Weights and Measures' rule revisions regarding the decommissioning of Stage II vapor recovery.

Next Steps:

The rulemaking will follow the Enhanced Regulatory Outreach Program Policy and workflow process. Stakeholder workshops are tentatively scheduled to begin in June 2015.