

Enclosure 1

Submittal Letter

Arizona Authorizing Statutes

Delegation Letter



Douglas A. Ducey
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

JUN 30 2017



Misael Cabrera
Director

Submitted via eSIP system, EPA's Central Data Exchange, cdx.epa.gov

Ms. Alexis Strauss, Acting Regional Administrator
U.S. Environmental Protection Agency, Region IX
Mail Code ORA-1
75 Hawthorne Street
San Francisco, CA 94105

RE: Submittal of the State Implementation Plan Revision, 1987 PM₁₀ Infrastructure State Implementation Plan

Dear Ms. Strauss:

The Arizona Department of Environmental Quality (ADEQ) hereby adopts and submits to the U.S. Environmental Protection Agency (EPA) the enclosed State Implementation Plan (SIP) revision for the 1987 PM₁₀ Infrastructure State Implementation Plan (pursuant to A.R.S. §§ 49-104, 49-106, 49-404, 49-406, and 49-425; 40 CFR §§ 51.102 - 51.104).

Effective July 1, 1987, EPA revised the PM₁₀ National Ambient Air Quality Standards (NAAQS) (52 FR 24634). Clean Air Act (CAA) Section 110(a)(1) requires states to submit SIPs within three years following the promulgation of new or revised NAAQS to provide for implementation, maintenance, and enforcement of the standards.

This SIP submittal incorporates by reference the statutes and rules that are required by EPA in order to demonstrate that Arizona state and local air quality management programs meet the basic program elements required under CAA Sections 110(a)(1) and (2) for implementing the 1987 PM₁₀ NAAQS. This submittal was conducted via EPA's online eSIP system through the Central Data Exchange (CDX).

ADEQ requests that EPA review and approve this SIP revision into the Arizona SIP. If you have any questions, please contact Brian Parkey, Air Quality Improvement Planning Section, Air Quality Division, at (602) 771-4492 or Parkey.Brian@azdeq.gov.

Sincerely,

for Timothy S. Franquist, Director
Air Quality Division
Arizona Department of Environmental Quality

Enclosures (2)

cc: Colleen McKaughan, EPA Region IX (via email)



A.R.S. § 49-104. *Powers and duties of the department and director*

A. The department shall:

1. Formulate policies, plans and programs to implement this title to protect the environment.
2. Stimulate and encourage all local, state, regional and federal governmental agencies and all private persons and enterprises that have similar and related objectives and purposes, cooperate with those agencies, persons and enterprises and correlate department plans, programs and operations with those of the agencies, persons and enterprises.
3. Conduct research on its own initiative or at the request of the governor, the legislature or state or local agencies pertaining to any department objectives.
4. Provide information and advice on request of any local, state or federal agencies and private persons and business enterprises on matters within the scope of the department.
5. Consult with and make recommendations to the governor and the legislature on all matters concerning department objectives.
6. Promote and coordinate the management of air resources to assure their protection, enhancement and balanced utilization consistent with the environmental policy of this state.
7. Promote and coordinate the protection and enhancement of the quality of water resources consistent with the environmental policy of this state.
8. Encourage industrial, commercial, residential and community development that maximizes environmental benefits and minimizes the effects of less desirable environmental conditions.
9. Assure the preservation and enhancement of natural beauty and man-made scenic qualities.
10. Provide for the prevention and abatement of all water and air pollution including that related to particulates, gases, dust, vapors, noise, radiation, odor, nutrients and heated liquids in accordance with article 3 of this chapter and chapters 2 and 3 of this title.
11. Promote and recommend methods for the recovery, recycling and reuse or, if recycling is not possible, the disposal of solid wastes consistent with sound health, scenic and environmental quality policies. Beginning in 2014, the department shall report annually on its revenues and expenditures relating to the solid and hazardous waste programs overseen or administered by the department.
12. Prevent pollution through the regulation of the storage, handling and transportation of solids, liquids and gases that may cause or contribute to pollution.
13. Promote the restoration and reclamation of degraded or despoiled areas and natural resources.
14. Assist the department of health services in recruiting and training state, local and district health department personnel.
15. Participate in the state civil defense program and develop the necessary organization and facilities to meet wartime or other disasters.
16. Cooperate with the Arizona-Mexico commission in the governor's office and with researchers at universities in this state to collect data and conduct projects in the United States and Mexico on issues that are within the scope of the department's duties and that relate to quality of life, trade and economic development in this state in a manner that will help the Arizona-Mexico commission to assess and enhance the economic competitiveness of this state and of the Arizona-Mexico region.



17. Unless specifically authorized by the legislature, ensure that state laws, rules, standards, permits, variances and orders are adopted and construed to be consistent with and no more stringent than the corresponding federal law that addresses the same subject matter. This provision shall not be construed to adversely affect standards adopted by an Indian tribe under federal law.

B. The department, through the director, shall:

1. Contract for the services of outside advisers, consultants and aides reasonably necessary or desirable to enable the department to adequately perform its duties.
2. Contract and incur obligations reasonably necessary or desirable within the general scope of department activities and operations to enable the department to adequately perform its duties.
3. Utilize any medium of communication, publication and exhibition when disseminating information, advertising and publicity in any field of its purposes, objectives or duties.
4. Adopt procedural rules that are necessary to implement the authority granted under this title, but that are not inconsistent with other provisions of this title.
5. Contract with other agencies, including laboratories, in furthering any department program.
6. Use monies, facilities or services to provide matching contributions under federal or other programs that further the objectives and programs of the department.
7. Accept gifts, grants, matching monies or direct payments from public or private agencies or private persons and enterprises for department services and publications and to conduct programs that are consistent with the general purposes and objectives of this chapter. Monies received pursuant to this paragraph shall be deposited in the department fund corresponding to the service, publication or program provided.
8. Provide for the examination of any premises if the director has reasonable cause to believe that a violation of any environmental law or rule exists or is being committed on the premises. The director shall give the owner or operator the opportunity for its representative to accompany the director on an examination of those premises. Within forty-five days after the date of the examination, the department shall provide to the owner or operator a copy of any report produced as a result of any examination of the premises.
9. Supervise sanitary engineering facilities and projects in this state, authority for which is vested in the department, and own or lease land on which sanitary engineering facilities are located, and operate the facilities, if the director determines that owning, leasing or operating is necessary for the public health, safety or welfare.
10. Adopt and enforce rules relating to approving design documents for constructing, improving and operating sanitary engineering and other facilities for disposing of solid, liquid or gaseous deleterious matter.
11. Define and prescribe reasonably necessary rules regarding the water supply, sewage disposal and garbage collection and disposal for subdivisions. The rules shall:
 - (a) Provide for minimum sanitary facilities to be installed in the subdivision and may require that water systems plan for future needs and be of adequate size and capacity to deliver specified minimum quantities of drinking water and to treat all sewage.
 - (b) Provide that the design documents showing or describing the water supply, sewage disposal and garbage collection facilities be submitted with a fee to the department for review and that no lots in any subdivision be offered for sale before compliance with the



standards and rules has been demonstrated by approval of the design documents by the department.

12. Prescribe reasonably necessary measures to prevent pollution of water used in public or semipublic swimming pools and bathing places and to prevent deleterious conditions at such places. The rules shall prescribe minimum standards for the design of and for sanitary conditions at any public or semipublic swimming pool or bathing place and provide for abatement as public nuisances of premises and facilities that do not comply with the minimum standards. The rules shall be developed in cooperation with the director of the department of health services and shall be consistent with the rules adopted by the director of the department of health services pursuant to section 36-136, subsection H, paragraph 10.

13. Prescribe reasonable rules regarding sewage collection, treatment, disposal and reclamation systems to prevent the transmission of sewage borne or insect borne diseases. The rules shall:

- (a) Prescribe minimum standards for the design of sewage collection systems and treatment, disposal and reclamation systems and for operating the systems.
- (b) Provide for inspecting the premises, systems and installations and for abating as a public nuisance any collection system, process, treatment plant, disposal system or reclamation system that does not comply with the minimum standards.
- (c) Require that design documents for all sewage collection systems, sewage collection system extensions, treatment plants, processes, devices, equipment, disposal systems, on-site wastewater treatment facilities and reclamation systems be submitted with a fee for review to the department and may require that the design documents anticipate and provide for future sewage treatment needs.
- (d) Require that construction, reconstruction, installation or initiation of any sewage collection system, sewage collection system extension, treatment plant, process, device, equipment, disposal system, on-site wastewater treatment facility or reclamation system conform with applicable requirements.

14. Prescribe reasonably necessary rules regarding excreta storage, handling, treatment, transportation and disposal. The rules shall:

- (a) Prescribe minimum standards for human excreta storage, handling, treatment, transportation and disposal and shall provide for inspection of premises, processes and vehicles and for abating as public nuisances any premises, processes or vehicles that do not comply with the minimum standards.
- (b) Provide that vehicles transporting human excreta from privies, septic tanks, cesspools and other treatment processes shall be licensed by the department subject to compliance with the rules. The department may require payment of a fee as a condition of licensure. After July 20, 2011, the department shall establish by rule a fee as a condition of licensure, including a maximum fee. As part of the rule making process, there must be public notice and comment and a review of the rule by the joint legislative budget committee. After September 30, 2013, the department shall not increase that fee by rule without specific statutory authority for the increase. The fees shall be deposited, pursuant to sections 35-146 and 35-147, in the solid waste fee fund established by section 49-881.

15. Perform the responsibilities of implementing and maintaining a data automation management system to support the reporting requirements of title III of the superfund amendments and reauthorization act of 1986 (P.L. 99-499) and article 2 of this chapter.



16. Approve remediation levels pursuant to article 4 of this chapter.

17. Establish or revise fees by rule pursuant to the authority granted under title 44, chapter 9, article 8 and chapters 4 and 5 of this title for the department to adequately perform its duties. All fees shall be fairly assessed and impose the least burden and cost to the parties subject to the fees. In establishing or revising fees, the department shall base the fees on:

- (a) The direct and indirect costs of the department's relevant duties, including employee salaries and benefits, professional and outside services, equipment, in-state travel and other necessary operational expenses directly related to issuing licenses as defined in title 41, chapter 6 and enforcing the requirements of the applicable regulatory program.
- (b) The availability of other funds for the duties performed.
- (c) The impact of the fees on the parties subject to the fees.
- (d) The fees charged for similar duties performed by the department, other agencies and the private sector.

C. The department may:

- 1. Charge fees to cover the costs of all permits and inspections it performs to ensure compliance with rules adopted under section 49-203, except that state agencies are exempt from paying the fees. Monies collected pursuant to this subsection shall be deposited, pursuant to sections 35-146 and 35-147, in the water quality fee fund established by section 49-210.
- 2. Contract with private consultants for the purposes of assisting the department in reviewing applications for licenses, permits or other authorizations to determine whether an applicant meets the criteria for issuance of the license, permit or other authorization. If the department contracts with a consultant under this paragraph, an applicant may request that the department expedite the application review by requesting that the department use the services of the consultant and by agreeing to pay the department the costs of the consultant's services. Notwithstanding any other law, monies paid by applicants for expedited reviews pursuant to this paragraph are appropriated to the department for use in paying consultants for services.

D. The director may:

- 1. If the director has reasonable cause to believe that a violation of any environmental law or rule exists or is being committed, inspect any person or property in transit through this state and any vehicle in which the person or property is being transported and detain or disinfect the person, property or vehicle as reasonably necessary to protect the environment if a violation exists.
- 2. Authorize in writing any qualified officer or employee in the department to perform any act that the director is authorized or required to do by law.



Authorizing Statute

A.R.S. § 49-106

A.R.S. § 49-106. *Statewide application of rules*

The rules adopted by the department apply and shall be observed throughout this state, or as provided by their terms, and the appropriate local officer, council or board shall enforce them. This section does not limit the authority of local governing bodies to adopt ordinances and rules within their respective jurisdictions if those ordinances and rules do not conflict with state law and are equal to or more restrictive than the rules of the department, but this section does not grant local governing bodies any authority not otherwise provided by separate state law.



A.R.S. § 49-404. *State implementation plan*

A. The director shall maintain a state implementation plan that provides for implementation, maintenance and enforcement of national ambient air quality standards and protection of visibility as required by the clean air act.

B. The director may adopt rules that describe procedures for adoption of revisions to the state implementation plan.

C. The state implementation plan and all revisions adopted before September 30, 1992 remain in effect according to their terms, except to the extent otherwise provided by the clean air act, inconsistent with any provision of the clean air act, or revised by the administrator. No control requirement in effect, or required to be adopted by an order, settlement agreement or plan in effect, before the enactment of the clean air act in any area which is a nonattainment or maintenance area for any air pollutant may be modified after enactment in any manner unless the modification insures equivalent or greater emission reductions of the air pollutant. The director shall evaluate and adopt revisions to the plan in conformity with federal regulations and guidelines promulgated by the administrator for those purposes until the rules required by subsection B are effective.



A.R.S. § 49-406. *Nonattainment area plan*

A. For any ozone, carbon monoxide or particulate nonattainment or maintenance area the governor shall certify the metropolitan planning organization designated to conduct the continuing, cooperative and comprehensive transportation planning process for that area under 23 United States Code section 134 as the agency responsible for the development of a nonattainment or maintenance area plan for that area.

B. For any ozone, carbon monoxide or particulate nonattainment or maintenance area for which no metropolitan planning organization exists, the department shall be certified as the agency responsible for development of a nonattainment or maintenance area plan for that area.

C. For any ozone, carbon monoxide or particulate nonattainment or maintenance area, the department, the planning agency certified pursuant to subsection A of this section on behalf of elected officials of affected local government, the county air pollution control department or district, and the department of transportation shall, by November 15, 1992, and from time to time as necessary, jointly review and update planning procedures or develop new procedures.

D. In preparing the procedures described in subsection C of this section, the department, the planning agency certified pursuant to subsection A of this section on behalf of elected officials of affected local government, the county air pollution control department or district, and the department of transportation shall determine which elements of each revised implementation plan will be developed, adopted, and implemented, through means including enforcement, by the state and which by local governments or regional agencies, or any combination of local governments, regional agencies or the state.

E. The department, the planning agency certified pursuant to subsection A of this section on behalf of elected officials of affected local government, the county air pollution control department or district, and the department of transportation shall enter into a memorandum of agreement for the purpose of coordinating the implementation of the procedures described in subsection C and D of this section.

F. At a minimum, the memorandum of agreement shall contain:

1. The relevant responsibilities and authorities of each of the coordinating agencies.
2. As appropriate, procedures, schedules and responsibilities for development of nonattainment or maintenance area plans or plan revisions and for determining reasonable further progress.
3. Assurances for adequate plan implementation.
4. Procedures and responsibilities for tracking plan implementation.
5. Responsibilities for preparing demographic projections including land use, housing, and employment.
6. Coordination with transportation programs.
7. Procedures and responsibilities for adoption of control measures and emissions limitations.
8. Responsibilities for collecting air quality, transportation and emissions data.
9. Responsibility for conducting air quality modeling.
10. Responsibility for administering and enforcing stationary source controls.



11. Provisions for the timely and periodic sharing of all data and information among the signatories relating to:

- (a) Demographics.
- (b) Transportation.
- (c) Emissions inventories.
- (d) Assumptions used in developing the model.
- (e) Results of modeling done in support of the plan.
- (f) Monitoring data.

G. Each agency that commits to implement any emission limitation or other control measure, means or technique contained in the implementation plan shall describe that commitment in a resolution adopted by the appropriate governing body of the agency. The resolution shall specify the following:

- 1. Its authority for implementing the limitation or measure as provided in statute, ordinance or rule.
- 2. A program for the enforcement of the limitation or measure.
- 3. The level of personnel and funding allocated to the implementation of the measure.

H. The state, in accordance with the rules adopted pursuant to section 49-404, and the governing body of the metropolitan planning organization shall adopt each nonattainment or maintenance area plan developed by a certified metropolitan planning organization. The adopted nonattainment or maintenance area plan shall be transmitted to the department for inclusion in the state implementation plan provided for under section 49-404.

I. After adoption of a nonattainment or maintenance area plan, if on the basis of the reasonable further progress determination described in subsection F of this section or other information, the control officer determines that any person has failed to implement an emission limitation or other control measure, means or technique as described in the resolution adopted pursuant to subsection G of this section, the control officer shall issue a written finding to the person, and shall provide an opportunity to confer. If the control officer subsequently determines that the failure has not been corrected, the county attorney, at the request of the control officer, shall file an action in superior court for a preliminary injunction, a permanent injunction, or any other relief provided by law.

J. After adoption of a nonattainment or maintenance area plan, if, on the basis of the reasonable further progress determination described in subsection F of this section or other information, the director determines that any person has failed to implement an emission limitation or other control measure, means or technique as described in the resolution adopted pursuant to subsection G of this section, and that the control officer has failed to act pursuant to subsection I of this section, the director shall issue a written finding to the person and shall provide an opportunity to confer. If the director subsequently determines that the failure has not been corrected, the attorney general, at the request of the director, shall file an action in superior court for a preliminary injunction, a permanent injunction, or any other relief provided by law.

K. Notwithstanding subsections A and B of this section, in any metropolitan area with a metropolitan statistical area population of less than two hundred fifty thousand persons, the governor shall designate an agency that meets the criteria of section 174 of the clean air act and that is recommended by the city



Authorizing Statute

A.R.S. § 49-406

that causes the metropolitan area to exist and the affected county. That agency shall prepare and adopt the nonattainment or maintenance area plan. If the governor does not designate an agency, the department shall be certified as the agency responsible for the development of a nonattainment or maintenance area plan for that area.



A.R.S. § 49-425. Rules; hearing

A. The director shall adopt such rules as he determines are necessary and feasible to reduce the release into the atmosphere of air contaminants originating within the territorial limits of the state or any portion thereof and shall adopt, modify, and amend reasonable standards for the quality of, and emissions into, the ambient air of the state for the prevention, control and abatement of air pollution. Additional standards shall be established for particulate matter emissions, sulfur dioxide emissions, and other air contaminant emissions determined to be necessary and feasible for the prevention, control and abatement of air pollution. In fixing such ambient air quality standards, emission standards or standards of performance, the director shall give consideration but shall not be limited to the relevant factors prescribed by the clean air act.

B. No rule may be enacted or amended except after the director first holds a public hearing after twenty days' notice of such hearing. The proposed rule, or any proposed amendment of a rule, shall be made available to the public at the time of notice of such hearing.

C. The department shall enforce the rules adopted by the director.

D. All rules enacted pursuant to this section shall be made available to the public at a reasonable charge upon request.



Douglas A. Ducey
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY



Misael Cabrera
Director

April 15, 2016

To: Timothy S. Franquist Jr.
Division Deputy Director
Air Quality Division

Under A.R.S. §49-104 (D) (2), I authorize you, Timothy S. Franquist Jr., Division Deputy Director, Air Quality Division, Arizona Department of Environmental Quality, to perform any act, including execution of any pertinent documents, which I as Director of the Arizona Department of Environmental Quality am authorized or required to do by law with respect to A.R.S. Title 49, chapters 1 and 2 and any other acts relating to air quality including personnel actions.

This authority shall remain in effect until it is revoked or upon your separation from the Arizona Department of Environmental Quality. You may further delegate this authority in the best interest of the agency, however, those delegations must be in writing and you must forward a copy of any further delegations to me.

This delegation is effective as of April 18, 2016 and revokes all earlier delegations. I ratify all acts performed by you as Air Quality Division Deputy Director concerning the duties and functions in this delegation letter.

Misael Cabrera
Director

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Douglas A. Ducey
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY



Misael Cabrera
Director

June 23, 2017

To: Leonard C. Drago
AQD Deputy Division Director

Under A.R.S. §49-104(D)(2), I authorize you, Leonard C. Drago, Deputy Director, Air Quality Division, Arizona Department of Environmental Quality, to perform any act, including execution of any pertinent documents, which I as Director of Air Quality Division, Arizona Department of Environmental Quality, am authorized or required to do by law with respect to A.R.S. Title 49-403 and chapters 1 and 3 and any other acts relating to air quality including personnel actions. This authority shall take effect at 8:00 am on June 26, 2017, and remain in effect until midnight June 30, 2017.

You may not further delegate this authority.

A handwritten signature in blue ink, appearing to read "Timothy S. Franquist".

Timothy S. Franquist, Director
Air Quality Division

cc: Misael Cabrera, Director ADEQ

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Enclosure 2

1987 PM₁₀ Infrastructure State Implementation Plan

Appendix A

Appendix B



1987 PM₁₀ Infrastructure State Implementation Plan

*Air Quality Division
June 30, 2017 Final*

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Appendix B – Public Process Documentation

Completeness Criteria (40 C.F.R. Part 51, Appendix V, § 2.0)

Appendix V § 2.1 - Administrative Materials

(a) A formal signed, stamped, and dated letter of submittal from the Governor or his designee, requesting EPA approval of the plan or revision thereof (hereafter “the plan”). If electing to submit a paper submission with a copy in electronic version, the submittal letter must verify that the electronic copy provided is an exact duplicate of the paper submission.

See the cover letter for this SIP submission and attached delegation of authority from Misael Cabrera, Director of ADEQ, to Tim Franquist, Director of the ADEQ Air Quality Division, authorizing Mr. Franquist to perform any act the ADEQ Director is authorized to perform under the state air quality statutes, including the submission of SIPs to EPA.

(b) Evidence that the State has adopted the plan in the State code or body of regulations; or issued the permit, order, consent agreement (hereafter “document”) in final form. That evidence shall include the date of adoption or final issuance as well as the effective date of the plan, if different from the adoption/issuance date.

See the cover letter in Enclosure 1 wherein the state adopts and submits this SIP revision. This is the method of Arizona state adoption.

(c) Evidence that the State has the necessary legal authority under State law to adopt and implement the plan.

Arizona is authorized to adopt and implement SIPs under Arizona Revised Statutes (A.R.S.) Sections 49-104, 49-106, 49-404, 49-406 and 49-425. Copies of Arizona Revised Statutes sections 49-104, 49-106, 49-404, 49-406 and 49-425, are attached in Enclosure 1.

(d) A copy of the actual regulation, or document submitted for approval and incorporation by reference into the plan, including indication of the changes made (such as redline/strikethrough) to the existing approved plan, where applicable. The submission shall include a copy of the official State regulation/document, signed, stamped, and dated by the appropriate State official indicating that it is fully enforceable by the State. The effective date of any regulation/document contained in the submission shall, whenever possible, be indicated in the regulation/document itself; otherwise the State should include a letter signed, stamped, and dated by the appropriate State official indicating the effective date. If the regulation/document provided by the State for approval and incorporation by reference into the plan is a copy of an existing publication, the State submission should, whenever possible, include a copy of the publication cover page and table of contents.

See this document.

(e) Evidence that the State followed all of the procedural requirements of the State's laws and constitution in conducting and completing the adoption/issuance of the plan.

As demonstrated in the Completeness Criteria Section, Appendix V § 2.1 Sections V, C, and G, ADEQ has complied with all requirements of state law for adoption of this SIP Revision.

(f) Evidence that public notice was given of the proposed change consistent with procedures approved by EPA, including the date of publication of such notice.

Proof that ADEQ gave notice of the SIP Revision in accordance with A.R.S. § 49-444 is attached as Appendix B.

(g) Certification that public hearing(s) were held in accordance with the information provided in the public notice and the State's laws and constitution, if applicable and consistent with the public hearing requirements in 40 CFR 51.102.

The certification and other documents related to the public hearing are attached as Appendix B.

(h) Compilation of public comments and the State's response thereto.

A compilation of comments received and the State's responses are attached as the Responsiveness Summary in Appendix B.

Appendix V § 2.1 - Technical Support

(a) Identification of all regulated pollutants affected by the plan.

The revision applies to coarse particulate matter PM₁₀.

(b) Identification of the locations of affected sources including the EPA attainment/ nonattainment designation of the locations and the status of the attainment plan for the affected areas(s).

This is an infrastructure plan which applies to the entire state.

(c) Quantification of the changes in plan allowable emissions from the affected sources; estimates of changes in current actual emissions from affected sources or, where appropriate, quantification of changes in actual emissions from affected sources through calculations of the differences between certain baseline levels and allowable emissions anticipated as a result of the revision.

Not applicable.

(d) The State's demonstration that the national ambient air quality standards, prevention of significant deterioration increments, reasonable further progress demonstration, and visibility, as applicable, are protected if the plan is approved and implemented. For all requests to redesignate an area to attainment for a national primary ambient air quality standard, under section 107 of the Act, a revision must be submitted to provide for the maintenance of the national primary ambient air quality standards for at least 10 years as required by section 175A of the Act.

Not applicable.

(e) Modeling information required to support the proposed revision, including input data, output data, models used, justification of model selections, ambient monitoring data used, meteorological data used, justification for use of offsite data (where used), modes of models used, assumptions, and other information relevant to the determination of adequacy of the modeling analysis.

Not applicable.

(f) Evidence, where necessary, that emission limitations are based on continuous emission reduction technology.

Not applicable.

(g) Evidence that the plan contains emission limitations, work practice standards and recordkeeping/reporting requirements, where necessary, to ensure emission levels.

Not applicable.

(h) Compliance/enforcement strategies, including how compliance will be determined in practice.

Not applicable.

(i) Special economic and technological justifications required by any applicable EPA policies, or an explanation of why such justifications are not necessary.

No known deviation from EPA policy.

1 Introduction

Clean Air Act (CAA) Section 110(a)(1) requires states to submit State Implementation Plans (SIPs) within three years following the promulgation of new or revised National Ambient Air Quality Standards (NAAQS) to provide for implementation, maintenance, and enforcement of such standards. Each of these SIPs must address certain basic elements or the "infrastructure" of its air quality management programs under CAA Section 110(a)(2). These elements, detailed in CAA Sections 110(a)(2)(A) through (M), include provisions for monitoring, emissions inventories, and modeling designed to assure attainment and maintenance of the NAAQS.

EPA first established NAAQS for total suspended particulates (TSP) in 1971 (36 FR 8186; April 30, 1971). On March 20, 1984, the U.S. Environmental Protection Agency (EPA) proposed changes to the standard based on its review and revision of the criteria. The final decisions (52 FR 24634; July 1, 1987) included replacing:

1. TSP as the indicator for particulate matter with a new indicator that includes only those particles with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM₁₀);
2. The 24-hour primary TSP standard with a 24-hour PM₁₀ standard of 150 µg/m³ with no more than one expected exceedance per year;
3. The annual primary TSP standard with a PM₁₀ standard of 50 µg/m³, expected annual arithmetic mean; and
4. The secondary TSP standard with 24-hour and annual PM₁₀ standards that are identical in all respects to the primary standards.

In April 1994, the EPA announced its plans for a periodic review of the PM NAAQS and promulgated significant revisions in 1997 (62 FR 38652; July 18, 1997). Most significantly, the EPA determined that although the PM NAAQS should continue to focus on thoracic coarse particles (PM₁₀), the fine and coarse fractions of PM₁₀ should be considered separately. EPA added new standards using PM_{2.5} as the indicator for fine particles. The EPA retained the level of the annual and 24-hour PM₁₀ standards for the purpose of regulating the coarse fraction of PM₁₀.¹

On October 17, 2006, the EPA published revisions to the PM NAAQS to provide increased protection of public health and welfare (71 FR 61144). With regard to the primary and secondary coarse particle standards, the EPA retained the level and form of the 24-hour PM₁₀ standard (150 mg/m³, not to be exceeded more than once per year) and revoked the annual PM₁₀ standard.

¹ EPA retained the level of the 24-hour PM₁₀ NAAQS at 150 µg/m³ but changed the form of the standard from "not to be exceeded" more than once per year on average over a three year period to one based on the 99th percentile of monitored 24-hour PM₁₀ concentrations. Following subsequent legal challenges the 1997 revisions were vacated and the level and form of the 1987 24-hour standards were retained. *American Trucking Associations v. EPA*, 175 F.3d 1027, 1054-55 (D.C. Cir. 1999).

This SIP submittal incorporates by reference the statutes and rules that are required by EPA in order to demonstrate that Arizona state and local air quality management programs meet the basic program elements required under Clean Air Act (CAA) Sections 110(a)(1) and (2) for implementing the 1987 PM₁₀ NAAQS. The statutes and programs referenced in Section 2.0, which are the authorities and infrastructure of Arizona State and local air quality management programs, are adequate to ensure attainment and maintenance of the 1987 PM₁₀ NAAQS in all areas of the state.

2 ANALYSIS OF CLEAN AIR ACT SECTION 110(a)(2) AIR QUALITY CONTROL PROGRAM ELEMENTS FOR ARIZONA

Arizona Revised Statutes (A.R.S.), Title 49, "Environment," divides responsibility and encourages cooperation for meeting the requirements of the CAA among the state, county agencies, and regional planning organizations. Currently the state and three county agencies operate air quality control programs under direct or delegated authority. These air pollution control agencies are: the Arizona Department of Environmental Quality (ADEQ), Maricopa County Air Quality Department (MCAQD), Pima County Department of Environmental Quality (PDEQ), and the Pinal County Air Quality Control District (PCAQCD).

ADEQ has primary responsibility for air pollution control and abatement, and as such, is required to "maintain a state implementation plan that provides for implementation, maintenance and enforcement of National Ambient Air Quality Standards and protection of visibility as required by the Clean Air Act"² for areas outside of tribal lands. ADEQ is also responsible for coordinating, along with local officials, the development, adoption, and enforcement of control measures and permits where no local air quality control agency exists. In addition, ADEQ has original jurisdiction for certain stationary sources, including petroleum refineries and coal-fired electrical generating stations, portable sources, and all mobile sources, including the motor vehicle emissions inspection program.³

Except for the sources noted above, the county agencies have original jurisdiction for the issuance, administration, and enforcement of permits.⁴ The State may assert jurisdiction where the local non-tribal agency is unable to fulfill any function or duty as required. State law also provides direct county authority to adopt and enforce programs, rules, and ordinances for the prevention, control, and abatement of air pollution.⁵

Two Metropolitan Planning Organizations, the Maricopa Association of Governments (MAG) and the Pima Association of Governments (PAG), are currently certified for the development of certain nonattainment and maintenance area plans (ozone, carbon monoxide, particulate matter) within their respective jurisdictions.⁶ MAG and PAG submit their plans to ADEQ for adoption and inclusion in the state implementation plan pursuant to A.R.S. § 49-406 (H).

The following sections summarize the requirements of CAA Sections 110(a)(2)(A) through (M) and present information that demonstrates Arizona's State and local air pollution control programs, and commitments to update these programs, meet the basic infrastructure elements and are adequate to ensure the attainment of the 1987 PM₁₀ NAAQS.

² A.R.S. § 49-404

³ A.R.S. § 49-402

⁴ *Ibid.*

⁵ A.R.S. Title 49, Chapter 3, Article 3

⁶ A.R.S. § 49-406

2.1 CAA Section 110(a)(2)(A) –Emission Limits and Other Control Measures

Section 110(a)(2)(A) requires SIPs to include enforceable emission limitations and other control measures, means, or techniques, as well as schedules for compliance necessary to meet applicable requirements of the CAA. The timing of submittals for specific nonattainment area control measures and plans is subject to the requirements of CAA, Title 1, Part D, "Plan Requirements for Nonattainment Areas"; therefore, the demonstration of compliance with CAA Section 110(a)(2)(A) includes the necessary authority for state and local air quality management programs to adopt and implement control measures and plans to assure attainment and maintenance of the 1987 PM₁₀ air quality standards in all areas of Arizona except tribal lands. Table 2-1 lists relevant sections of Arizona Revised Statutes for Arizona's emissions limits and other control measures.

Additional state and county rules supporting the infrastructure SIP are listed in Appendix A Table A-1.

Table 2-1: CAA 110(a)(2)(A) – Emission Limits and Other Control Measures		
Statute/Rule	Relevant Sections	Date approved into the Arizona SIP
ADEQ Program		
§ 49-106 Statewide application of rules		11/05/2012 (77 FR 66398)
§ 49-107 Local delegation of state authority		11/05/2012 (77 FR 66398)
§ 49-402 State and county control		6/08/2000 (65 FR 36353)
§ 49-404 State implementation plan		6/08/2000 (65 FR 36353)
§ 49-406 Nonattainment area plan		6/08/2000 (65 FR 36353)
§ 49-421 Definitions		11/05/2012 (77 FR 66398)
§ 49-424 Duties of Department		11/05/2012 (77 FR 66398)
§ 49-425 Rules; hearing		11/05/2012 (77 FR 66398)
§ 49-541 Definitions	(1)(a), (b), (c)	1/22/2003 (68 FR 2912)
County Programs		
§ 49-471 Definitions		11/05/2012 (77 FR 66398)
§ 49-473 Board of supervisors		11/05/2012 (77 FR 66398)
§ 49-479 Rules; hearing		11/05/2012 (77 FR 66398)
Sources: Arizona Revised Statutes and Federal Register		

2.2 CAA Section 110(a)(2)(B) – Ambient Air Quality Monitoring

Section 110(a)(2)(B) requires SIPs to include provisions for establishment and operation of ambient air quality monitors, to compile and analyze ambient air quality data, and make these data available to EPA upon request.

Arizona maintains an extensive monitoring network operated by state and county agencies designed to collect, compile, and analyze ambient air quality data in attainment and nonattainment areas of the state. Operating agencies track data recovery and quality control and quality assurance parameters for all instruments operated at various network sites. Criteria pollutant concentrations, such as PM₁₀, are measured with instruments meeting EPA certification as Federal Reference or Equivalent Methods. All State and Local Air Monitoring Stations (SLAMS) Network data collected within the PM₁₀ compliance network is compared to the NAAQS, statistically analyzed for trends, and reported quarterly to the EPA Air Quality System.

The State (Arizona Department of Environmental Quality) and county agencies (Maricopa County Air Quality Department, Pima Department of Environmental Quality, and Pinal County Air Quality Control District) annually submit to EPA network monitoring plans. These plans identify the purpose of each monitor and provide evidence that both the siting and the operation of each monitor meets the network design, quality assurance, and other federal requirements of 40 CFR Part 58.

Table 2-2 lists relevant provisions that have been included in the Arizona Revised Statutes for establishment and operation of ambient air quality monitors as required by the CAA, under Section 110(a)(2)(B).

Table 2-2: CAA 110(a)(2)(B) - Ambient Air Quality Monitoring/Data System		
Statute/Rule	Relevant Sections	Date approved into the Arizona SIP
ADEQ Program		
§ 49-404 State implementation plan		6/08/2000 (65 FR 36353)
§ 49-422 Powers and duties	(A), (B), (C), (E), and (F)	11/05/2012 (77 FR 66398)
§ 49-424 Duties of department		11/05/2012 (77 FR 66398)
County Programs		
§ 49-476.01 Monitoring		11/05/2012 (77 FR 66398)
Source: Arizona Revised Statutes and Federal Register		

2.3 CAA Section 110(a)(2)(C) – Enforcement of Control Measures

Section 110(a)(2)(C) requires that each SIP include a program to provide for the enforcement of the measures described in section 110(a)(2)(A) and regulation of the modification and construction of any stationary source within the areas covered by the plan as necessary to assure that NAAQS are achieved, including a permit program as required in parts C (prevention of significant deterioration) and D (nonattainment new source review) of Title I of the CAA.

2.3.1 Programs for Enforcement of Control Measures

Arizona state and local agencies implement control and enforcement programs for permitted sources of air contaminants and those sources that are not regulated through permitting programs (e.g., emissions from disturbed open areas and vacant lots, etc.).

As part of the SIP enforcement program, ADEQ and local agencies track all committed SIP control measures and work with the entities responsible for those measures to provide any needed assistance and ensure timely implementation. Arizona Revised Statutes §49-406 provides additional assurance that PM₁₀ nonattainment and maintenance measures will be implemented and enforced. Each agency that commits to implement any emission limitation or other control measure contained in the SIP is required to specify, in a resolution adopted by the governing body of the agency, its authority for implementing the measure and a program for enforcement of the limitation or measure. If any agency or entity fails to implement a committed measure, the county is authorized to file an action in superior court for injunction or any other relief provided by law. Similarly, if the county fails to ensure implementation of measures, the ADEQ Director is authorized, through the State Attorney General, to seek relief provided by law to ensure implementation of all measures.

Arizona Revised Statutes Title 49, Chapter 3, Articles 1, 2, and 3 establish ADEQ and local agency authority for preconstruction review and permitting. Under the air permits program, covered sources that emit regulated pollutants are required to obtain a permit before constructing, changing, replacing, or operating any equipment or process which may cause air pollution. This includes equipment designed to reduce air pollution. Permits are also required if an existing facility that causes air pollution transfers ownership, relocates, or otherwise changes operations.

Arizona agencies implement control and enforcement programs for permitted emission sources through general and individual facility permits, as described by the Arizona Administrative Code (A.A.C), Title 18, Chapter 2, Articles 2, 3, 4, 5, and 6. For example in Articles 3, 4, and 5, the state has adopted several types of air quality permits to prevent any type of activity and emissions that may significantly contribute to elevated PM₁₀ concentrations in the ambient air. The following list explains each type of permit.

- Class I Permits – issued any major source of any criteria pollutant

- Class II Permits – issued to sources that do not qualify for Class I Permits but emit significant quantities of regulated NSR pollutants
- General Permits – issued to specific classes of sources. These pre-approved permits differ from individual permits in that they are applied to more than one source. They are usually more restrictive, less expensive, and require a shorter period of time for the processing and issuance of an Authorization to Operate.
- Registration – issued to sources that do not qualify for a class I or II permit, but emit greater than the minor NSR threshold.
- Open Burning Permits – issued for weed abatement, prevention of a fire hazard, or instruction in the methods of fighting fires

ADEQ and county permitting agencies operate air quality permit compliance programs to ensure implementation of emission limits and other control measures for permitted sources. These programs include scheduled and unscheduled inspections conducted at major sources annually as well as compliance assistance initiatives. Permit and SIP enforcement authority is also provided in ARS § 49-460 through 463, and 49-510 through 513, under which the State or county may issue orders of abatement, and, through the Attorney General or County Attorney, seek injunctive relief for any violations of the air quality provisions of the law.

2.3.2 New Source Review Programs

Per the authority noted above, all new sources and modifications to existing sources in Arizona are subject to state requirements for preconstruction review and permitting pursuant to Arizona Administrative Code (AAC), Title 18, Chapter 2, Articles 2 and 4 or relevant county rules. All new major sources and major modifications to existing major sources in Arizona are also subject to the nonattainment New Source Review provisions of these rules or Prevention of Significant Deterioration (PSD) for attainment areas.

ADEQ submitted a revision to the New Source Review (NSR) program on October 29, 2012, to update the program to comply with all current federal requirements, including NSR reform. EPA finalized a limited approval and limited disapproval of the revised program in 2015.⁷ On April 28, 2017 ADEQ submitted a revision to NSR SIP that will bring Arizona's SIP for areas under the jurisdiction of ADEQ into compliance with the nonattainment NSR and PSD requirements of section 110(a)(2)(C) and 40 C.F.R. Part 51, Subpart I, with the exception of the requirements pertaining to greenhouse gases (GHGs). ADEQ is currently administering the NSR requirements for GHGs under a delegation agreement with EPA. The NSR program implements PM₁₀ requirements including those for condensable particulate matter and PM₁₀ precursor emissions.

ADEQ currently has jurisdiction over the permitting of major sources in Pinal County; any updates and improvements to Arizona's state rules are delegated to PCAQCD. Both MCAQD and PDEQ currently implement the federal NSR program per 40 CFR 52.21 for all regulated NSR pollutants,

⁷ See 80 FR 67319, November 2, 2015 and Appendix A, Table A-2

pursuant to delegation agreements executed in 1993 and 1994, respectively. The PCAQCD implements a PSD program for all regulated NSR pollutants, pursuant to a 2011 delegation agreement. On May 18, 2016, ADEQ submitted a revision to the Maricopa County portion of the SIP to update the county's NSR rules.⁸

2.3.3 Minor New Source Review

Each of the four permitting agencies in Arizona have a minor NSR program. ADEQ is currently working with EPA to update the minor NSR program for the state. The May 2016 NSR revisions for the MCAQCD include new minor NSR requirements. The updated NSR rules fill the "SIP gap" between NSR rules set forth in the Maricopa County Air Pollution Control Regulations and the rules that have been approved by EPA into the Maricopa County portion of the Arizona SIP.

PDEQ is currently working on an NSR rule package that will adopt a similar NSR program to ADEQ's. PCAQCD is in the preliminary stages of drafting NSR program updates. As part of this process, PCAQCD will be reviewing Maricopa's and ADEQ's updated NSR rules.

Table 2-3 lists relevant sections of Arizona Revised Statutes that are essential for the enforcement of control measures.

Additional state and county rules are listed in Appendix A Table A-2.

Table 2-3: CAA 110(a)(2)(C) – Programs for Enforcement of Control Measures and for Construction or Modification of Stationary Sources		
Statute/Rule	Relevant Sections	Date approved into the Arizona SIP
ADEQ Programs		
§ 49-103 Department employees; legal counsel		11/05/2012 (77 FR 66398)
§ 49-106 Statewide application of rules		11/05/2012 (77 FR 66398)
§ 49-107 Local delegation of state authority		11/05/2012 (77 FR 66398)
§ 49-402 State and county control	All sections but (A)(8)	6/08/2000 (65 FR 36353)
§ 49-404 State implementation plan		6/08/2000 (65 FR 36353)
§ 49-406 Nonattainment area plan	(G)(1), (G)(2), and (G)(3)	6/08/2000 (65 FR 36353)
§ 49-422 Powers and duties		11/05/2012 (77 FR 66398)

⁸ See *SIP Revision Package, New Source Review*, Maricopa County Air Quality Department, April 22, 2016.

Table 2-3: CAA 110(a)(2)(C) – Programs for Enforcement of Control Measures and for Construction or Modification of Stationary Sources

Statute/Rule	Relevant Sections	Date approved into the Arizona SIP
§ 49-424 Duties of department		11/05/2012 (77 FR 66398)
§ 49-425 Rules; hearing		11/05/2012 (77 FR 66398)
§ 49-433 Special inspection warrant		11/05/2012 (77 FR 66398)
§ 49-435 Hearings on orders of abatement		11/05/2012 (77 FR 66398)
§ 49-441 Suspension and revocation of conditional order		11/05/2012 (77 FR 66398)
§ 49-460 Violations; production of records		11/05/2012 (77 FR 66398)
§ 49-461 Violations; order of abatement		11/05/2012 (77 FR 66398)
§ 49-462 Violations; injunctive relief		11/05/2012 (77 FR 66398)
§ 49-463 Violations; civil penalties		11/05/2012 (77 FR 66398)
County Programs		
§49-457.05 Dust action general permit	Excluding paragraph C and paragraphs E, F, G, and H	3/31/2014 (79 FR 17879)
§ 49-473 Board of supervisors		11/05/2012 (77 FR 66398)
§ 49-488 Special inspection warrant		11/05/2012 (77 FR 66398)
§ 49-490 Hearings on orders of abatement		11/05/2012 (77 FR 66398)
§ 49-495 Suspension and revocation of conditional order		11/05/2012 (77 FR 66398)
§ 49-502 Violation; classification	(A), (B), and (C)	11/05/2012 (77 FR 66398)
§ 49-510 Violations; production of records		11/05/2012 (77 FR 66398)
§ 49-511 Violations; order of abatement		11/05/2012 (77 FR 66398)
§ 49-512 Violations; injunctive relief		11/05/2012 (77 FR 66398)
§ 49-513 Violations; civil penalties		11/05/2012 (77 FR 66398)

Source: Arizona Revised Statutes and Federal Register

2.4 CAA Section 110(a)(2)(D) – Interstate Transport

Section 110 (a)(2)(D)(i) requires adequate provisions to ensure that any source or other emissions activity within the state does not contribute significantly to nonattainment (prong 1), or interfere with maintenance (prong 2), of the NAAQS in any other state, or interfere with any other state's required applicable implementation plan to prevent significant deterioration of air quality (prong 3) or to protect visibility (prong 4).

Section 110 (a)(2)(D)(ii) further requires compliance with the applicable requirements of sections 126 and 115 related to interstate and international pollution abatement.

2.4.1 2.4.1 110(a)(2)(D)(i)(I) and (II) - Prong 1, Prong 2, and Prong 3

Arizona has a partially approved nonattainment NSR SIP for PM₁₀ which adequately controls emissions activity within the State and by extension controls emissions that would contribute to nonattainment or maintenance of the PM₁₀ NAAQS in another state.⁹

Arizona meets the requirements of Prong 3 through the partially approved PSD and nonattainment NSR permitting program that applies to PM₁₀. Arizona's major source PSD permitting program fully considers source impacts on air quality in other states.

2.4.2 2.4.2 110(a)(2)(D)(i)(II) - Prong 4

Arizona's visibility protection program is designed to analyze the causes of visibility impairment and to continuously develop, improve, and implement control strategies. The state of Arizona is relying on an existing promulgated Reasonably Attributable Visibility Impairment (RAVI) rule, effective December 2003, to address visibility impairment from existing stationary sources. A.A.C. Sections R18-2-1601 through R18-2-1606 require Arizona to analyze and implement control strategies where applicable, should a source be certified and found attributable for causing or contributing to visibility impairment. These requirements include analysis of emissions from new major sources or sources making major modifications and anticipated impacts on visibility at any Class I area. Arizona submitted a Regional Haze SIP under 40 CFR 51.309 in December 2003 and a 2004 revision for its four Class I areas on the Colorado Plateau. ADEQ submitted a SIP for all areas developed under 40 CFR 51.308 on February 28, 2011.

The CAA requires EPA to set two types of outdoor air quality standards: primary standards, to protect public health; and secondary standards, to protect the public against adverse environmental effects. Particle pollution is also the main cause of visibility impairment in the cities and national parks. EPA categorizes visibility impairment as a secondary standard for fine particles that causes haze in cities and some national parks.

On December 5, 2012, EPA partially approved and partially disapproved Arizona's Regional Haze SIP (section 308) addressing BART requirements for units at the Arizona Electric Power Company's Apache Generating Station (Apache), Arizona Public Service's Cholla Power Plant

⁹ November 2, 2015 (80 FR 67319)

(Cholla), and Salt River Project's Coronado Generating Station (Coronado). BART emission limits for SO₂ and PM₁₀ at all three sources and units, and NO_x emission limits at Apache Unit 1 were approved. BART emission limits for NO_x at all coal-fired BART units were disapproved.¹⁰ A revision to the Regional Haze SIP addressing remaining elements not addressed in EPA's action on December 5, 2012, was proposed by EPA for partial approval and partial disapproval on December 21, 2012.¹¹ The EPA designated this period of rulemaking "Phase 1".

The second phase culminated on August 8, 2013, when EPA proposed to approve in part and disapprove in part revisions to Arizona's SIP for its Regional Haze Program based on its evaluation of supplemental information submitted by Arizona on May 3, 2013.¹² On July 15, 2013, EPA took final action to partially approve and partially disapprove the remaining portions of Arizona's Regional Haze SIP. In this action, EPA approved the State's conclusion that the Miami Smelter is subject to BART for SO₂ and PM₁₀ and approved Arizona's determination that BART for PM₁₀ at Hayden Smelter includes no additional controls and that the NESHAP for Primary Copper Smelting constitutes BART for PM emission at the Miami Smelter. Furthermore, EPA approved the supporting elements of the Arizona RH SIP: Arizona's identification of Class I areas that may experience visibility impairment due to emissions from sources within the State; Arizona's estimated visibility conditions for baseline, 2018 and 2064; Arizona's uniform rate of progress for each Class I area; Arizona's emission inventories for 2002, 2008 and 2018; and Arizona's identification of the sources of visibility impairment.

EPA published "Phase 3" by promulgating a Federal Implementation Plan for the remainder of the Arizona Regional Haze program on September 19, 2014.¹³ The EPA approved a revision to the Regional Haze SIP establishing an alternative to the best available retrofit technology (BART) for the Apache Generating Station withdrawing the Federal implementation Plan that addressed BART for the facility in April 2015.¹⁴ April 2016 EPA promulgated a revised FIP for the Coronado Generating station for BART emission limits for NO_x. These revisions included setting unit specific NO_x limits for Coronado Generating Station Units 1 and 2.¹⁵ In November 2016 EPA revised the FIP for the Phoenix Cement Company Clarkdale Plant and CalPortland Cement Rillito Plant withdrawing the requirement for control technology demonstration projects as required by the 2014 FIP.¹⁶ In March 2017 EPA announced it was taking action to approve Arizona's submitted SIP for the Cholla Power Plant and withdraw the FIP applicable to Cholla.¹⁷

ADEQ submitted the five year review of Arizona's Regional Haze SIP November 2015. ADEQ reviewed the impact on non-Arizona Class I areas and found that the reductions due to

¹⁰ December 5, 2012 (77 FR 72512)

¹¹ December 21, 2012 (77 FR 75704)

¹² May 3, 2013 (78 FR 48326)

¹³ September 19, 2014 (79 FR 56322)

¹⁴ April 10, 2015 (80 FR 19220)

¹⁵ April 13, 2016 (81 FR 21735)

¹⁶ November 21, 2016 (81 FR 83144)

¹⁷ March 27, 2017 (82 FR 15139)

implemented reasonable further progress controls on PM₁₀ emissions adequately controlled interstate transport.¹⁸

2.4.3 110(a)(2)(D)(ii) – Interstate Pollution Abatement and International Air Pollution

Arizona is in the process of updating provisions for interstate air pollution abatement. The CAA section 110(a)(2)(D)(ii) requires compliance with CAA sections 115 and 126.

Section 115 sets the process and requirements for when a foreign country submits evidence to EPA showing the emissions from a state are endangering the public health or welfare in a foreign country. There are currently no pending actions from other countries against the state, so this section does not apply to Arizona.

Arizona meets the requirements of Section 126 with the 2012 NSR submission and limited approval in 2015. ADEQ outlines the state's responsibility to send a copy of public notice for any proposed major new or modified source to EPA and to "officials and agencies having cognizance over the location where the proposed major source or major alteration would occur."¹⁹ There are no petitions from other states against Arizona.

2.5 CAA Section 110(a)(2)(E)

This section provides information to suggest that the Arizona Department of Environmental Quality and designated local governments have (i) adequate resources required to carry out the State Implementation Plan, (ii) that any board which approves permits or enforcement orders represents the public interest and any conflict of interest by board members or an executive agency head be adequately disclosed; and (iii) necessary assurances that where the State has relied on a local or regional government agency, or instrumentality for implementation of any plan provision the state has responsibility for ensuring adequate implementation of such plan provision.

2.5.1 CAA Section 110(a)(2)(E)(i) - Personnel and Funding

Each SIP shall provide the necessary assurances that adequate personnel, funding, and legal authority are available to carry out the SIP.

Funding to staff and administer Arizona air quality control programs, such as permitting and motor vehicle emissions inspection programs, consists of federal grants and fees collected from regulated emissions sources. State, county, and regional agency funding and personnel resources are currently adequate to meet federal and state obligations to administer the air quality programs necessary to attain and maintain the 1987 PM₁₀ air quality standards for the protection of public health and welfare. The need for additional staff for the five year period

¹⁸ Arizona Regional Haze Progress Report submitted November 13, 2015

¹⁹ See R18-2-402, Subsection I.

following this submittal is not anticipated. ADEQ plans and manages state resources with efficiency and continuous improvement. ADEQ submitted funding statutes A.R.S. sections 49-544 and 49-551 on July 6, 2001, and section 49-455 on October 14, 2009, to meet adequate resource requirements under Section 110(a)(2)(E)(i). EPA approved this portion of Arizona's infrastructure SIP for the 1997 8-hour ozone standards and the 2006 PM_{2.5} standards November 5, 2012.²⁰

2.5.2 CAA Section 110(a)(2)(E)(ii) - Conflict of Interest

This section requires that any board which approves permits or enforcement orders represents the public interest and any conflict of interest by board members or an executive agency head be adequately disclosed.

Authority for permit approvals and enforcement orders is provided to the ADEQ Director and county control officers. Arizona law, applicable to "all public officers and employees of incorporated cities or towns, of political subdivisions and of the State and any of its departments, commissions, agencies, bodies or boards," contains provisions for adequate disclosure of any conflict of interest. To meet the conflict of interest requirements under Section 110(a)(2)(E)(ii), ADEQ submitted A.R.S. Title 38, Chapter 3, Article 8, Conflict of Interest of Officers and Employees, on October 14, 2009. Maricopa County adopted a revision to Rule 100, Section 108, requiring that the majority of County Air Quality Hearing Board members not have substantial interest in any person required to obtain an air pollution permit or subject to enforcement orders issued under the Maricopa County Air Pollution Control Regulations. ADEQ submitted this revision to EPA on December 6, 2013. On December 19, 2013, ADEQ submitted to the EPA the Pima County revisions to Pima County Rule 17.04.190, extending the majority membership requirement to interests in persons subject to enforcement orders. On September 4, 2014, ADEQ submitted Pinal County Rule 1-3-140 revisions addressing the deficiency in 110(a)(2). EPA approved these submittals into the Arizona SIP on August 10, 2015.

2.5.3 CAA Section 110(a)(2)(E)(iii) - Implementation

The purpose of 110 (a)(2)(E)(iii) is to provide necessary assurances that where the State has relied on a local or regional government agency, or instrumentality for implementation of any plan provision the state has responsibility for ensuring adequate implementation on of such plan provision. Arizona Revised Statutes grant ADEQ primary regulatory authority for air pollution control and abatement in Arizona as well as responsibility for ensuring adequate implementation of SIP provisions.

Table 2-4 lists relevant sections of Arizona Revised Statutes to affirm that the Arizona Department of Environmental Quality and designated local governments have adequate resources required to carry out the State Implementation Plan.

²⁰ November 5, 2012 (77 FR 66398)

Table 2-4: CAA 110(a)(2)(E) - Adequate Resources and Authority, Conflict of Interest, and Oversight of Local Governments and Regional Agencies

Statute/Rule	Relevant Sections	Date approved into the Arizona SIP
CAA 110(a)(2)(E)(i) - ADEQ Programs		
§ 28-1253 Registration requirement; exceptions; assessment; violation; classification		11/05/2012 (77 FR 66398)
§ 35-313 Investment of trust and treasury monies; loans and securities		11/05/2012 (77 FR 66398)
§ 49-103 Department employees; legal counsel		11/05/2012 (77 FR 66398)
§ 49-402 State and county control		11/05/2012 (77 FR 66398)
§ 49-406 Nonattainment area plan		11/05/2012 (77 FR 66398)
§ 49-404 State implementation plan	(A)	6/08/2000 (65 FR 36353)
§ 49-455 Permit administration fund	(A) and (B)(2)	11/05/2012 (77 FR 66398)
§ 49-543 Emissions inspection costs; disposition; fleet inspection; certificates	(A)	11/05/2012 (77 FR 66398)
§ 49-544 Emissions inspection fund; composition; authorized expenditures; exemptions; investment		1/22/2003 (68 FR 2912)
§ 49-551 Air quality fee; air quality fund; purpose		1/22/2003 (68 FR 2912)
County Programs		
§ 49-471 Definitions		11/05/2012 (77 FR 66398)
§ 49-478 Hearing board		11/05/2012 (77 FR 66398)
§ 49-479 Rules; hearing		11/05/2012 (77 FR 66398)
§ 49-480.02 Appeals of permit actions		11/05/2012 (77 FR 66398)
§ 49-482 Appeals to hearing board		11/05/2012 (77 FR 66398)
CAA 110(a)(2)(E)(ii) – ADEQ/County Programs		
§ 38-101 Definitions		11/05/2012 (77 FR 66398)
§ 38-501 Application of article		11/05/2012 (77 FR 66398)
§ 38-502 Definitions		11/05/2012 (77 FR 66398)

Table 2-4: CAA 110(a)(2)(E) - Adequate Resources and Authority, Conflict of Interest, and Oversight of Local Governments and Regional Agencies

Statute/Rule	Relevant Sections	Date approved into the Arizona SIP
§ 38-503 Conflict of interest; exemptions; employment prohibition		11/05/2012 (77 FR 66398)
§ 38-504 Prohibited acts		11/05/2012 (77 FR 66398)
§ 38-505 Additional income prohibited for services		11/05/2012 (77 FR 66398)
§ 38-506 Remedies		11/05/2012 (77 FR 66398)
§ 38-507 Opinions of the attorney general, county attorneys, city or town attorneys and house and senate ethics committee		11/05/2012 (77 FR 66398)
§ 38-508 Authority of public officers and employees to act		11/05/2012 (77 FR 66398)
§ 38-509 Filing of disclosures		11/05/2012 (77 FR 66398)
§ 38-510 Penalties		11/05/2012 (77 FR 66398)
§ 38-511 Cancellation of political subdivision and state contracts; definition		11/05/2012 (77 FR 66398)
Maricopa County Rule 100, Section 108		8/10/2015 (80 FR 47859)
Pima County Rule 17.04.190		8/10/2015 (80 FR 47859)
Pima County Rule 17.12.040		8/10/2015 (80 FR 47859)
Pima County Rule 17.24.040		8/10/2015 (80 FR 47859)
Pinal County Rule 1-3-140		8/10/2015 (80 FR 47859)
CAA 110(a)(2)(E)(iii)		
§ 49-106 Statewide application of rules	(J)	11/05/2012 (77 FR 66398)
§ 49-107 Local delegation of state authority		11/05/2012 (77 FR 66398)
§ 49-402 State and county control	(A)(1) through (A)(7), (B), (C),	6/08/2000 (65 FR 36353)
§ 49-404 State implementation plan		6/08/2000 (65 FR 36353)

Table 2-4: CAA 110(a)(2)(E) - Adequate Resources and Authority, Conflict of Interest, and Oversight of Local Governments and Regional Agencies

Statute/Rule	Relevant Sections	Date approved into the Arizona SIP
Sources: Arizona Revised Statutes and Federal Register		

2.6 CAA Section 110(a)(2)(F) - Emissions Monitoring and Reporting

Section 110 (a)(2)(F) requires provisions for emissions monitoring by owners or operators of stationary sources and periodic reports on the nature and amounts of emissions as well as correlation of such reports by the state agency with any emission limitations or standards. Adoption of the SIP by the state also requires that each state submit a comprehensive plan to the EPA that includes correlation of such plan with any emission limitations or standard established pursuant to the Clean Air Act regulations.

Arizona Revised Statutes provide authority to require any sources of air contaminants to monitor, sample or perform other studies to quantify emissions of air contaminants or levels of air pollution that may be reasonably attributable to that source. On November 5, 2012, the EPA issued the final rulemaking, "Partial Approval and Disapproval of Air Quality Implementation Plans; Arizona; Infrastructure Requirements for Ozone and Fine Particulate Matter." (77 FR 66398). This action outlined a deficiency within the Pima County program for this element. EPA approved the 2013 Pima County submittal for element F in 2015.

Table 2-5: CAA 110(a)(2)(F) - Stationary Source Monitoring and Reporting

Statute/Rule	Relevant Sections	Date approved into the Arizona SIP
ADEQ Programs		
§ 49-422 Powers and duties		11/05/2012 (77 FR 66398)
§ 49-424 Duties of Department		11/05/2012 (77 FR 66398)
R18-2-310.01 Reporting Requirements		9/18/2001 (66 FR 48087)
R18-2-313. Existing Source Emission Monitoring		11/05/2012 (77 FR 66398)
R18-2-327. Annual Emission Inventory Questionnaire		11/05/2012 (77 FR 66398)
County Programs		

Table 2-5: CAA 110(a)(2)(F) - Stationary Source Monitoring and Reporting		
Statute/Rule	Relevant Sections	Date approved into the Arizona SIP
§ 49-476.01 Monitoring		11/05/2012 (77 FR 66398)
Maricopa County Rules		
Rule 100. General Provisions and Definitions	Section 500 Monitoring and Records	11/05/2012 (77 FR 66398)
Rule 140 Excess Emissions		8/6/2007 (67 FR 54957)
Pima County Rules		
17.12.040 Reporting Requirements		8/10/2015 (80 FR 47859)
17.24.040 Reporting for Compliance Evaluations		8/10/2015 (80 FR 47859)
Pinal County Rules		
3-1-081 Permit Conditions	(3)(4)	4/9/1996 (61 FR 15717)
3-1-150 Monitoring		4/9/1996 (61 FR 15717)
Sources: Arizona Revised Statutes and Federal Register		

2.7 CAA Section 110(a)(2)(G) – Emergency Powers

Section 110(a)(2)(G) requires states to provide for authority to address activities causing imminent and substantial endangerment to public health, including contingency plans to implement the emergency episode provisions in their SIPs. 40 CFR 51.150 also requires the states to designate priority levels for ambient pollutant concentrations.

Arizona Revised Statutes (A.R.S.) § 49-465 authorizes state actions to alleviate or prevent an emergency health risk to the public due to air pollution or likely exceedance of the NAAQS. The Governor "may, by proclamation, declare that an emergency exists and may prohibit, restrict, or condition" any and all activity that contributes to the emergency. Arizona Administrative Code (A.A.C.) R18-2-220, "Air Pollution Emergency Episodes"²¹, prescribes the procedures the ADEQ Director shall implement to prevent the occurrence of ambient air pollution concentrations which would cause significant harm to public health. These procedures include governmental and public notification of the nature of the episode and, at the directive of the Governor's office, possible curtailment of industrial and commercial activities.

²¹ AAC R9-3-219 in 47 FR 42572 (September 28, 1982).

Similar provisions for determining air pollution emergency episodes, advisory procedures, and control actions are contained in Maricopa, Pima, and Pinal County code:

- Maricopa County Air Pollution Control Regulations, Regulation VI - Emergency Episodes, Rule 600²², Emergency Episodes
- Pima County Municipal Code, Title 17. Air Quality Control, Chapter 17.32, Emergency Episodes and Public Awareness, Article I. Emergency Episodes
- Pinal County Air Quality Control District Code of Regulations, Chapter 2. Ambient Air Quality Standards, Article 7. Air Pollution Emergency Episodes²³.

On October 15, 2012, EPA approved the Arizona Emergency Episode Plan, which EPA found is substantively identical to the CAA section 110(a)(2)(G).²⁴ The rulemaking includes revisions submitted on August 15, 1994. These revisions include the following: 1) Rule R18–2–220, “Air pollution emergency episodes”, amended effective September 26, 1990; 2) a letter from Eric C. Massey, Director, Air Quality Division, ADEQ, to Jared Blumenfeld, Regional Administrator, US EPA, dated August 30, 2012, certifying that the attached copy of the document, “Procedures for Prevention of Emergency Episodes: 1988 Edition,” is a true and correct copy of the original and is an official publication of ADEQ; and 3) the document titled, “Procedures for Prevention of Emergency Episodes,” 1988 edition, ADEQ.²⁵

All of Arizona is classified as priority I for Particulate Matter as outlined in 40 CFR 51.150. ADEQ has set the alert, warning, and emergency episode thresholds for 24 hour PM₁₀ at 350 µg/m³, 420 µg/m³, and 500 µg/m³ respectively.

Table 2-6 lists relevant sections of Arizona Revised Statutes and Administrative Code that have been adopted by the state of Arizona in order to comply with the federal prevention of air pollution episodes.

Under 40 CFR 51.151 each plan for a Priority I region is required to include a contingency plan which must at a minimum provide for action necessary to prevent ambient pollutant concentrations at any location in such region from exceeding PM₁₀ significant harm levels. ADEQ’s emergency episode rules and procedures were approved into the SIP on October 15, 2012 (77 FR 62452).

²² Maricopa County Rule 600 was adopted 7/13/1988 and approved by EPA into the SIP 3/18/1999 in 64 FR 13351.

²³ Pinal County Rules were adopted 6/29/1993 and approved by EPA into the SIP on 12/20/2000 in 65 FR 79742.

²⁴ October 15, 2012 (77 FR 62452 at 62453)

²⁵ October 15, 2012 (77 FR 62454)

Table 2-6: CAA 110(a)(2)(G) - Emergency Episodes		
Statute/Rule	Relevant Sections	Date approved into the Arizona SIP
ADEQ Programs		
§ 49-462 Violations; injunctive relief		11/05/2012 (77 FR 66398)
§ 49-465 Air pollution emergency		11/05/2012 (77 FR 66398)
R9-3-215. Ambient Air Quality Monitoring Methods & Procedures		10/19/1984 (49 FR 41026)
R9-3-215 Air Quality Monitoring Procedures Manual		10/15/2012 (77 FR 62452)
R18-2-220 Air Pollution Emergency Episodes		10/15/2012 (77 FR 62452)
Procedures for Prevention of Emergency Episodes: 1988, Edition (R18-2-220)		10/15/2012 (77 FR 62452)
§ 49-512 Violations; injunctive relief		11/05/2012 (77 FR 66398)
Source: Arizona Revised Statutes, Arizona Administrative Code, and Federal Register		

2.8 CAA Section 110(a)(2)(H) – Plan Revisions

Section 110(a)(2)(H) requires states to have authority to revise their SIPs in response to changes in the NAAQS or availability of improved methods for attaining the NAAQS. This Section also requires states to provide for plan revisions to ensure the adequacy of the plan to attain the air quality standards or to otherwise comply with any additional requirements established under the Clean Air Act.

Arizona Revised Statutes contain authority to revise the Arizona SIP to comply with the requirements of the CAA including changes in the NAAQS. Under ARS §49-404, ADEQ is required to "maintain a state implementation plan that provides for implementation, maintenance and enforcement of national ambient air quality standards and protection of visibility as required by the clean air act." Table 2-7 lists relevant sections of Arizona Revised Statutes.

Table 2-7: CAA 110(a)(2)(H) - SIP Revisions		
Statute/Rule	Relevant Sections	Date approved into the Arizona SIP
Plan Revisions		
§ 49-404 State implementation plan		6/08/2000 (65 FR 36353)
§ 49-406 Nonattainment area plan		6/08/2000 (65 FR 36353)
Source: Arizona Revised Statutes and Federal Register		

2.9 CAA Section 110(a)(2)(I) – CAA Title 1, Part D Nonattainment Area Requirements

Section 110(a)(2)(I) requires nonattainment area plans to meet the applicable requirements of CAA Title 1, Part D relating to nonattainment areas. The specific nonattainment area plan requirements of section 110(a)(2)(I) are subject to the timing requirement of section 172, not the timing requirement of section 110(a)(1).

Under ARS § 49-406, the State of Arizona has established nonattainment area plans to meet the CAA requirements as specified under the Section 110(a)(2)(I).

2.10 CAA Section 110(a)(2)(J) – Consultation with Government Officials, Public Notification, PSD and Visibility Protection

Section 110(a)(2)(J) requires states to: (1) provide a process for consultation with local governments and Federal Land Managers carrying out NAAQS implementation requirements pursuant to Section 121 relating to consultation, (2) notify the public if NAAQS are exceeded in an area and to enhance public awareness of measures that can be taken to prevent exceedances per Section 127 relating to public notification, and (3) meet applicable requirements of Part C related to prevention of significant deterioration of air quality and visibility protection.

Arizona agencies maintain appropriate consultation procedures with local governments, CAA Section 174 and metropolitan planning agencies, and federal land managers regarding implementation of CAA requirements. ARS §49-406 requires the State, the metropolitan planning agency on behalf of affected local governments, county agencies, and the Department of Transportation to enter into a memorandum of agreement for the purpose of coordinating the development, implementation, and enforcement of nonattainment and maintenance plans. Additionally, opportunity for comment is provided through stakeholder meetings and public

hearings held to solicit testimony from the public as well as federal and local air quality planning agencies prior to adoption of any revision to the Arizona SIP.

CAA Section 127 requires measures to notify the public of instances or areas in which any air quality standard is exceeded during the preceding calendar year, to advise the public of health hazards associated with air pollution, and to enhance public awareness of measures that can be taken to improve air quality. The results of air quality monitoring conducted throughout Arizona, including PM₁₀ data, are published in ADEQ's Air Quality Annual Reports. Air quality forecasts, which include actual ambient air quality data for the preceding day, are made available to the public daily. The annual reports, daily forecasts, and other air quality information including tips for reducing pollution are available on the ADEQ Web site.

ADEQ, and those counties with authority to implement portions of the SIP (Maricopa, Pinal, and Pima counties), certify to do now and will continue to notify the public on a regular basis of instances or areas in which any primary NAAQS was exceeded, consistent with the requirements of sections 110(a)(2)(J) and 127 of the Federal Clean Air Act. Such notifications are and will be available on the state and county air quality websites, which are updated daily to identify exceedances of the NAAQS that occurred during the previous day or any portion of the preceding calendar year. We commit to continue, through these websites, to advise the public of the health hazards associated with such exceedances and to increase public awareness of: (1) measures which can be taken to prevent a primary standard from being exceeded, and (2) ways in which the public can participate in regulatory and other efforts to improve air quality.

Arizona's visibility protection program is designed to analyze the causes of visibility impairment and to develop and implement control strategies as required. Requirements include analysis of emissions from new major sources or sources making major modifications and anticipated impacts on visibility at any Class I area. A more detailed discussion of Arizona's Regional Haze SIP is provided above in Section 1.4, CAA Section 110(a)(2)(D). Table 2-8 lists relevant sections of Arizona Revised Statutes that are in place and essential in conforming with the CAA 110(a)(2)(J).

2.11 CAA Section 110(a)(2)(K) – Air Quality Modeling

Table 2-8: CAA 110(a)(2)(J) - Consultation with Government Officials, Public Notification, and PSD and Visibility Protection

Statute/Rule	Relevant Sections	Date approved into the Arizona SIP
ADEQ Programs		
§ 49-102 State and county control	(F)	6/08/2000 (65 FR 36353)
§ 49-104 Powers and duties of the department and director	(A)(2), (A)(4), (B)(3) and (B)(5)	11/05/2012 (77 FR 66398)
§ 49-405 Attainment area designations		11/05/2012 (77 FR 66398)
§ 49-406 Nonattainment area plan		6/08/2000 (65 FR 36353)
§ 49-424 Duties of department		11/05/2012 (77 FR 66398)
§ 49-425 Rules; hearing		11/05/2012 (77 FR 66398)
County Programs		
§ 49-473 Board of supervisors		11/05/2012 (77 FR 66398)
§ 49-474 County control boards		11/05/2012 (77 FR 66398)
§ 49-479 Rules; hearing		11/05/2012 (77 FR 66398)
Source: Arizona Revised Statutes and Federal Register		

CAA section 110(a)(2)(K) requires that SIPs provide for:

- (i) the performance of such air quality modeling as the Administrator may prescribe for the purpose of predicting the effect on ambient air quality of any emissions of any air pollutant for which the Administrator has established a national ambient air quality standard, and
- (ii) the submission, upon request, of data related to such air quality modeling to the Administrator.

Modeling “for the purpose of predicting the effect on ambient air quality of any emissions of” criteria pollutants is required in two contexts relevant to CAA section 110:

1. Developing plans designed to assure that all areas of the state either already meet or will attain the National Ambient Air Quality Standards (NAAQS) and Prevention of Significant Deterioration (PSD) requirements.
2. Issuing preconstruction permits designed to assure that a new source does not cause or contribute to a NAAQS violation.

EPA guidance recommends that, at a minimum, states identify the statutory or regulatory provisions that provide state and local air agencies the authority to perform the above actions, along with a narrative of how the provisions meet the requirements above.

ADEQ submitted a SIP revision for the requirements of 110(a)(2)(k) in December 2015. EPA proposed to approve this submission May 19, 2016.²⁶

2.11.1 Modeling for Plan Development

In particulate matter nonattainment and maintenance areas with MPOs, the MPOs have responsibility for developing particulate matter nonattainment and maintenance plans under section 49-406(A). ADEQ has responsibility for the development of all other SIPs under sections 49-406(B) and 49-404.

ADEQ has broad authority to delegate “any functions, powers, or duties,” to local agencies, including Air Pollution Control Departments (APCD), under A.R.S. section 49-107(A). ADEQ could delegate the responsibility to conduct plan development modeling to the county APCDs under this provision and divide responsibilities in a memorandum of agreement (MOA) under A.R.S. 49-406(C)-(F).

2.11.2 Modeling for Preconstruction Permits

ADEQ has authority to conduct or require air quality modeling when issuing preconstruction permits for minor and major sources as well as modifications.

ADEQ has adopted Arizona Administrative Code (A.A.C.) R18-2-334 to establish a minor New Source Review (NSR) program. Subsection (C)(2) of R18-2-334 gives ADEQ the authority to require modeling from, or perform air quality modeling on behalf of, a new or modified minor source.

Under R18-2-406, ADEQ has the authority to require modeling for major sources and major modifications meeting Prevention of Significant Deterioration (PSD) requirements.

Maricopa County has submitted a revised NSR program April 2016. Pinal and Pima Counties are currently proposing and revising their respective NSR programs for preconstruction permits. Each of the county APCDs has existing regulations establishing the authority to require modeling in connection with PSD permits that are substantially identical to ADEQ’s. In addition, as explained in the July 20, 2014, State Implementation Plan for NSR Supplemental Information

²⁶ May 19, 2016 (81 FR 31571)

sections 2.2(b) and 2.4, Pinal County currently has delegated authority to administer ADEQ's PSD program.

2.11.3 General Authority

In addition to the specific provisions relating to plan development and preconstruction modeling, a number of statutes provide ADEQ broad general authority that encompasses the ability to conduct modeling and submit the results to EPA. These authorities relate to conducting research, providing information, contracting services, requiring sources to model, and communicating the agency's duties.

2.11.4 Legal Authority

For reference, Table 2-9 below lists the legal authorities demonstrating compliance with CAA section 110(a)(2)(K):

Table 2-9: CAA 110(a)(2)(K) - Air Quality Modeling and Submission of Modeling Data		
Statute/Rule	Relevant Sections	Date approved into the Arizona SIP
ADEQ Programs		
§ 49-104 Powers and duties of the department and director	(A)(3) and (B)(1)	Proposed 5/19/2016 (81 FR 31571)
§ 49-404 State Implementation Plan	(A)-(C)	6/08/2000 (65 FR 36353)
§ 49-406 Nonattainment area plan	(A)-(F)	6/08/2000 (65 FR 36353)
§ 49-107 Private right of action; citizen suits	(A)	6/08/2000 (65 FR 36353)
§ 49-422 Powers and duties	(A)(3)(a), (A)(3)(b), (C)(1), (C)(2), (C)(3), (C)(4), (C)(5)	11/05/2012 (77 FR 66398)
§ 49-424 Duties of department	(2)	11/05/2012 (77 FR 66398)
R18-2-334 Minor New Source Review	(C)(2) and (I)	11/2/2015 (80 FR 67319)
R18-2-406 Permit Requirements for Sources Located in Attainment and Unclassifiable Areas	(A)(5) and (A)(6)	6/08/2000 (65 FR 36353)

Table 2-9: CAA 110(a)(2)(K) - Air Quality Modeling and Submission of Modeling Data

Statute/Rule	Relevant Sections	Date approved into the Arizona SIP
County Programs		
§ 49-473 Board of supervisors		11/05/2012 (77 FR 66398)
§ 49-474 County control boards		11/05/2012 (77 FR 66398)
Source: Arizona Revised Statutes and Federal Register		

2.12 CAA Section 110(a)(2)(L) – Permit Fees

Section 110(a)(2)(L) requires SIPs to require the owner or operator of a major stationary source to pay fees to the permitting authority to cover the cost of reviewing, approving, implementing and enforcing a permit.

Arizona permitting agencies are responsible for assessing fees sufficient to recover the costs of administering the permitting program. Assessments include fees for permit actions, administrative and emission based fees for Title V sources, inspection fees for non-Title V sources, and fees for general permits.

According to EPA issued Guidance²⁷, “the infrastructure SIP should provide citations to the regulations providing for collection of permitting fees under the state’s EPA-approved Title V permit program. See 40 CFR 70.9 (‘Fee determination and certification’), and 40 CFR Part 70, Appendix A, ‘Approval Status of State and Local Operating Permits Programs’.”

Arizona received interim approval for the federal Title V permit program, established by the 1990 Federal Clean Air Act Amendment (61 FR 55915; October 30, 1996). The interim approval of the ADEQ Title V program became effective on Nov. 29, 1996. EPA fully approved the Title V operating permits programs for ADEQ, Maricopa County, Pima County, and Pinal County effective November 30, 2001 (66 FR 63175; December 5, 2001 and 66 FR 63166; December 5, 2001). Subsequently, on May 17, 2005, EPA issued a notice of deficiency with respect to certain elements of Maricopa County’s Title V operating permits program, including the permit fee requirements (70 FR 32243; June 2, 2005). Following EPA’s performance of a Title V program evaluation and the Maricopa County Air Quality Department’s (MCAQD) subsequent submittal of corrections to address the identified deficiencies, EPA issued a notice of resolution explaining EPA’s bases for concluding that the MCAQD had resolved all of the issues identified in EPA’s

²⁷Guidance On Infrastructure State Implementation Plan (SIP) Elements Required Under Sections 110(a)(1) and 110(a)(2) for the 2008 Lead (Pb) National Ambient Air Quality Standards (NAAQS), dated October 14, 2011.

May 17, 2005 notice of deficiency (71 FR 67061; November 20, 2006). Thus, all of the Arizona permitting agencies currently implement fully approved fee programs under Title V of the CAA.

2.13 CAA Section 110(a)(2)(M) – Consultation/Participation by Affected Local Entities

Section 110(a)(2)(M) requires states to provide for consultation and participation in SIP development by local political subdivisions affected by the plan.

Arizona air quality agencies consult with and maintain frequent and regular communication with all local and political subdivisions affected by plan revisions. Local entities participate in plan development and the review process and often provide needed data and information for analyses contained in the plan as well as implementation assistance. Opportunity for comment is also provided through stakeholder meetings and public hearings conducted to solicit testimony from the public, local planning agencies, and other local political entities prior to adoption of any plan revisions. Table 2-10 lists relevant sections of Arizona Revised Statutes to reflect compliance with Section 110(a)(2)(M).

Table 2-10: CAA 110(a)(2)(M) - Consultation and Participation by Affected Local Entities		
Statute/Rule	Relevant Sections	Date approved into the Arizona SIP
ADEQ Programs		
§ 49-102 State and county control	(F)	6/08/2000 (65 FR 36353)
§ 49-104 Powers and duties of the department and director	(A)(2), (A)(4), (B)(3) and (B)(5)	11/05/2012 (77 FR 66398)
§ 49-402 State and county control	(F)	9/23/2014 (79 FR 56655)
§ 49-405 Attainment area designations	(B)(2)(6)	11/05/2012 (77 FR 66398)
§ 49-406 Nonattainment area plan	(C), (D), (E), (F)	6/08/2000 (65 FR 36353)
§ 49-424 Duties of department	(8), (10)	11/05/2012 (77 FR 66398)
§ 49-425 Rules; hearing	(B), (D)	11/05/2012 (77 FR 66398)
County Programs		
§ 49-473 Board of supervisors		11/05/2012 (77 FR 66398)
§ 49-474 County control boards		11/05/2012 (77 FR 66398)
§ 49-479 Rules; hearing		11/05/2012 (77 FR 66398)
Source: Arizona revised Statutes and Federal Register		

3 Conclusion

This PM₁₀ Infrastructure State Implementation Plan submittal demonstrates that the existing authorities and infrastructure of Arizona State and local air quality management programs meet the basic program elements required under CAA Section 110(a)(2) for 1987 PM₁₀ NAAQS.



Appendix A

Additional State and County Rules Supporting Arizona's PM₁₀ SIP Infrastructure

*Air Quality Division
June 30, 2017 Final*

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A1 Additional State and County Rules

Additional rules from Arizona, Maricopa County, Pima County, and Pinal County that apply to Clean Air Act 110(a)(2)(A)

A1.1 Additional State and County Rules/Statutes that apply to Clean Air Act 110(a)(2)(A) – Control Measures and Emissions Limits

Table A-1: CAA 110(a)(2)(A) - Control Measures and Emission Limits		
Rule/Statute	Relevant Sections	Date approved into the Arizona SIP
ADEQ Program		
R18-2-201. Particulate Matter: PM ₁₀ and PM _{2.5}		9/23/2014 (79 FR 56655)
R18-2-602. Unlawful Open Burning		9/23/2014 (79 FR 56655)
R18-2-604. Open Areas, Dry Washes or Riverbeds		9/23/2014 (79 FR 56655)
R18-2-605. Roadways and Streets		9/23/2014 (79 FR 56655)
R18-2-606. Material Handling		9/23/2014 (79 FR 56655)
R18-2-607. Storage Piles		9/23/2014 (79 FR 56655)
R18-2-608. Mineral Tailings		9/23/2014 (79 FR 56655)
R18-2-702. General Provisions		8/24/2004 (69 FR 51952)
R18-2-710. Standards of Performance for Existing Storage Vessels for Petroleum Liquids		324/2003 (68 FR 14151)
R18-2-715. Standards of Performance for Existing Primary Copper Smelters	(.01)(.02)	11/01/2004 (69 FR 63321)
R18-2-725. Standards of Performance for Existing Dry Cleaning Plants		3/24/2003 (68 FR 14151)
R18-2-727. Standards of Performance for Spray Painting Operations		3/24/2003 (68 FR 14151)

Appendix A - Additional State and County Rules Supporting Arizona's PM₁₀ SIP Infrastructure

Table A-1: CAA 110(a)(2)(A) - Control Measures and Emission Limits		
Rule/Statute	Relevant Sections	Date approved into the Arizona SIP
R18-2-801. Classification of Mobile Sources		3/24/2003 (68 FR 14151)
R18-2-802. Off-road Machinery		3/24/2003 (68 FR 14151)
R18-2-803. Heater-planer Units		3/24/2003 (68 FR 14151)
R18-2-804. Roadway and Site Cleaning Machinery		3/24/2003 (68 FR 14151)
R18-2-805. Asphalt or Tar Kettles		3/24/2003 (68 FR 14151)
R18-2-1501 through R18-2-1513. Forest Range and Management Burns		5/16/2006 (71 FR 28270)
Statewide		
A.R.S. 28-1098 Vehicle loads; restrictions	Excluding paragraphs B and C	3/31/2014 (79 FR 17878)
Area A		
A.R.S. 9-500.04 Air Quality Control; definitions	Excluding paragraphs A. 1, A.2, A.4 and A.10; paragraphs B through G; and paragraph I.	12/3/2013 (78 FR 72579)
A.R.S. 9-500.27 Off-road vehicle ordinance; applicability; violation; classification	Excluding paragraphs D and E	3/31/2014 (79 FR 17878)
A.R.S. 11-871 Emissions control; no burn; exemptions; penalty	Excluding paragraphs C through E	3/31/2014 (79 FR 17878)
A.R.S. 11-877 Air Quality Control Measures		12/3/2013 (78 FR 72579)
Maricopa County Programs		
R18-2-610. Definitions for R18-2-611		11/05/2012 (77 FR 66398)
R18-2-611. Agricultural PM ₁₀ General Permit; Maricopa PM ₁₀ Nonattainment Area		11/05/2012 (77 FR 66398)

Appendix A - Additional State and County Rules Supporting Arizona's PM₁₀ SIP Infrastructure

Table A-1: CAA 110(a)(2)(A) - Control Measures and Emission Limits

Rule/Statute	Relevant Sections	Date approved into the Arizona SIP
R18-2-1001 through R18-2-1031. VEI		11/05/2012 (77 FR 66398)
R20-2-701, R20-2-716, R20-2-750 through R20-2-760. CBF		3/4/2004 (69 FR 10161)
310. Fugitive Dust From Dust-Generating Operations		12/15/2010 (75 FR 78167)
311. Particulate Matter from Process Industries		8/4/1997 (62 FR 41856)
312. Abrasive Blasting		1/4/2001 (66 FR 730)
314. Open Outdoor Fires and Indoor Fireplaces at Commercial and Institutional Establishments		11/9/2009 (74 FR 57612)
316. Nonmetallic Mineral Mining and Processing		11/13/2009 (FR 58553)
318. Residential Woodburning Devices		11/8/1999 (64 FR 60678)
322. Power Plant Operations		10/14/2009 (74 FR 52693)
323. Fuel Burning Equipment from Industrial/Commercial/Institutional (ICI) Sources		10/14/2009 (74 FR 52693)
324. Stationary Internal Combustion Engines		10/14/2009 (74 FR 52693)
325. Brick and Structural Clay Products Manufacturing		8/21/2007 (72 FR 46564)
331. Solvent Cleaning		12/21/2004 (69 FR 76417)
333. Petroleum Solvent Dry Cleaning		12/21/2004 (69 FR 76417)
334. Rubber Sports Ball Manufacturing		2/9/1998 (63 FR 6489)
335. Architectural Coatings		1/6/1992 (57 FR 354)
336. Surface Coating Operations		9/20/1999 (64 FR 50759)
337. Graphic Arts		2/9/1998 (63 FR 6489)
338. Semiconductor Manufacturing		2/9/1998 (63 FR 6489)
339. Vegetable Oil Extraction Processes		2/9/1998 (63 FR 6489)
340. Cutback & Emulsified Asphalt		2/1/1996 (61 FR 3578)

Appendix A - Additional State and County Rules Supporting Arizona's PM10 SIP Infrastructure

Table A-1: CAA 110(a)(2)(A) - Control Measures and Emission Limits

Rule/Statute	Relevant Sections	Date approved into the Arizona SIP
341. Metal Casting		2/12/1996 (61 FR 5287)
342. Coating Wood Furniture and Fixture		2/9/1996 (63 FR 6489)
343. Commercial Bread Bakeries		3/17/1997 (62 FR 12544)
344. Automobile Windshield Washer Fluid		11/30/2001 (66 FR 59699)
346. Coating Wood Millwork		2/9/1998 (63 FR 6489)
347. Ferrous Sand Casting		6/12/2000 (65 FR 36788)
348. Aerospace Manufacturing and Rework Operations		6/20/1999 (64 FR 50759)
349. Pharmaceutical, Cosmetic and Vitamin Manufacturing Operations		6/8/2001 (66 FR 30815)
350. Storage of Organic Liquids at Bulk Plants and Terminals		9/5/1995 (60 FR 46024)
351. Loading of Organic Liquids		2/9/1998 (63 FR 6489)
352. Gasoline Delivery Vessels		9/5/1995 (60 FR 46024)
353. Transfer of Gasoline into Stationary Dispensing Tanks		2/1/1996 (61 FR 3578)
358. Polystyrene Foam Operations		5/26/2005 (70 FR 30370)
P-25. Leaf Blower Restriction Ordinance		N/A
P-26. Residential Woodburning		11/9/2009 (63 FR 24434)
Pinal County Programs		
3-8-700. General provisions		5/16/2006 (71 FR 28270)
3-8-710. Permit provisions and administration		5/16/2006 (71 FR 28270)
4-4-100. General Provisions		4/6/2010 (75 FR 17307)
4-4-110. Definitions		4/6/2010 (75 FR 17307)
4-4-120. Objective Standards		4/6/2010 (75 FR 17307)
4-4-130. Work Practice Standards		4/6/2010 (75 FR 17307)
4-5-150. Stabilization for Residential Parking and Drives; Applicability		4/6/2010 (75 FR 17307)

Appendix A - Additional State and County Rules Supporting Arizona's PM₁₀ SIP Infrastructure

Table A-1: CAA 110(a)(2)(A) - Control Measures and Emission Limits

Rule/Statute	Relevant Sections	Date approved into the Arizona SIP
4-5-160. Residential Parking Control Requirement		4/6/2010 (75 FR 17307)
4-5-170. Deferred enforcement date		4/6/2010 (75 FR 17307)
4-7-210. Definitions		4/6/2010 (75 FR 17307)
4-7-214. General Provisions		4/6/2010 (75 FR 17307)
4-7-222. Owner and/or Operator Liability		4/6/2010 (75 FR 17307)
4-7-226. Objective Standards; Sites		4/6/2010 (75 FR 17307)
4-7-230. Obligatory Work Practice Standards; Sites		4/6/2010 (75 FR 17307)
4-7-234. Nonattainment-Area Dust Permit Program; General Provisions		4/6/2010 (75 FR 17307)
4-7-238. Nonattainment Area Site Permits		4/6/2010 (75 FR 17307)
4-7-242. Nonattainment Area Block Permits		4/6/2010 (75 FR 17307)
4-7-246. Recordkeeping and Records Retention		4/6/2010 (75 FR 17307)
5-18-740. Storage of Volatile Organic Compounds; Organic Compound Emissions		12/26/2000 (65 FR 81371)
5-22-960. Fossil Fuel Fired Steam Generator Sulfur Dioxide Emission Limitations		9/29/2000 (65 FR 58359)
5-24-1045. Sulfite Pulp Mills - Sulfur Compound Emissions		9/29/2000 (65 FR 58359)
5-24-1055 Pumps and Compressors - Organic Compound Emissions		12/26/2000 (65 FR 81371)
Pima County Programs		
R18-2-1001 thru R18-2-1031. VEI		11/05/2012 (77 FR 66398)
R20-2-701, R20-2-716, R20-2-750 through R20-2-760. CBF		3/4/2004 (69 FR 10161)
17.12.480. Open burning permits		5/16/2006 (71 FR 28270)
Pima County Ordinance No. 1988-72		1/29/1991 (56 CFR 3219)
Source: Arizona Revised Statutes, Maricopa County Codes, Pima County Codes, Pinal County Codes, and Federal Register		

A1.2 Limited Approved/Disapproved Rules for Clean Air Act 110(a)(2)(C) – Enforcement of Control Measures

The rules listed in Table A-2 are the NSR updates from 2012 that received a limited approval/disapproval in November 2015¹. These rules apply to Element C. ADEQ submitted updated rules the EPA April 27, 2017

Table A-2: CAA 110(a)(2) (C) – Enforcement of Control Measures	
Limited Approved/Disapproved Rules	
ADEQ Programs	
R18-2-101. Definitions	
R18-2-217. Designation and Classification of Attainment Areas	
R18-2-218. Limitation of Pollutants in Classified Attainment Areas	
R18-2-301. Definitions	
R18-2-302. Applicability; Registrations; Classes of Permits	
R18-2-302.01. Source Registration Requirements	
R18-2-303. Transition from Installation and Operating Permit Program to Unitary Permit Program; Registration Transition; Minor NSR Transition	
R18-2-304. Permit Application Processing Procedures	
R18-2-306. Permit Contents	
R18-2-306.01. Permits Containing Voluntarily Accepted Emission Limitations and Standards	
R18-2-306.02. Establishment of an Emissions Cap	
R18-2-311. Test Methods and Procedures	
R18-2-312. Performance Tests	
R18-2-315. Posting of Permit	
R18-2-316. Notices by Building Permit Agencies	
R18-2-319. Minor Permit Revisions	
R18-2-320. Significant Permit Revisions	

¹ November 2, 2015 (80 FR 67319)

Appendix A - Additional State and County Rules Supporting Arizona's PM10 SIP Infrastructure

R18-2-321. Permit Reopenings; Revocation and Reissuance; Termination
R18-2-323. Permit Transfers
R18-2-330. Public Participation
R18-2-332. Stack Height Limitation
R18-2-334. Minor New Source Review
R18-2-401. Definitions
R18-2-402. General
R18-2-403. Permits for Sources Located in Nonattainment Areas
R18-2-404. Offset Standards
R18-2-405. Special Rule for Major Sources of VOC or Nitrogen Oxides in Ozone Nonattainment Areas Classified as Serious or Severe
R18-2-406. Permit Requirements for Sources Located in Attainment and Unclassifiable Areas
R18-2-407. Air Quality Impact Analysis and Monitoring Requirements
R18-2-409. Air Quality Models
R18-2-412. PALs



Appendix B

Public Process Documentation

Air Quality Division
June 30, 2017 Draft

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B1 Public Notice

PUBLIC COMMENT PERIOD AND HEARING: PROPOSED ARIZONA PM₁₀ INFRASTRUCTURE STATE IMPLEMENTATION PLAN REVISION

The Air Quality Division of the Arizona Department of Environmental Quality (ADEQ) welcomes comments on the proposed Arizona PM₁₀ Infrastructure State Implementation Plan (SIP) revision.

Arizona proposes to submit a revision to the Arizona SIP to satisfy infrastructure requirements under Clean Air Act § 110(a)(1) for the PM₁₀ National Ambient Air Quality Standards. The SIP revision demonstrates that the State of Arizona has the necessary resources to implement, maintain, and enforce the PM₁₀ air quality standards. ADEQ will submit the revision to the U.S. Environmental Protection Agency for incorporation in Arizona's SIP as required under the Clean Air Act.

Comments will be accepted between May 22, 2017 and June 21, 2017. Comments may be mailed, faxed, or emailed to Catherine Lucke-McDowell, Air Quality Division, Air Quality Improvement Planning Section, Arizona Department of Environmental Quality, 1110 W. Washington St., Phoenix, AZ 85007; fax (602) 771-2299; email CL7@azdeq.gov. Mailed comments must be postmarked by June 20, 2017. ADEQ will address comments applicable to the proposed Arizona PM₁₀ Infrastructure SIP revision.

Comments are also welcome at the public hearing to be held on June 22, 2017 at 1:00 p.m. in room 3100B, at the Arizona Department of Environmental Quality, 1110 W. Washington St., Phoenix, AZ 85007. Comments must be received no later than June 21, 2017 by 5:00 p.m., or submitted at the public hearing. Requests for language interpretation services or for disability accommodations must be made at least 48 hours in advance by contacting: 7-1-1 for TDD; (602) 771-2215 for Disability Accessibility; or Ian Bingham, Title VI Nondiscrimination Coordinator at (602) 771-4322 or idb@azdeq.gov. Find maps and parking information here: <http://www.azdeq.gov/function/about/contact.html>.

To review the SIP revision online visit: <http://azdeq.gov/notices>. A hard copy of the SIP revision can also be found at the ADEQ Records Center, 1110 W. Washington St., Phoenix, AZ 85007. For hours or appointment scheduling, call (602) 771-4380 or (800) 234-5677 ext. 6027714380.

For more information, contact Catherine Lucke-McDowell at (602) 771-4216 or CL7@azdeq.gov.

B2 Affidavit of Public Notice Publication

370060

AFFIDAVIT OF PUBLICATION

AIR QUALITY DIVISION

17 JUN -2 AM 10: 56

THE ARIZONA REPUBLIC

STATE OF ARIZONA
COUNTY OF MARICOPA } SS.

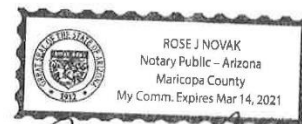
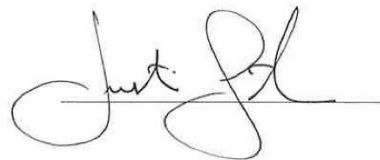
The Arizona Republic is a newspaper of general circulation in the county of Maricopa, Coconino, Pima and Pinal, State of Arizona, published at Phoenix, Arizona, by Phoenix Newspapers Inc., which also publishes The Arizona Business Gazette, and that the copy hereto attached is a true copy of the advertisement published in the said paper on the dates as indicated.

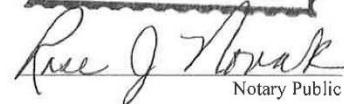
The Arizona Republic

5/22/2017
5/23/2017

17 JUN -2 AM 11: 13
AIR QUALITY DIVISION

Sworn to before me this
30th day of
May 2017




Notary Public

AIR QUALITY DIVISION

17 JUN -2 AM 10: 56

**PUBLIC COMMENT PERIOD
AND HEARING: PROPOSED
ARIZONA PM10 INFRA-
STRUCTURE STATE IMPLE-
MENTATION PLAN REVISION**

The Air Quality Division of the Arizona Department of Environmental Quality (ADEQ) welcomes comments on the proposed Arizona PM10 Infrastructure State Implementation Plan (SIP) revision. Arizona proposes to submit a revision to the Arizona SIP to satisfy infrastructure requirements under Clean Air Act § 110(a)(1) for the PM10 National Ambient Air Quality Standards. The SIP revision demonstrates that the State of Arizona has the necessary resources to implement, maintain, and enforce the PM10 air quality standards. ADEQ will submit the revision to the U.S. Environmental Protection Agency for incorporation in Arizona's SIP as required under the Clean Air Act. Comments will be accepted between May 22, 2017 and June 21, 2017. Comments may be mailed, faxed, or emailed to Catherine Lucke-McDowell, Air Quality Division, Air Quality Improvement Planning Section, Arizona Department of Environmental Quality, 1110 W. Washington St., Phoenix, AZ 85007; fax (602) 771-2299; email CL7@azdeg.gov. Mailed comments must be postmarked by June 20, 2017. ADEQ will address comments applicable to the proposed Arizona PM10 Infrastructure SIP revision. Comments are also welcome at the public hearing to be held on June 21, 2017 at 1:00 p.m. in room 3100B, at the Arizona Department of Environmental Quality, 1110 W. Washington St., Phoenix, AZ 85007. Comments must be received no later than June 21, 2017 by 5:00 p.m., or submitted at the public hearing. Requests for language interpretation services or for disability accommodations must be made at least 48 hours in advance by contacting: 7-1-1 for TDD: (602) 771-2215 for Disability Accessibility; or Ian Bingham, Title VI Non-discrimination Coordinator at (602) 771-4322 or ido@azdeg.gov. Find maps and parking information here: <http://www.azdeg.gov/function/about/contact.html>. To review the SIP revision online visit: <http://azdeg.gov/notices>. A hard copy of the SIP revision can also be found at the ADEQ Records Center, 1110 W. Washington St., Phoenix, AZ 85007. For hours or appointment scheduling, call (602) 771-4380 or (800) 234-5677 ext. 6027714380. For more information, contact Catherine Lucke-McDowell at (602) 771-4216 or CL7@azdeg.gov. Pub: May 22, 23, 2017

B3 Hearing Agenda



Public Hearing Agenda

AIR QUALITY DIVISION PUBLIC HEARING ON THE PROPOSED

Arizona 1987 PM₁₀ Infrastructure State Implementation Plan

Arizona Department of Environmental Quality

Room 3100B, 1110 W. Washington St., Phoenix, Arizona

1:00 PM, June 21, 2017

Pursuant to 40 CFR § 51.102 notice is hereby given that the above referenced meeting is open to the public.

1. Welcome and Introductions
2. Purpose of the Oral Proceedings
3. Procedure for Making Public Comment
4. Brief Overview of the Proposal
5. Adjournment of Oral Proceeding

During the 30 day comment period, the proposed *Arizona PM₁₀ Infrastructure State Implementation Plan*, is available online on the ADEQ Air Quality Planning (SIPs) webpage at <http://www.azdeq.gov/notives> in Air Quality Public Notices, Meetings, and Hearings. The proposal is also available at the ADEQ Records Center, 1110 W. Washington St., Phoenix, AZ 85007, (602) 771-4380 or (800) 234-5677 ext. 6027714380. Please call for hours of operation and to schedule an appointment.

Written comments may be mailed, faxed, or emailed to Catherine Lucke, Air Quality Division, Air Quality Improvement Planning Section, Arizona Department of Environmental Quality, 1110 W. Washington St., Phoenix, AZ 85007, fax (602) 771-2366, email CL7@azdeq.gov. All comments must state the name and mailing address of the person; be signed by the person, their agent, or attorney; and clearly set forth reasons why the proposed revisions should or should not be finalized. Grounds for comment are limited to whether or not this proposal meets the criteria spelled out in federal air pollution control laws and/or rules.

Appendix B - Public Process Documentation

For additional information regarding the hearing please contact Catherine Lucke, ADEQ Air Quality Division, at (602) 771-4216.

B4 Sign In Sheet



Air Quality Division Sign-In Sheet

Please Sign In

SUBJECT: _____

DATE: _____

<u>NAME</u>	<u>ORGANIZATION</u>	<u>PHONE</u>	<u>E-MAIL</u> (primary method of contact)
1. JOHANNA M KUSPERT	MCAQD	602-506-6710	jkusper@mail.maricopa.gov
2. Greg VerKamp	MCAQD	602-506-7141	gregory.verkamp@mail.maricopa.gov
3. Kristi Beck	MCAQD	602-506-6706	Kristi.Beck@mail.maricopa.gov
4. SUEAN CODRER	HALEY & ALDRICH	602-760-2431	scodrer@haleyaldrich.com
5. Kyle Heckel	SRP	602-236-5443	Kyle.Heckel@srpnet.com
6. Michael Denby	APS	602-250-2870	michael.denby@aps.com
7. _____	_____	_____	_____

B5 Officer Certification



Air Quality Division

Public Hearing Presiding Officer Certification

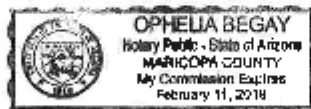
I, Matthew Ivers, the designated Presiding Officer, do hereby certify that the public hearing held by the Arizona Department of Environmental Quality was conducted on June 21, 2017, at the Arizona Department of Environmental Quality, Conference Room 3100R, 1110 West Washington Street, Phoenix, Arizona, in accordance with public notice requirements by publication in *The Arizona Republic* beginning May 22, 2017. Furthermore, I do hereby certify that the public hearing was recorded from the opening of the public record through concluding remarks and adjournment, and the transcript provided contains a full, true, and correct record of the above-referenced public hearing.

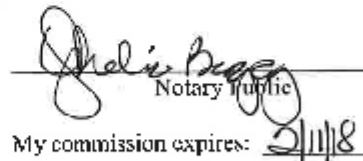
Dated this 21st day of June, 2017.


Matthew Ivers

State of Arizona)
) ss.
County of Maricopa)

Subscribed and sworn to before me on this 21st day of June, 2017.




Notary Public
My commission expires: 2/11/18

B6 Hearing Transcript

Proposed 1987 PM₁₀ Infrastructure State Implementation Plan

Oral Proceeding
Hearing Officer Transcript

June 21, 2017

Matt Ivers: Thank you for coming. I now open this hearing on the proposed 1987 PM₁₀ Infrastructure State Implementation Plan. This proceeding is being recorded and will be preserved for the record.

Today is June 21st, 2017, and the time is 1:07 p.m. The location is conference room 3100B, Arizona Department of Environmental Quality, 1110 West Washington Street, Phoenix, Arizona, 85007. My name is Matt Ivers, and I have been appointed by the Director of the Arizona Department of Environmental Quality (ADEQ) to preside at this proceeding.

The purpose of this oral proceeding is to provide the public an opportunity to hear a summary of the proposed revision to the 1987 PM₁₀ Infrastructure State Implementation Plan.

The Department representative for today's hearing is Catherine Lucke of the Air Quality Division's Air Quality Improvement Planning Section (AQIPS).

Public notice of the comment period and hearing was published in the *Arizona Republic* on May 22, 2017 and May 23, 2017. Copies of the proposal were made available at ADEQ's website and at the ADEQ Phoenix Records Center. The plan will remain available until the close of comment period, which is 5:00 p.m. today.

If you wish to make a verbal comment, fill out a speaker slip, available at the sign-in table, and give it to the Department representative. You may also submit written comments during today's hearing or refer to the hearing agenda for additional submission details.

Comments made during the formal comment period are required by law to be considered by the Department when preparing the final submission of the plan to the U.S. Environmental Protection Agency. The Department will include a responsiveness summary for written and oral comments received during the formal comment period.

The agenda for this hearing is as follows:

First, we will present a brief overview of the proposal.

Then I will conduct the oral comment portion. At that time, I will call speakers in that order that I have received speaker slips.

Please be aware that any comments at today's hearing that you want the Department to formally consider must be given either in writing or on the record during this oral proceeding.

At this time, Catherine Lucke will give a brief overview of the proposal.

* * * * *

Catherine Lucke: Thank you, Matt.

Clean Air Act Section 110(a)(1) requires states to submit State Implementation Plans within three years following the promulgation of new or revised National Ambient Air Quality Standards (NAAQS) to provide for implementation, maintenance, and enforcement of such standards. Each of these SIPs must address certain basic elements or the "infrastructure" of its air quality management programs under Clean Air Act Section 110(a)(2). These elements,

61 detailed in Clean Air Act Sections 110(a)(2)(A) through (M), include provisions for monitoring,
62 emissions inventories, and modeling designed to assure attainment and maintenance of the
63 NAAQS.

64 Arizona proposes to submit a revision to the Arizona SIP to satisfy infrastructure requirements
65 under Clean Air Act § 110(a)(1) for the PM₁₀ National Ambient Air Quality Standards. The SIP
66 revision demonstrates that the State of Arizona has the necessary resources to implement,
67 maintain, and enforce the PM₁₀ air quality standards. ADEQ will submit the revision to the U.S.
68 Environmental Protection Agency for incorporation in Arizona's SIP as required under the Clean
69 Air Act. * * * * *

70
71
72 Mr. Ivers: This concludes the overview portion of this proceeding.
73

74
75
76 * * * * *
77

78 I now open this proceeding for oral comments.
79

80 It appears we have one speaker slip from Johanna Kuspert of MCAQD.
81

82 Johanna Kuspert: Hello. Thank you. I just have one clarifying comment that we have that it
83 states that "Maricopa County adopted a revision to R100, Section 108 requiring, it should say
84 "requiring that a majority of the County Air Quality Hearing Board members not have
85 substantial interest" so we are clarifying that for clarity of the Board members.
86

87 Thank you.
88

89 Mr. Ivers: You're welcome. Thank you for your comment.
90

91 This concludes the oral comment portion of this proceeding.
92

* * * * *

93
94

95 If you have not already submitted written comments, you may submit them at this time. Again,
96 the comment period for this proposal ends today June 21st 2017 at 5:00 p.m.

97

98 Thank you for attending.
99

100 The time is now 1:11 p.m.. I now close this oral proceeding.

B7 Responsiveness Summary

Response to Testimony Taken at Oral Proceedings and Written Comments Received on the 1987 PM₁₀ Infrastructure State Implementation Plan Revision

The oral proceeding on the 1987 PM₁₀ Infrastructure State Implementation Plan Revision was held on Wednesday, June 21, 2017, at 1:00 p.m. at the Arizona Department of Environmental Quality (ADEQ) in Conference Room 3175, 1110 West Washington Street, Phoenix, Arizona. The public comment period closed on Wednesday, June 21, 2017, at 5:00 p.m. one oral comment were received by ADEQ for the SIP revision and two written comments were received. The following written and oral comments were received during the comment period with responses are below.

1. Comment: R100, Section 108 should read “Maricopa county adopted a revision to R100, Section 108 require that “a majority of” the county air quality hearing board members not have substantial interest...”

Response: ADEQ agrees and has changed to the text as recommended on page 13 of the document.

2. Comment: Please correct index.

Response: ADEQ agrees and has corrected the index links in the document.

3. Comment: That page iii, which included the Table of Contents, Lists of Figures, Lists of Tables, and Appendices, be updated to reflect the contents of the document and that Table 1-1: Rules to be Added to and Removed from the SIP, as currently listed on Page iii, be incorporated into the document.

Response: ADEQ has updated the table of contents to reflect the contents of the document. The table “Table 1-1: Rules to be Added to and Removed from the SIP” was from a template document and is not germane to the 1987 PM₁₀ infrastructure SIP since this submission neither added or removed rules from the state SIP. It has been removed from the List of Tables on page iv.

Additional changes to the document include minor grammatical, punctuation, and completeness criteria corrections.

B8 Comments



Air Quality Division Speaker Slip

SPEAKER SLIP

Date: 6/21/17
Name: Michael Denby
Representing: APS
Mailing Address: 400 N. 5th Street, Phoenix, AZ 85004

Speaker Slip No.

- ☐ I wish to make an oral statement.
☒ I have submitted written comments. — please correct index
☐ I will submit written comments at a later time.

Subject:



Air Quality Division Speaker Slip

SPEAKER SLIP

Date: JUNE 21 2017
Name: WILLIAM K. KILPATRICK
Representing: MACAID
Mailing Address: 1001 N. CENTRAL AVE, PHOENIX 85004

Speaker Slip No.

- ☒ I wish to make an oral statement.
☐ I have submitted written comments.
☐ I will submit written comments at a later time.

Subject: ADO SECTION 12 SHOULD READ "MARICOPA COUNTY ADOPTED A RESOLUTION TO ADOPT SECTION 12B REQUIRING THAT 'A MEMBER OF THE COUNTY AIR QUALITY HEARING BOARD MEMBERS ARE HAVE SUBSTANTIAL INTEREST...'"

Catherine Lucke-McDowell

From: Cooper, Sarah [REDACTED]
Sent: Wednesday, June 21, 2017 4:00 PM
To: Catherine Lucke-McDowell
Subject: Comment on Proposed PM10 Infrastructure State Implementation Plan

Hello Catherine,

I have reviewed the referenced document and would like to request that page iii, which includes the Table of Contents, Lists of Figures, Lists of Tables, and Appendices, be updated to reflect the contents of the document. I would also suggest that *Table 1-1: Rules to be Added to and Removed from the SIP*, as currently listed on page iii, be incorporated into the document. It is not included in the body of the document and I believe a table which briefly summarizes the proposed changes would be helpful to readers. I appreciate the opportunity to comment on this Proposed PM10 Infrastructure State Implementation Plan.

Regards,
Sarah Cooper, EIT
Scientist
Haley & Aldrich
One Arizona Center
400 E. Van Buren St., Suite 545
Phoenix, AZ 85004-2285

[REDACTED]
www.HaleyAldrich.com