ADEQ
Arizona Department
of Environmental Quality

State Implementation Plan Revision: Clean Air Act Section 110(a)(2) for the 2012 Fine Particulate & 2015 Ozone NAAQS

Air Quality Division
October 2021

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Completeness Criteria (40 CFR 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 state implementation plan submission and Appendix A for the delegation of authority from Misael Cabrera, Director of ADEQ, to Daniel Czecholinski, Director of the ADEQ Air Quality Division, authorizing Mr. Czecholinski to perform any act the ADEQ Director is authorized to perform under the state air quality statutes, including the submission of SIPs to EPA. This SIP submittal was conducted electronically via the online eSIP system in EPA's Central Data Exchange. Therefore, no paper copies were submitted.

(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 to this document wherein the state adopts and submits this SIP revision to EPA. 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.

The Arizona Department of Environmental Quality has primary responsibility for air pollution control and abatement, and as such, is required to adopt and "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." A.R.S. § 49-404(A). ADEQ also maintains authority to issue and administer rules, adopt county rules, and to submit such rules for approval into the SIP. For reference, copies of Arizona Revised Statutes, Sections 49-104, 49-106, 49-112, 49-402, 49-404, 49-406, 49-425, 49-471.04, and 49-479, are included in Appendix A.

(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.

Evidence of the actual regulation and accompanying rulemaking public process that ADEQ conducted is included in Appendix C.

(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.

Evidence that ADEQ followed procedural requirements of Arizona state laws and constitution in adopting this plan is included in Appendix D.

(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.

Evidence that ADEQ gave notice of the comment period and public hearing for the SIP revision is contained in Appendix C. ADEQ published a notice of this SIP revision in the Arizona Republic on November 1 and 2, 2021.

(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.

ADEQ held a public hearing [scheduled for December 2, 2021].

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

The public comment responsiveness summary in located in Appendix D.

Appendix V § 2.2 - Technical Support

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

This SIP revision applies to the 2012 $PM_{2.5}$ and the 2015 ozone NAAQS

(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 SIP revision is applicable on a state-wide basis.

(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.

Not applicable.

1 Introduction

1.1 Affected State Implementation Plan Revisions

Sections 110(a)(1) and (2) of the federal Clean Air Act (CAA), 42 U.S.C. § 7410(a)(1) and (2), hereafter referred to as the "Infrastructure" State Implementation Plan (I-SIP) requirements, require states and delegated local agencies to submit an implementation plan to the U. S. Environmental Protection Agency (EPA) demonstrating their ability and authority to implement, maintain, and enforce each National Ambient Air Quality Standard (NAAQS).

Within three years following the promulgation of new or revised NAAQS, CAA § 110(a)(1) requires states to submit I-SIPs that provide for implementation, maintenance, and enforcement of the standards. These SIPs must address certain basic elements of its air quality management programs under CAA § 110(a)(2). These elements, detailed in CAA § 110(a)(2)(A) through (M), include provisions for monitoring, emissions inventories, and modeling designed to ensure attainment and maintenance of the NAAQS.

On January 15, 2013 EPA revised the NAAQS for fine particulate matter ($PM_{2.5}$), lowering the annual standard to 12 µg/m^3 to provide increased protection against health effects associated with long- and short-term exposures (78 FR 3086, January 15, 2013).[1] EPA retained the 24-hour $PM_{2.5}$ standard at a level of 35 µg/m^3.

On December 11, 2015 ADEQ submitted the 2012 $PM_{2.5}$ NAAQS I-SIP to satisfy requirements for CAA § 110(a)(1) and 110(a)(2). EPA reviewed the plan and found that CAA sections 110(a)(2)(D)(i) and 110(a)(2)(G), Elements D and G, respectively, were not approvable. Element D pertains to the infrastructure requirements for interstate transport and Element G contains the requirements for emergency episodes.

CAA § 110(a)(2)(D) consists of two subsections, (D)(i)(I) and (D)(i)(II). The requirements of CAA § 110(a)(2)(D)(i)(I), also referred to as Prongs 1 and 2, address emissions in one state that may contribute significantly to nonattainment or interfere with maintenance of a federal standard in any other state. Subsection 110(a)(2)(D)(i)(II) contains requirements for states to include provisions in SIPs that prohibit any emissions in one state from interfering with measures required of any other state to prevent significant deterioration of air quality or from interfering with measures required of any other state to protect visibility.

CAA § 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 emergency episode provisions in their SIPs.

To satisfy the outstanding requirements, ADEQ analyzed interstate transport for the 2012 $PM_{2.5}$ NAAQS and revised the state emergency episodes rule to include the averaging time and emergency episode concentrations for $PM_{2.5}$. This supplement contains the weight of evidence analysis addressing interstate transport for the $PM_{2.5}$ standard as well as information and documentation regarding the rulemaking.

[1] *See* 78 Fed. Reg. 3086, January 15, 2013

On October 26, 2015 EPA revised the 8-hour Ozone NAAQS to 0.070 parts per million (ppm). This revision triggered an obligation under CAA § 110(a)(1) for ADEQ to submit a SIP revision by August 3, 2018 to provide for implementation, maintenance, and enforcement of the new standard.

On September 24, 2018 ADEQ submitted a SIP revision to EPA demonstrating that Arizona meets the relevant CAA obligations for the 2015 Ozone NAAQS and that emissions from sources in Arizona do not negatively impact attainment or maintenance of the ozone NAAQS in surrounding states.

In February 2021 EPA notified ADEQ that CAA § 110(a)(2)(F), specifically subsections 110(a)(2)(F)(i) and 110(a)(2)(F)(iii) were not approvable. Element F pertains to source emissions monitoring and reporting and public availability of these reports.

Element F requires SIPs to establish a system to monitor emissions from stationary sources, to submit periodic emissions reports, to correlate the emissions reports with the corresponding SIP emission limits and standards, and to make emissions reports available to the public.

To satisfy these outstanding requirements, ADEQ reviewed existing statutes as well as county and state rules to identify regulations that will satisfy the federal requirements. This submittal documents and explains how Arizona complies with CAA sections 110(a)(2)(D), (F), and (G). The supplement applies to the infrastructure SIPs described above.

1.2 Rules to Be Amended in the Arizona State Implementation Plan

As mentioned in the section above, to comply with the requirements for Element G, ADEQ needed to revise its rule pertaining to air pollution emergency episodes. Arizona Administrative Code (A.A.C.) R18-2-220 authorizes ADEQ to implement procedures to prevent the occurrence of ambient air pollutant concentrations that would cause significant harm to people.

The rule also identifies the stages that provide for sequential emissions reductions, public notification and increased Departmental monitoring and forecasting responsibilities in the event of ambient air pollution emergencies.

Table 1-1 Rules to be Amended in the Arizona State Implementation Plan

Rule Amended	Descriptor
A.A.C. R18-2-220	Air Pollution Emergency Episodes

A.A.C. R18-2-220 incorporates by reference the manual titled "*Procedures for Prevention of Emergency Episodes*." The procedures manual was revised as part of the rulemaking to correct the names of relevant agencies and the titles of agency directors, where appropriate. The procedures manual contains the processes that ADEQ must follow in the event of an air pollution emergency episode. These processes outline the preparations and response techniques for public notification and informing emission sources of relevant information regarding the pollutant of a given air pollution emergency episode. These preplanned strategies are designed to minimize the cost and effort required of regulated entities, while simultaneously curtailing emissions. Successful implementation of the strategies according to the episode stages outlined in the rule expedite emission curtailment and prevent pollution concentrations from reaching levels that may cause significant harm to public health.

Additional information regarding the rulemaking process and the revisions to the Procedures Manual are provided in Chapter 3 of this document.

Revising A.A.C. R18-2-220 addressed the state-wide regulation for emergency episodes; however, to fully satisfy Element G, the Maricopa County Air Quality Department (MCAQD) and the Pinal County Air Quality Control District (PCAQCD) need to revise the regulations for emergency episodes in Maricopa and Pinal County. MCAQD revised Regulation V – Air Quality Standards and Area Classifications, Rule 500. Rule 510 contains the ambient air quality regulations for Maricopa County. The MCAQD submitted the amended rule in December 2019 and was approved by EPA in October 2021.[2] proposing to amend Rule 600 to align the rule with the episode level criteria and significant harm levels with the criteria listed in A.A.C. R18-2-220 (Air Pollution Emergency Episodes) which was amended by the Arizona Department of Environmental Quality (ADEQ) in March of 2019.

1.3 Regulations to be Added to the Arizona State Implementation Plan

As previously mentioned, ADEQ was notified by EPA that Arizona's I-SIP for the 2015 Ozone NAAQS was not approvable for CAA § 110(a)(2)(F), specifically subsections 110(a)(2)(F)(i) and 110(a)(2)(F)(iii). Also referred to as Element F, these requirements apply to source emissions monitoring and reporting and public availability of these reports. To fully satisfy the deficiency for CAA § 110(a)(2)(F)(iii) ADEQ and the county air pollution control departments (APCDs) needed to identify the applicability of existing statutes to address the requirements. For purposes of this supplement, EPA indicated that ADEQ and the Pima County Department of Environmental Quality needed to identify rules to address the outstanding deficiency.

Early in 2021, EPA informed ADEQ that Arizona Revised Statutes (ARS) § 49-432(C) and Pima County Regulation 17.24.010 will satisfy the outstanding deficiency but need to submitted to EPA and approved into the Arizona SIP.

The provisions described in ARS § 49-432(C) and Pima County Rule 17.24.010, along with the rules assessed by EPA[3] in its evaluation and subsequent approval of the 2008 Ozone I-SIP[4], establish specific requirements related to monitoring, recordkeeping, reporting, correlation, and public access to reports. These provisions apply to the outstanding requirements concerning CAA § 110(a)(2)(F)(iii) for the 2015 ozone NAAQS I-SIP and the 2012 $PM_{2.5}$ NAAQS. Table 1-2 below is a listing and brief description of these regulations.

Table 1-2 Regulations to be Added to the Arizona State Implementation Plan

Regulation	Descriptor
Arizona Revised Statute § 49-432(C)	Public availability of emission reports
Pima County Regulation 17.24.010	Confidentiality of trade secrets, sales data, and proprietary information.

[2] *See* 86 Fed. Reg. 54628; October 4, 2021.
[3] *See* U.S. EPA Region 9, Technical Support Document, Evaluation of Arizona's Infrastructure SIP for the 2008 Lead and the 2008 Ozone NAAQS. As part of its evaluation of Arizona's I-SIP for the 2008 Ozone NAAQS, EPA indicated that ARS §§ 49-422, 424, and 476.01 satisfied the requirements for CAA § 110(a)(2)(F). In the same evaluation, EPA indicated that A.A.C. R18-2-313, 310.01, 327 also satisfied requirements for CAA § 110(a)(2)(F)
[4] *See* 80 Fed. Reg. 47859, September 9, 2015.

2 Interstate Transport – CAA § 110(a)(2)(D)

As previously mentioned, EPA's review of the 2012 $PM_{2.5}$ I-SIP determined that CAA § 110(a)(2)(D) was not approvable. To address the outstanding requirements, ADEQ analyzed the potential impact of $PM_{2.5}$ emissions from Arizona on interstate transport to other areas/states. ADEQ followed EPA's guidance regarding the Interstate Transport "Good Neighbor" Provision for the 2012 Fine Particulate NAAQS.[5] The guidance provides a framework for addressing the good neighbor provision as well as modeling data and air quality projections related to this NAAQS. The framework consists of the following steps:

1. Identification of potential downwind nonattainment and maintenance receptors.
2. Identification of states contributing to downwind nonattainment maintenance receptors.
3. Identification of upwind emissions reductions necessary to prevent significant contribution to downwind receptors.
4. For states that do not contribute, conduct a weight of evidence analysis.

The Good Neighbor Memo identified potential nonattainment and maintenance receptors for the year 2017 and 2025 (Table 2-1). Most of the areas identified as potential receptors are in California. There is only one other receptor in the west part of the country (Idaho) with one additional receptor in Pennsylvania.

Table 2-1 Nonattainment and Maintenance Receptors for the 2012 $PM_{2.5}$ NAAQS[6]

State	County	Monitor ID	Projected 2017 Attainment Status	Projected 2025 Attainment Status
California	Fresno	60190011	Nonattainment	Nonattainment
	Fresno	6019 5001	Nonattainment	Nonattainment
	Fresno	60195025	Nonattainment	Nonattainment
	Imperial	60250005	Nonattainment	Nonattainment
	Kern	60290014	Nonattainment	Nonattainment
	Kern	60290016	Nonattainment	Nonattainment
	Kings	60311004	Nonattainment	Nonattainment
	Los Angeles	60371002	Maintenance	Maintenance
	Madera	6039210	Nonattainment	Nonattainment
	Merced	60470003	Nonattainment	Nonattainment
	Riverside	60658001	Nonattainment	Maintenance
	Riverside	60658005	Nonattainment	Nonattainment
	Stanislaus	60990006	Nonattainment	Nonattainment
	Stanislaus	60990005	Nonattainment	Maintenance
	San Bernardino	60710025	Maintenance	Maintenance
	San Joaquin	60771002	Maintenance	Maintenance
	Tulare	61072002	Nonattainment	Nonattainment
Idaho	Shoshone	160790017	Maintenance	Maintenance
Pennsylvania	Allegheny	420030064	Maintenance	Attainment

[5] U.S. EPA Memorandum "Information on the Interstate Transport "Good Neighbor" Provision for the 2012 Fine Particulate Matter National Ambient Air Quality Standards under Clean Air Act Section 110(a)(2)(D)(i)(I)". Dated March 17, 2016.
[6] Ibid.

To determine Arizona's potential contribution to downwind nonattainment or maintenance receptors, ADEQ reviewed several sources of air quality related information. In the Good Neighbor memo, EPA suggested sources that states could use to evaluate interstate transport. For this analysis, ADEQ evaluated several of those sources including the following:

- Meteorology and topography
- Other state implementation plans submitted for the 2012 $PM_{2.5}$ NAAQS
- Air quality data
- Emission inventories
- IMPROVE monitoring data and modeling information

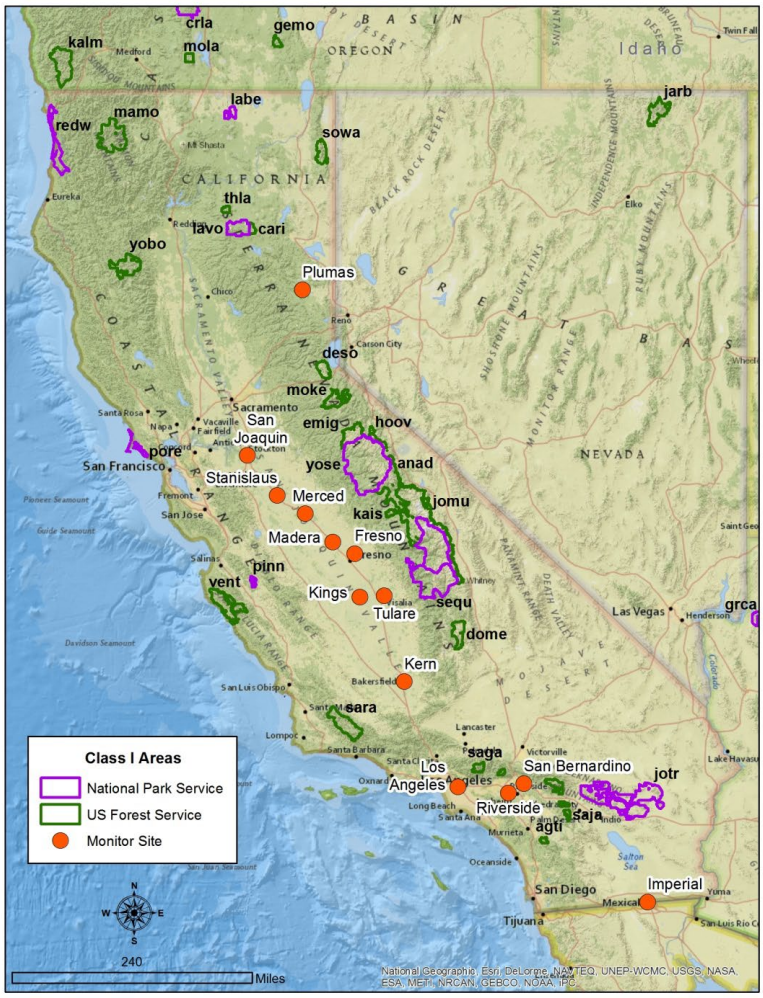
After reviewing available information, ADEQ determined that emissions of $PM_{2.5}$ from sources located in Arizona do not significantly contribute to nonattainment or maintenance of the NAAQS in other states. As previously mentioned, EPA has indicated that states can use a weight-of-evidence approach to assess the transport of $PM_{2.5}$ emissions. The following sections form the basis of a weight of evidence analysis regarding $PM_{2.5}$ emissions.

This analysis only pertains to the deficiencies in CAA § 110(a)(2)(D) that were identified in the 2012 $PM_{2.5}$ NAAQS I-SIP.

2.1 Transport to Nonattainment Receptors in Western States

The nonattainment receptors from western states identified in the Good Neighbor Memo are in California. At the time the memo was finalized, the areas in California projected to be nonattainment in 2017 included Fresno, Imperial, Kern, Kings, Madera, Merced, Riverside, and Stanislaus Counties. Figure 2-1 below shows the approximate locations of the nonattainment and maintenance receptors in California. These receptors are located in three of the four designated nonattainment areas for the 2012 $PM_{2.5}$ NAAQS: Imperial County, Los Angeles-South Coast, and San Joaquin Valley.

Figure 2-1 Nonattainment and Maintenance Receptors in California



At this time EPA has not identified any additional nonattainment receptors, beyond those in California, or officially designated other areas as nonattainment in the western states.

2.1.1.1 Transport to Nonattainment Receptors in California

As previously mentioned, there are four areas in California designated as nonattainment for the 2012 $PM_{2.5}$ NAAQS. In these areas, EPA has identified multiple nonattainment receptors or monitors that are violating the standard. A list of the individual receptors is also provided in in Appendix B.

Table 2-2 Nonattainment Areas in California Designated for the 2012 $PM_{2.5}$ NAAQS

State	County	Nonattainment Area Name	Distance to Arizona Border
California	Imperial	Imperial County	50
	Plumas	Plumas County	465
	Fresno	San Joaquin Valley	345
	Kern		

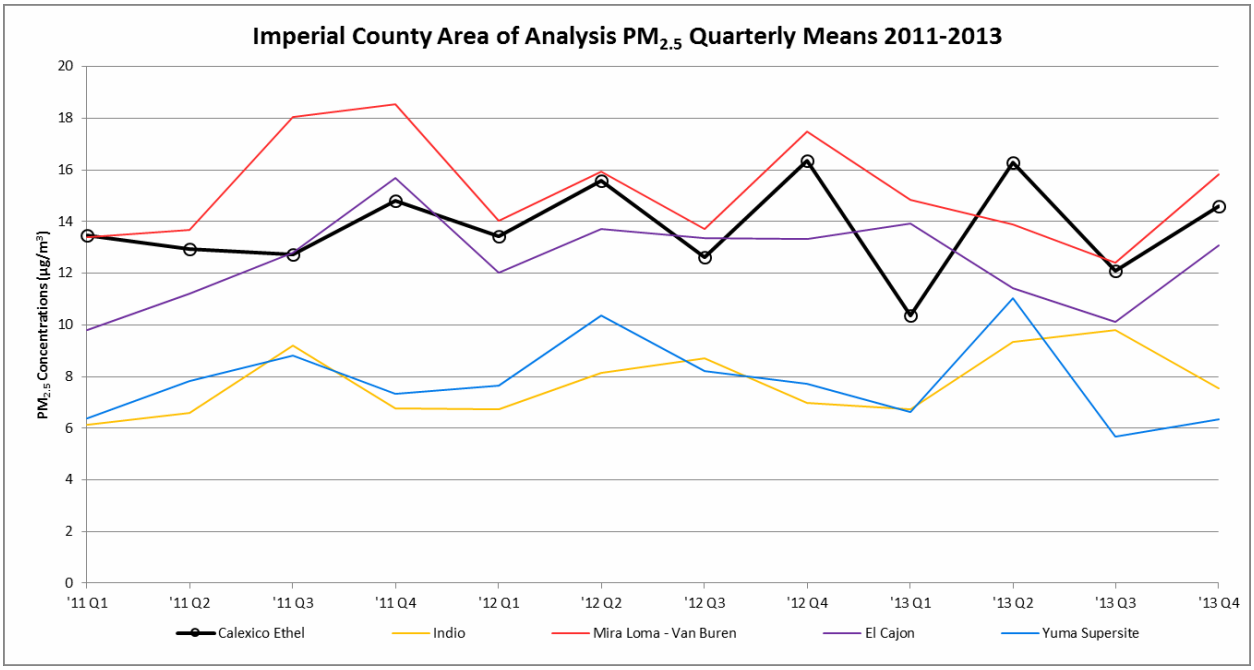
State	County	Nonattainment Area Name	Distance to Arizona Border
	Kings		
	Madera		
	Merced		
	San Joaquin		
	Stanislaus		
	Tulare		
	Los Angeles	Los Angeles-South Coast Air Basin	176
	Orange		
	Riverside		
	San Bernardino		

2.1.1.2 Imperial County

Imperial County is in southeastern California and shares its eastern border with Arizona, specifically Yuma and La Paz Counties. The 2012 $PM_{2.5}$ Imperial County Nonattainment Area is located entirely within the county and the Salton Sea Air Basin. The only monitor that is in violation of the standard is the Calexico-Ethel monitor, which is in the City of Calexico, California near the U.S./Mexico Border and the City of Mexicali in the State of Baja California in northern Mexico. The Calexico-Ethel monitor is used for comparison to the NAAQS, which is also referred to as the design value monitor. The Calexico-Ethel monitor is approximately 45 miles from the Arizona border.

Figure 2-2 shows the concentrations of $PM_{2.5}$ at the monitors evaluated by EPA for the nonattainment boundary designations for California. The graph shows the quarterly means from 2011 to 2013 for several monitors in California (including Calexico-Ethel) and the Yuma Supersite monitor located in Yuma, Arizona. Comparing Yuma and Calexico-Ethel, the data show that both monitors had elevated reading in the spring months (Q2) of 2012 and 2013. The data also shows that the Yuma monitor did not exceed the standard during this time frame (Figure 2-2).

Figure 2-2 Imperial County Area of Analysis Receptors[7]



EPA's Technical Support Document (TSD) for the California Nonattainment Areas Boundary Designations for the 2012 $PM_{2.5}$ NAAQS, shows that the primary components of direct $PM_{2.5}$ in the Imperial Nonattainment Area are organic mass and crustal material. This suggests that the contributing sources are biomass burning, other combustion emissions and fugitive dust sources associated with unpaved roads, agricultural sources, and windblown dust from sources within Imperial County. EPA noted in the TSD that the Chocolate, Orocopia and Cargo Muchacho Mountains mountain ranges located east of Imperial County serve as a partial barrier to transport from Yuma County and La Paz County in Arizona.

For the 2006 $PM_{2.5}$ NAAQS boundary designations, EPA looked at emissions related information as part of their action for Arizona. EPA reviewed data related to an exceedance event at a monitor located to the west of the Imperial nonattainment area and indicated that the exceedance was the result of local sources which supported their determination that emissions from Arizona do not significant contribution to nonattainment in southern California.[8]

Given that emissions of $PM_{2.5}$ are likely the result of local sources and topography east of the Imperial nonattainment area restricts airflow, it is reasonable to conclude that emissions of $PM_{2.5}$ from Arizona to do not contribute to nonattainment of the $PM_{2.5}$ NAAQS at the violating monitors in the Imperial County $PM_{2.5}$ Nonattainment Area.

[7] U.S. Environmental Protection Agency. CALIFORNIA: Imperial County, Los Angeles-South Coast Air Basin, Plumas County, San Joaquin Valley Area Designations for the 2012 Primary Annual $PM_{2.5}$ National Ambient Air Quality Standard Technical Support Document.

[8] U.S. Environmental Protection Agency, Region 9. Technical Support Document for EPA's Proposed Action of the State of Arizona's 2009 Infrastructure State Implementation Plan (Transport Portion) for the 2006 24-hour Fine Particulate National Ambient Air Quality Standard.

2.1.1.3 Los Angeles-South Coast

The Los Angeles-South Coast 2012 $PM_{2.5}$ Nonattainment Area is in southern California and comprises Los Angeles County (partial), San Bernardino County (partial), Riverside County (partial), and Orange County (whole). The nonattainment area includes Indian country from four federally recognized bands in California. The area is bordered by the Pacific Ocean and several mountain ranges, which confine the airflow. The eastern edge of the nonattainment area is approximately 130 miles from the western border of Arizona.

The 2012 $PM_{2.5}$ boundary recommendation submitted by the South Coast Air Quality Management District (SCAQMD) indicated that the majority of $PM_{2.5}$ emissions in the Los Angeles-South Coast Nonattainment Area are the result of secondary formation of small particulates from mobile, stationary, and area source emissions of precursor gases.

EPA's Technical Support Document for the 2012 $PM_{2.5}$ NAAQS boundary recommendation for the Los Angeles-South Coast nonattainment area showed that all the counties within the nonattainment area contribute to emissions of $PM_{2.5}$. Los Angeles and San Bernardino Counties had the highest emissions of direct $PM_{2.5}$ and $PM_{2.5}$ precursors. The data also show that the primary component is organic carbonaceous mass followed by crustal material. Organic mass is the dominant species throughout the year, while crustal material, nitrates and sulfates contribute the most in winter and spring months.

EPA also conducted an urban increment analysis to highlight if emissions at a violating monitor are from near sources or if they are from sources further away. The analysis showed a slight increase of organic mass closer to the Los Angeles Main St. monitor and a consistent contribution of $PM_{2.5}$ and its precursors from within the area. EPA's Technical Support Document (TSD) for their evaluation of Arizona's I-SIP for the 2006 24-hour $PM_{2.5}$ NAAQS supports the urban increment analysis. The analysis for the 2006 NAAQS indicated that $PM_{2.5}$ in Southern California (including the Los Angeles-South Coast Nonattainment Area) is primarily generated through combustion that is tied to the high volume of traffic and a high number of sources.

Given that direct emissions $PM_{2.5}$ and its precursors are likely the result of local sources and the surrounding terrain isolates and restricts the airflow, it is reasonable to conclude that emissions of $PM_{2.5}$ from Arizona to do not contribute to nonattainment of the $PM_{2.5}$ NAAQS at the violating monitors in the Los Angeles-South Coast Nonattainment Area.

2.1.1.4 San Joaquin

The San Joaquin 2012 $PM_{2.5}$ Nonattainment Area is in central California and encompasses seven counties in their entirety and one partial county. The nonattainment area lies within the San Joaquin Valley and is surrounded by mountains, except to the north, which restricts air flow and ventilation. Overall, the landscape of the region includes mountain peaks and valleys with significant differences in slope and altitude.

The EPA analyzed direct emissions of $PM_{2.5}$ and its precursors and determined most emissions are from sources within the nonattainment area. The data show that the adjacent counties are not likely to contribute mostly because they are in separate airsheds and thus less likely to contribute to violations in the San Joaquin Valley airshed. The highest potential contribution of emissions is from within the regions located just to the west-northwest of the monitors. Speciation data show that the contribution of all

pollutants is variable; however organic mass is consistently the largest contributor, followed by nitrates and sulfates.[9]

Given that local emissions are the likely source of exceedances of $PM_{2.5}$ and that topography limits emissions to the area, in addition to the distance from Arizona, it is reasonable to conclude that emissions of $PM_{2.5}$ from Arizona to do not contribute to nonattainment of the $PM_{2.5}$ NAAQS in the San Joaquin Nonattainment Area.

2.2 Transport to Maintenance Receptors in the Western States

EPA's Guidance document for addressing interstate transport for the 2012 $PM_{2.5}$ NAAQS provides a list of potential nonattainment and maintenance receptors. The analysis presented in the guidance shows that there are maintenance receptors located in California and Idaho. (See Appendix B).

2.2.1 Transport to Maintenance Receptors in California

In California there are three receptors that are projected as maintenance-only in 2017 and five in 2025. These include receptors in Los Angeles, Riverside, Stanislaus, San Bernardino, and San Joaquin Counties.

Three of the maintenance-only receptors are in the Los Angeles-South Coast $PM_{2.5}$ Nonattainment Area (described in Section 2.1.1.3 of this document). Two are projected as maintenance in 2017 and 2025, located in Los Angeles and San Bernardino Counties. The other receptor was projected as nonattainment in 2017 and maintenance in 2025, which is a monitor located in Riverside County. Even though they are projected as maintenance the receptors are in the same nonattainment area, which is bounded by the San Gabriel and San Jacinta Mountains on its eastern side.

As described in Section 2.1.1.3 local sources are likely the primary contributors to direct emissions of $PM_{2.5}$ and any precursor pollutants. Given the local nature of pollutants, topography, and distance (the western border of Arizona is approximately 130 miles from the east side of the nonattainment area) it is reasonable to conclude that emissions of $PM_{2.5}$ from Arizona will not impact maintenance of the 2012 $PM_{2.5}$ NAAQS.

The remaining two receptors are in San Joaquin and Stanislaus Counties, located in the San Joaquin Nonattainment Area. One receptor (San Joaquin Monitor ID 60771002) is projected as maintenance in 2017 and 2025, while the other (Stanislaus Monitor ID 60990005) is projected as maintenance in 2025. Similar to the Los Angeles-South Coast Nonattainment Area, the San Joaquin nonattainment area lays within a valley and is surrounded on all sides by mountains, which restricts air flow and ventilation.

Section 2.1.1.4 describes the nature and likely sources of $PM_{2.5}$ emissions in the San Joaquin Nonattainment Area. Local emissions are the likely source of exceedances of $PM_{2.5}$ and that topography limits emissions to the area, in addition to the distance from Arizona, it is reasonable to conclude that emissions of $PM_{2.5}$ from Arizona will not impact maintenance of the $PM_{2.5}$ NAAQS at the receptors in the San Joaquin Nonattainment Area described above.

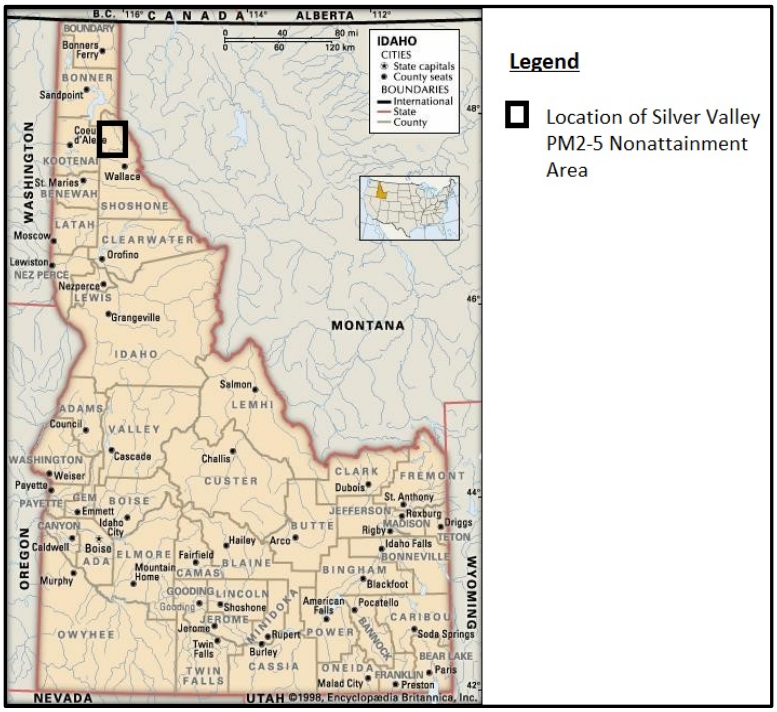
[9] Ibid.

2.2.2 Transport to Maintenance Receptors in Idaho

The EPA designated a portion of Shoshone County in Idaho as nonattainment for the 2012 $PM_{2.5}$ NAAQS. The West Silver Valley Nonattainment Area is in northern panhandle of Idaho. The monitor is located in Pinehurst, which is in a partially obstructed bowl created by mountains ranges within the Silver Valley.

Figure 2-3 below shows the approximate location of the $PM_{2.5}$ maintenance receptor in Idaho and its corresponding nonattainment area. Designated in 2015, the West Silver Valley Nonattainment Area is in Shoshone County, Idaho.

Figure 2-3 Maintenance Receptor in Idaho



EPA's analysis for the boundary recommendation regarding the West Silver Valley Nonattainment Area indicated that residential wood combustion in the winter months is primarily responsible for elevated $PM_{2.5}$. Prescribed burning in the fall and in the spring also contributes to emissions of $PM_{2.5}$.[10] This is supported by information provided to EPA by the State of Idaho for the 2006 $PM_{2.5}$ boundary designations. Idaho indicated that emissions from woodstoves contribute to primary $PM_{2.5}$ that violates the standard during stable weather events associated with strong inversions. These emissions and the related effects are limited to the City of Pinehurst airshed and become trapped due to temperature inversions, low wind and local topography.[11]

[10] U.S. Environmental Protection Agency. Idaho: West Silver Valley Nonattainment Area – Area Designations for the 2012 Primary Annual $PM_{2.5}$ National Ambient Air Quality Standard Technical Support Document.
[11] U.S. Environmental Protection Agency. Technical Support Document. Evaluation of Arizona's Infrastructure SIP for the 1997 8-hour Ozone, the 1997 $PM_{2.5}$ and the 2006 $PM_{2.5}$ NAAQS.

Even though the area was designated as nonattainment for the 2012 $PM_{2.5}$ NAAQS, modeling and analysis conducted by EPA for the Good Neighbor Memo show that receptors in the West Silver Valley area will be maintenance in 2017 and 2025.

Given the local characteristics of elevated $PM_{2.5}$ levels at the monitor in the nonattainment area result from both wintertime residential wood burning and summertime fire emissions at the local level, it is reasonable to conclude that emissions from Arizona sources will not interfere with maintenance of the 2012 annual $PM_{2.5}$ standard at this location.

It should be noted that this section discusses maintenance-only receptors but all receptors that are nonattainment are also considered maintenance receptors.[12]

2.3 Transport to Maintenance Receptors in Eastern States

ADEQ evaluated potential transport to receptors in eastern states using two criteria: 1) magnitude of $PM_{2.5}$ emissions from the state where a receptor is located relative to Arizona and 2) the distance from Arizona to a given maintenance receptor. EPA's Guidance Memo indicates that there is one receptor in Pennsylvania that is projected to be maintenance. All other receptors in the eastern states are projected as attainment

The 2014 NEI shows that $PM_{2.5}$ emissions from Arizona's emissions of $PM_{2.5}$ were about 81,992 tpy, while emissions of $PM_{2.5}$ from Pennsylvania were about 120,636 tpy. This shows that emissions of $PM_{2.5}$ from Arizona were about 56 percent of those from Pennsylvania.

The other criteria used to evaluate transport is distance to receptor. The western border of the most western nonattainment area in Pennsylvania is slightly over 1600 miles from the eastern edge of Arizona's border.

Given that emissions of $PM_{2.5}$ from Arizona are small in comparison to the eastern states with designated $PM_{2.5}$ nonattainment areas and the distance between Arizona and the other states is a significant distance, ADEQ asserts the $PM_{2.5}$ emissions from Arizona will not impact attainment or maintenance of the 2012 $PM_{2.5}$ NAAQS in eastern states.

2.4 Conclusion

The analysis contained in Chapter 2 indicates that $PM_{2.5}$ emissions from Arizona do not interfere with nonattainment or maintenance of the 2012 $PM_{2.5}$ NAAQS in other states. ADEQ reviewed several resources including meteorology, topography, boundary designation requests and technical documentation for the 2012 $PM_{2.5}$ NAAQS, air quality data, and the 2014 NEI.

The information reviewed shows that emissions of $PM_{2.5}$ leading to exceedances and violations of the standard in designated nonattainment areas are typically the result of local sources and activities. The nonattainment and maintenance receptors are also a significant distance from Arizona.

Based on the evaluation, ADEQ has determined that $PM_{2.5}$ emissions from Arizona do not contribute significantly to nonattainment or interfere with maintenance of the 2012 $PM_{2.5}$ NAAQS in any other state.

[12] U.S. EPA Memorandum "Information on the Interstate Transport "Good Neighbor" Provision for the 2012 Fine Particulate Matter National Ambient Air Quality Standards under Clean Air Act Section 110(a)(2)(D)(i)(I)". Dated March 17, 2016.

This analysis only pertains to the deficiencies in CAA § 110(a)(2)(D) that were identified in the 2012 $PM_{2.5}$ NAAQS I-SIP.

3 Emission Monitoring and Reporting – CAA § 110(a)(2)(F)

As mentioned in first chapter, EPA's review of the 2015 Ozone I-SIP determined that CAA § 110(a)(2)(F) was not approvable. This element 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 EPA that includes correlation of such plan with any emission limitations or standard established pursuant to CAA regulations.

Arizona Revised Statutes (A.R.S.) provide the 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. Arizona currently has an approved CAA § 110(a)(2)(F) submittal for the 2008 ozone NAAQS and ADEQ asserts that the statutes and rules approved by EPA[13] also meet the applicable requirements for the 2015 ozone NAAQS. However, as noted previously, EPA has identified sub-elements in the 2015 ozone NAAQS I-SIP that are not approvable.

The outstanding requirements identified by EPA for Element F include those for subsections 110(a)(2)(F)(i) and 110(a)(2)(F)(iii). The analysis presented in this Chapter apply to the deficiencies noted by EPA in the 2015 Ozone I-SIP as well as the 2012 $PM_{2.5}$ I-SIP.

3.1 State Authority

3.1.1 Stationary Source Emissions Monitoring – CAA § 110(a)(2)(F)(i)

EPA's 2013 Guidance for developing infrastructure SIPs provides direction for states regarding how to satisfy CAA requirements. Early in 2021, EPA indicated that ADEQ's 2015 Ozone I-SIP submission does not verify the absence of provisions preventing the use of credible evidence. After reviewing regulations from Maricopa County, Pima County, and Pinal County, ADEQ has determined that there no county rules that will prevent the use of credible evidence. To address this requirement, ADEQ submits the following declaration:

> *ADEQ certifies the absence of any provision in the Arizona State Implementation Plan precluding the use of any credible evidence in determining whether a source would have been in compliance with applicable source testing or monitoring requirements.*

This declaration applies to the outstanding infrastructure provisions for the 2015 ozone NAAQS as well as the 2012 $PM_{2.5}$ NAAQS.

3.1.2 Stationary Source Emission Reports – CAA § 110(a)(2)(F)(iii)

The remaining outstanding requirement for Element F concerns subelement (F)(iii). This CAA provision pertains to stationary source emission reports. Specifically, EPA has identified that subsection (C) of A.R.S. § 49-432 satisfies the subelement F(iii) provision requiring public availability of emission reports, but A.R.S. § 49-432 is not SIP-approved. ADEQ submits the following subsection in A.R.S. for inclusion in the Arizona SIP.

[13] *See* 80 Fed. Reg.47,859 (September 9, 2015)

Arizona Revised Statutes § 49-432

> *C. The department shall make available to the public any records, reports or information obtained from any person pursuant to this chapter, including records, reports or information obtained or prepared by the director or a department employee, except that the information or any particular part of the information shall be considered confidential on either of the following:*
>
> *1. Notice from the person accompanying the information or a particular part of the information that the information, if made public, would divulge the person's trade secrets as defined in section 49-201 or other information that is likely to cause substantial harm to the person's competitive position.*
>
> *2. A determination by the attorney general that disclosure of the information or a particular part of the information would be detrimental to an ongoing criminal investigation or to an ongoing or contemplated civil enforcement action filed under this title in superior court.*

The above statute, along with the statutes and rules identified by EPA[14] in its evaluation and subsequent approval of the 2008 Ozone I-SIP,[15] establish specific requirements related to monitoring, recordkeeping, reporting, correlation, and public access to reports for sources under ADEQ jurisdiction. These provisions apply to the outstanding requirements for the 2015 ozone NAAQS I-SIP and the 2012 $PM_{2.5}$ NAAQS.

3.2 County Authority

The primary role of county air pollution control departments (APCDs) is to develop and enforce control requirements, including permit programs, for stationary sources that may be included in a SIP, as well as other control requirements required by state or federal law.[16] In Arizona, the county APCDs are the Pinal County Air Pollution Control District, Pima County Department of Environmental Quality, and Maricopa County Air Quality Department.

Early in 2021, EPA informed ADEQ that the 2015 Ozone I-SIP submittal does not satisfy the requirements for Pima County regarding subelement F(iii) relating to public availability of emission reports. However, EPA indicated that Pima County Regulation 17.24.010 will satisfy the outstanding deficiency but this regulation is not currently approved into the Arizona SIP.

*Pima County Regulatio*n – 17.24.010; Confidentiality of trade secrets, sales data, and proprietary information.

[14] *See* U.S. EPA Region 9, Technical Support Document, Evaluation of Arizona's Infrastructure SIP for the 2008 Lead and the 2008 Ozone NAAQS. As part of its evaluation of Arizona's I-SIP for the 2008 Ozone NAAQS, EPA indicated that ARS §§ 49-422, 424, and 476.01 satisfied the requirements for CAA § 110(a)(2)(F). In the same evaluation, EPA indicated that A.A.C. R18-2-313, 310.01, 327 also satisfied requirements for CAA § 110(a)(2)(F)

[15] *See* 80 Fed. Reg. 47859, September 9, 2015.

[16] *See* A.R.S. §§ 49-479, 49-480, 49-510 to 514. Section 3 of ADEQ's SIP Revision for the 2008 Ozone and 2010 Nitrogen Dioxide NAAQS addresses the authority of the APCDs to conduct modeling in connection with permit programs adopted under these authorities. The division of regulatory, permitting, and enforcement authority between ADEQ and the APCDs is explained in ADEQ's 2014 NSR SIP Revision Supplement.

A. Any records, reports or information obtained from any person under this chapter, including records, reports or information obtained or prepared by the control officer or a county employee, shall be available to the public, except that the information or any part of the information shall be considered confidential on either of the following:

1. A showing, satisfactory to the control officer, by any person that the information or a part of the information if made public would divulge the trade secrets of the person.

2. A determination by the county attorney that disclosure of the information or a particular part of the information would be detrimental to an ongoing criminal investigation or to an ongoing or contemplated civil enforcement action under this chapter in superior court.

B. Notwithstanding subsection C of this section, the following information shall be available to the public:

1. The name and address of any permit applicant or permittee.

2. The chemical constituents, concentrations and amounts of any emission of any air contaminant.

3. The existence or level of a concentration of an air pollutant in the environment.

C. A claim of confidentiality shall not excuse a person from providing any and all information specifically required by the title.

D. A claim of confidentiality shall not be a defense for failure to provide any and all information required by the control officer.

The provisions described in Pima County Rule 17.24.010 along with the rules assessed by EPA[17] in its evaluation and subsequent approval of the 2008 Ozone I-SIP[18] establish specific requirements related to monitoring, recordkeeping, reporting, correlation, and public access to reports. These provisions apply to the outstanding requirements concerning CAA § 110(a)(2)(F) for the 2015 ozone NAAQS I-SIP and the 2012 $PM_{2.5}$ NAAQS.

[17] *See* U.S. EPA Region 9, Technical Support Document, Evaluation of Arizona's Infrastructure SIP for the 2008 Lead and the 2008 Ozone NAAQS. As part of its evaluation of Arizona's I-SIP for the 2008 Ozone NAAQS, EPA indicated that ARS §§ 49-422, 424, and 476.01 satisfied the requirements for CAA § 110(a)(2)(F). In the same evaluation, EPA indicated that A.A.C. R18-2-313, 310.01, 327 also satisfied requirements for CAA § 110(a)(2)(F)

[18] *See* 80 Fed. Reg. 47859, September 9, 2015.

4 Emergency Episodes

On December 11, 2015 ADEQ submitted to EPA the I-SIP addressing the 2012 $PM_{2.5}$ NAAQS. EPA reviewed the plan and in addition to CAA Section 110(a)(2)(D)(i), CAA Section 110(a)(2)(G) was also not approvable. Element G contains the requirements for emergency episodes. This Chapter discusses the rule revisions to correct the deficiency in Arizona's SIP for the 2012 $PM_{2.5}$ NAAQS.

4.1 State Implementation Plan Rules Amended

On August 15, 1994 ADEQ submitted to EPA R18-2-220 for approval as part of the Arizona SIP.[19] EPA determined that the rule complied with CAA requirements and was approved as meeting the necessary state authority as well as contingency plans for the 1997 8-hour ozone NAAQS.[20] At that time R18-2-220 did not include the averaging time, concentrations, and significant harm levels averaging time for emergency episodes for the 2012 $PM_{2.5}$ NAAQS.

The 2012 $PM_{2.5}$ NAAQS I-SIP satisfies most of the requirements for CAA Sections 110(a)(1) and 110(a)(2); however, EPA indicated that Section 110(a)(2)(G) was not approvable. CAA 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, which are found in R18-2-220.

Prior to the revisions, R18-2-220 did not include the averaging time and emergency episode concentrations for $PM_{2.5}$. The rule contains the averaging time, concentrations, and significant harm levels for carbon monoxide, nitrogen dioxide, ozone, PM_{10}, and sulfur dioxide. The rule also provides a sequence of emission reduction priorities and criteria that is used to determine air pollution emergency episodes. The rule utilizes a tiered approach for emissions control and advisory procedures for three episode stages: alert, warning, and emergency. The rule language pertaining to the three stages was not revised.

During a Stage I air pollution alert, a news release is issued indicating that an air pollution alert has been declared and requests that the general public restrict vehicle use as much as possible. For alerts regarding industrial pollutants, ADEQ will request that applicable sources under state jurisdiction reduce emissions. Delegated authorities will make a similar request for sources under their jurisdiction.

An air pollution Stage II warning will be declared in the event that air pollution warning levels occur and are expected to continue or recur within 24 hours. ADEQ will also declare a warning stage if air pollution alert levels persist for 48 hours with no improvement in air quality. For automotive related pollutants, ADEQ will request that schools, industry, businesses, and government facilities restrict motor vehicle traffic as much as possible. For other pollutants, ADEQ will request that applicable sources further reduce emissions of the pollutant that is subject to the warning. Delegated authorities will make a similar request for sources under their jurisdiction.

For Stage III, if exceedances at the emergency air pollution level occur and are expected to continue or recur within 24 hours, or if warning levels persist for 48 hours and conditions are not expected to improve, an air pollution emergency will be declared. At the emergency air pollution level, ADEQ will notify the Governor's Office. The Governor may request that all industrial, construction, commercial, governmental,

[19] 77 FR 21911
[20] 77 FR 62452; effective November 14, 2012

and institutional facilities be closed. The use of motor vehicles may be prohibited except for emergency situations that have been approved by law enforcement.

4.2 Correction of Deficiency for Infrastructure SIP

To correct the deficiency identified by EPA, ADEQ amended R18-2-220 to include the averaging time, concentrations, and significant harm levels for the air pollution emergency episode levels regarding $PM_{2.5}$. This brought Arizona's standards into conformity with federal rules and is required under Section 110(a)(2) of the CAA.

Table 3-1 highlights the changes to R18-2-220 that added $PM_{2.5}$, which includes the averaging time as well as the concentrations for the alert, warning, emergency, and significant harm levels.

Table 3-1 Summary of Emergency Episode and Significant Harm Levels in R18-2-220

Pollutant	Averaging Time	Alert	Warning	Emergency	Significant Harm
Carbon monoxide (mg/m^3)	1-hr	--	--	--	144
	4-hr	--	--	--	86.3
	8-hr	17	34	46	57.5
Nitrogen dioxide (µg/m^3)	1-hr	1,130	2,260	3,000	3,750
	24-hr	282	565	750	938
Ozone (ppm)	1-hr	0.2	0.4	0.5	0 .6
$PM_{2.5}$ (µg/m^3)	24-hr	140.5	210.5	280.5	350.5
PM_{10} (µg/m^3)	24-hr	350	420	500	600
Sulfur dioxide (µg/m^3)	24-hr	800	1,600	2,100	2,620

The addition of the information regarding $PM_{2.5}$ is reflected in the Notice of Proposed Rulemaking (NPRM) and the Notice of Final Rulemaking (NFRM), which are in Appendix B.

4.3 Procedures Manual

As mentioned in the previous section, R18-2-220 also contains the requirement for procedures to be implemented by ADEQ to prevent the occurrence of levels of pollution that would cause significant harm to the public. The rule incorporates by reference ADEQ's "*Procedures for Prevention of Emergency Episodes*." The Procedures Manual was approved into Arizona's SIP by EPA along with R18-2-220 in their final action on October 15, 2012.[21]

The procedures manual contains the processes that ADEQ must follow in the event of an air pollution emergency episode. These processes outline the preparations and response techniques for public notification and informing emission sources of relevant information regarding the pollutant of a given air pollution emergency episode. These preplanned strategies are designed to minimize the cost and effort required of regulated entities, while simultaneously curtailing emissions. Successful implementation of the strategies according to the episode stages will expedite emission reductions and prevent pollution concentrations from reaching levels that may cause significant harm to public health.

[21] 77 FR 62452; effective November 14, 2012

Even though EPA did not identify any deficiencies in the Procedures Manual, ADEQ revised it as part of the rulemaking for R18-2-220. No substantive changes were made to the Procedures Manual. The manual was revised to correct the version date, name(s) of relevant agencies, and title(s) of associated executive leadership. It was also revised for grammatical and editorial errors.

The only change necessary in R18-2-220 pertaining to the Procedures Manual was to update the version date that is incorporated by reference. This revision is noted in the NPRM and NFRM, which are found in Appendix C.

4.4 Conclusion

In summary, ADEQ revised R18-2-220 to incorporate the necessary information for the 2012 $PM_{2.5}$ NAAQS and ameliorate any infrastructure deficiencies regarding CAA Section 110(a)(2)(G). The public process documentation for the rulemaking in included in Appendix C.

ADEQ also revised the manual, "*Procedures for Prevention of Emergency Episodes*". The Procedures Manual is SIP-approved; however, the revisions corrected outdated and incorrect language therefore ADEQ asserts that it does not constitute relaxation of the SIP. A copy of the revised Procedures Manual is included in Appendix C.

These provisions apply only to the outstanding requirements concerning CAA § 110(a)(2)(G) for the 2012 $PM_{2.5}$ NAAQS.

5 CONCLUSION

Section 110(a)(1) of the CAA requires each state to submit to EPA, within three years after the promulgation of a primary or secondary NAAQS or any revision thereof, a SIP that provides for the implementation, maintenance, and enforcement of such NAAQS. These SIPs are referred to as infrastructure SIPs (I-SIPs) because they address basic structural SIP requirements for new or revised NAAQS. These requirements, CAA §§ 110(a)(2)(A) through (M), include provisions for monitoring, emissions inventories, and modeling designed to ensure attainment and maintenance of the NAAQS.

On December 11, 2015 ADEQ submitted a SIP revision to EPA to satisfy requirements for CAA §§ 110(a)(1) and 110(a)(2) for the 2012 $PM_{2.5}$ NAAQS I-SIP. After reviewing the revision, EPA notified ADEQ that Elements D and G were not approvable. CAA § 110(a)(2)(D), also referred to as Element D, are the requirements for interstate transport and CAA § 110(a)(2)(G), Element G, contains the requirements for emergency episodes.

On September 24, 2018 ADEQ submitted a SIP revision to EPA demonstrating that Arizona meets the relevant CAA obligations for the 2015 Ozone NAAQS. In February 2021 EPA notified ADEQ that portions of CAA § 110(a)(2)(F). Element F pertains to source emissions monitoring and reporting and public availability of these reports.

Chapter 2 addresses CAA §§ 110(a)(1)(D) and contains ADEQ's interstate transport analysis regarding the 2012 $PM_{2.5}$ NAAQS. The weight of evidence analysis for interstate transport shows that $PM_{2.5}$ emissions from Arizona do not interfere with nonattainment or maintenance of the 2012 $PM_{2.5}$ NAAQS in other states.

Chapter 3 addresses CAA § 110(a)(1)(F) and provides evidence of regulations that satisfy outstanding requirements for the 2015 Ozone and 2012 $PM_{2.5}$ NAAQS.

To satisfy the deficiency in the state-wide regulation for CAA § 110(a)(1)(G), ADEQ revised A.A.C. R18-2-220 to include the necessary changes that resulted from promulgation of the 2012 $PM_{2.5}$ NAAQS. Chapter 4 discusses the rulemaking conducted by ADEQ that revised the state's emergency episodes rule to include the averaging time and emergency episode concentrations for $PM_{2.5}$. To fully satisfy Element G in the Arizona SIP, the Maricopa County Air Quality Department (MCAQD) is revising Regulation VI – Emergency Episodes, Rule 600. Rule 600 establishes criteria to determine when air pollutant concentrations are significantly elevated and establishes appropriate control actions to prevent the occurrence of ambient air pollutant concentrations which would cause significant harm to the health of persons. The MCAQD is proposing to amend Rule 600 to align the rule with the episode level criteria and significant harm levels with the criteria listed in A.A.C. R18-2-220 (Air Pollution Emergency Episodes) which was amended by the Arizona Department of Environmental Quality (ADEQ) in March of 2019.

ADEQ asserts that the information presented in this submittal satisfies any outstanding infrastructure requirements for the 2012 $PM_{2.5}$ NAAQS and the 2015 Ozone NAAQS in Arizona.

Appendix A:
Authorizing Statutes (reference only)

ARIZONA REVISED STATUTES

Title 49 - The Environment

Chapter 1 – GENERAL PROVISIONS

Article 1 – Department of Environmental Quality

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 ensure 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. Ensure 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. 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. Participate in the state civil defense program and develop the necessary organization and facilities to meet wartime or other disasters.

15. 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.

16. 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 paragraph does not adversely affect standards adopted by an Indian tribe under federal law.

17. Provide administrative and staff support for the oil and gas conservation commission.

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 those 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 I, 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 may:

(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. The department may establish by rule a fee as a condition of licensure, including a maximum fee. As part of the rulemaking process, there must be public notice and comment and a review of the rule by the joint legislative budget committee. 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.

18. Appoint a person with a background in oil and gas conservation to act on behalf of the oil and gas conservation commission and administer and enforce the applicable provisions of title 27, chapter 4 relating to the oil and gas conservation commission.

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 those fees that are not associated with the dredge and fill permit program established pursuant to chapter 2, article 3.2 of this title. For services provided under the dredge and fill permit program, a state agency shall pay either:

(a) The fees established by the department under the dredge and fill permit program.

(b) The reasonable cost of services provided by the department pursuant to an interagency service agreement.

2. 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.

3. 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.

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.

49-112. County regulation; standards

A. When authorized by law, a county may adopt a rule, ordinance or regulation that is more stringent than or in addition to a provision of this title or rule adopted by the director or any board or commission authorized to adopt rules pursuant to this title if all of the following requirements are met:

1. The rule, ordinance or regulation is necessary to address a peculiar local condition.

2. There is credible evidence that the rule, ordinance or regulation is either:

(a) Necessary to prevent a significant threat to public health or the environment that results from a peculiar local condition and is technically and economically feasible.

(b) Required under a federal statute or regulation, or authorized pursuant to an intergovernmental agreement with the federal government to enforce federal statutes or regulations if the county rule, ordinance or regulation is equivalent to federal statutes or regulations.

3. Any fee or tax adopted under the rule, ordinance or regulation does not exceed the reasonable costs of the county to issue and administer the permit or plan approval program.

B. When authorized by law, a county may adopt rules, ordinances or regulations in lieu of a state program that are as stringent as a provision of this title or rule adopted by the director or any board or commission authorized to adopt rules pursuant to this title if the county demonstrates that the cost of obtaining permits or other approvals from the county will approximately equal or be less than the fee or cost of obtaining similar permits or approvals under this title or any rule adopted pursuant to this title. If the state has not adopted a fee or tax for similar permits or approvals, the county may adopt a fee when authorized by law in the rule, ordinance or regulation that does not exceed the reasonable costs of the county to issue and administer that permit or plan approval program.

C. A county that adopts rules, ordinances or regulations pursuant to subsection B of this section and that at any time cannot comply with subsection B of this section shall prepare and file a notice of noncompliance with the director. The county shall post a copy of the notice of noncompliance on the county's website with a date stamp of the date of posting. If the county does not comply with subsection B of this section within one year after posting of the notice on the county's website, the director shall provide written notice to and assert regulatory jurisdiction over those persons and entities subject to the affected county rules, ordinances or regulations.

D. Except as provided in chapter 3, article 3 of this title, before adopting or enforcing any rule, ordinance or regulation pursuant to subsection A or B of this section, the county shall comply with the following requirements:

1. Prepare a notice of proposed rulemaking to include the proposed rule, ordinance or regulation. This notice shall demonstrate evidence of compliance with subsection A or B of this section. The notice shall include the name, address and phone number of a person who can answer questions about the proposed rule, ordinance or regulation and accept any written requests for the county to conduct an oral Proceeding. The county shall post the notice on the county's website with a date stamp of the date of posting. The county shall publish the availability of the notice of the proposed rule, ordinance or regulation in a newspaper of general circulation in the county. If there is no newspaper of general circulation in the county, the county shall publish the notice in a newspaper of general circulation in an adjoining county. If requested by the public, the county shall make available a paper copy of the notice at a reasonable cost.

2. For at least thirty days after the posting of the notice of the proposed rule, ordinance or regulation, afford persons the opportunity to submit in writing comments, statements, arguments, data and views on the proposed rule, ordinance or regulation.

3. Respond in writing to the comments submitted pursuant to paragraph 2 of this subsection and post the county's response on the county's website. If requested by the public, the county shall make paper copies of its comments available at a reasonable cost.

4. Schedule a public hearing on the proposed rule, ordinance or regulation if a written request for an oral proceeding is submitted to the county during the thirty-day comment period. The county shall post the notice of oral proceeding on a proposed rule, ordinance or regulation on the county's website. The county shall post the notice of oral proceeding at least twenty days before the date of the oral proceeding. The county shall publish notice of any public hearing required pursuant to this paragraph in any newspaper as prescribed by this title or county ordinance. The county shall select a time and location for the public hearing that affords a reasonable opportunity for the public to participate.

E. A county is not required to comply with subsection D, paragraphs 2, 3 and 4 of this section before it adopts or enforces a rule, ordinance or regulation if the rule, ordinance or regulation only incorporates by reference an existing state or federal rule or law that provides greater regulatory flexibility for regulated parties and otherwise satisfies the requirements prescribed in subsection B of this section.

F. Until June 30, 1995, a person may file with the clerk of the board of supervisors for that county a petition challenging a county rule, ordinance or regulation adopted before July 15, 1994 for compliance with the criteria set forth in subsection A or B of this section. The petition shall contain the grounds for challenging the specific county rule, ordinance or regulation. Within one year after the petition is filed, the board of supervisors shall review the challenged rule, ordinance or regulation and make a written demonstration of compliance with the criteria set forth in subsection A or B of this section and challenged in the petition. Any rules, ordinances or regulations that have been challenged and for which the board of supervisors has not made the written demonstration within one year after the filing of the petition required by this section become unenforceable as of that date. If a county has already made a written demonstration under section 49-479, subsection C, for a rule, ordinance or regulation, the person filing the petition shall state the specific grounds in the petition why that demonstration does not meet the requirements of this section.

G. A rule, ordinance or regulation adopted pursuant to subsection A of this section may not be invalidated subsequent to its adoption on the grounds that the economic feasibility analysis is insufficient or inaccurate if a county makes a good faith effort to comply with the economic feasibility requirement of subsection A, paragraph 2, subdivision (a), of this section and has explained in the written statement, made public pursuant to subsection D of this section, the methodology used to satisfy the economic feasibility requirement.

H. This section shall not apply to any rule, ordinance or regulation adopted by a county pursuant to:

1. Title 36 for which the state has similar statutory or rule making authority in this title.

2. Section 49-391.

3. Chapter 3, article 8 of this title.

4. Chapter 4, article 3 of this title and section 49-765.

5. Nonsubstantive rules relating to the application process that have a de minimis economic effect on regulated parties.

Chapter 3 – AIR QUALITY

Article 1 – General Provisions

49-402. State and county control

A. The department shall have original jurisdiction over such sources, permits and violations that pertain to:

1. Major sources in any county that has not received approval from the administrator for new source review under the clean air act and prevention of significant deterioration under the clean air act.

2. Smelting of metal ore.

3. Petroleum refineries.

4. Coal fired electrical generating stations.

5. Portland cement plants.

6. Air pollution by portable sources.

7. Air pollution by mobile sources for the purpose of regulating those sources as prescribed by article 5 of this chapter and consistent with the clean air act.

8. Sources that are subject to title V of the clean air act and that are located in a county for which the administrator has disapproved that county's title V permit program if the department has a title V program that has been approved by the administrator. On approval of that county's title V permit program by the administrator, the county shall resume jurisdiction over those sources.

B. Except as specified in subsection A of this section, the review, issuance, administration and enforcement of permits issued pursuant to this chapter shall be by the county or multi-county air quality control region pursuant to the provisions of article 3 of this chapter. After the director has provided prior written notice to the control officer describing the reason for asserting jurisdiction and has provided an opportunity to confer, the county or multi-county air quality control region shall relinquish jurisdiction, control and enforcement over such permits as the director designates and at such times as the director asserts jurisdiction at the state level. The order of the director which asserts state jurisdiction shall specify the matters, geographical area, or sources over which the department shall exercise jurisdiction and control. Such state authority shall then be the sole and exclusive jurisdiction and control to the extent asserted, and the provisions of this chapter shall govern, except as provided in this chapter, until jurisdiction is surrendered by the department to such county or region.

C. Portable sources under jurisdiction of the department under subsection A, paragraph 6 of this section may be required to file notice with the director and the control officer who has jurisdiction over the geographic area that includes the new location before beginning operations at that new location.

D. Notwithstanding any other law, a permit issued to a state regulated source shall include the emission standard or standard of performance adopted pursuant to section 49-479, if such standards are more stringent than those adopted by the director and if such standards are specifically identified as applicable to the permitted source or a component of the permitted source. Such standards shall be applied to sources identified in subsection A, paragraph 2, 3, 4 or 5 of this section only if the standard is formally proposed for adoption as part of the state implementation plan.

E. The regional planning agency for each county which contains a vehicle emissions control area shall develop plan revisions containing transportation related air quality control measures designed to attain and maintain primary and secondary ambient air quality standards as prescribed by and within the time frames specified in the clean air act. In developing the plan revisions, the regional planning agency shall consider all of the following:

1. Mandatory employee parking fees.

2. Park and ride programs.

3. Removal of on-street parking.

4. Ride share programs.

5. Mass transit alternatives.

6. Expansion of public transportation systems.

7. Optimizing freeway ramp metering.

8. Coordinating traffic signal systems.

9. Reduction of traffic congestion at major intersections.

10. Site specific transportation control measures.

11. Reversible lanes.

12. Fixed lanes for buses and carpools.

13. Encouragement of pedestrian travel.

14. Encouragement of bicycle travel.

15. Development of bicycle travel facilities.

16. Employer incentives regarding ride share programs.

17. Modification of work schedules.

18. Strategies for controlling the generation of air pollution by nonresidents of nonattainment or maintenance areas.

19. Use of alternative fuels.

20. Use of emission control devices on public diesel powered vehicles.

21. Paving of roads.

22. Restricting off-road vehicle travel.

23. Construction site air pollution control.

24. Other air quality control measures.

F. Each regional planning agency shall consult with the department of transportation to coordinate the plans developed pursuant to subsection E of this section with transportation plans developed by the department of transportation pursuant to any other law.

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.

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 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.

Article 2 – State Air Pollution Control

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.

Article 3 – County Air Pollution Control

49-471.04. Notice of proposed rule or ordinance making

A. Before a board of supervisors acts on a rule or ordinance that is subject to section 49-112, subsection A or a rule or ordinance that does not otherwise qualify under section 49-471.08, subsection A, a control officer shall:

1. Prepare a notice of a proposed rule or ordinance making. The notice shall include both:

(a) A preamble as prescribed in section 49-471.05.

(b) The full text of the rule or ordinance, including the intended actions to make new sections or amend, repeal or renumber the sections of the rule or ordinance.

2. Post the notice of the proposed rule or ordinance making on the county's website. On posting, the control officer shall notify by first class mail, fax or e-mail each person who has made a timely request to the county for notification of the proposed rule or ordinance making and to each person who has

requested notification of all proposed rule or ordinance makings. A county may provide the notification prescribed in this paragraph in a periodic newsletter. A control officer may purge the list of persons who requested notification of proposed rule or ordinance makings once each year by providing notice of the purge in the manner prescribed in this paragraph.

B. Before making, amending, repealing or renumbering a rule or ordinance pursuant to section 49-112, subsection B, a control officer and board of supervisors shall follow the procedure established in this section or in section 49-471.08.

C. The county may terminate a notice of proposed rule or ordinance making at any time during the rule or ordinance making process and shall publish the notice of termination on the county's website.

D. If the county determines that there is a substantial change between the proposed rule or ordinance making and a final rule or ordinance making, the county shall prepare a notice of supplemental proposed rule or ordinance making for public review pursuant to the requirements under subsection A, paragraphs 1 and 2 of this section.

49-479. Rules; hearing

A. The board of supervisors shall adopt such rules as it determines are necessary and feasible to control the release into the atmosphere of air contaminants originating within the territorial limits of the county or multi-county air quality control region in order to control air pollution, which rules, except as provided in subsection C shall contain standards at least equal to or more restrictive than those adopted by the director. In fixing such standards, the board or region shall give consideration but shall not be limited to:

1. The latest scientific knowledge useful in indicating the kind and extent of all identifiable effects on health and welfare which may be expected from the presence of an air pollution agent, or combination of agents in the ambient air, in varying quantities.

2. Atmosphere conditions and the types of air pollution agent or agents which, when present in the atmosphere, may interact with another agent or agents to produce an adverse effect on public health and welfare.

3. Securing, to the greatest degree practicable, the enjoyment of the natural attractions of the state and the comfort and convenience of the inhabitants.

B. No rule may be enacted or amended except after the board of supervisors 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. A county may adopt or amend a rule, emission standard, or standard of performance that is as stringent or more stringent than a rule, emission standard or standard of performance for similar sources adopted by the director only if the county complies with the applicable provisions of section 49-112.

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

Note: The Arizona Revised Statutes have been updated to include the revised sections from the 53rd Legislature, 2nd Regular Session.

Appendix B:
Nonattainment and Maintenance Receptors for the 2012 $PM_{2.5}$ NAAQS

Nonattainment and Maintenance Receptors for the 2012 $PM_{2.5}$ NAAQS

The table below is taken from the U.S. EPA Guidance document "Information on the Interstate Transport 'Good Neighbor' Provision for the 2012 Fine Particulate Matter National Ambient Air Quality Standards under Clean Air Act Section 110(a)(2)(D)(i)(I)".

The table below lists 19 potential nonattainment and/or maintenance receptors in 2017 and 2025. Seventeen of the receptors are in California, located either in the San Joaquin Valley or South Coast nonattainment areas. There is one additional projected receptor in Shoshone County, Idaho, and one receptor in Allegheny County, Pennsylvania (located in the Allegheny County nonattainment area).

Monitor ID	State	County	Projected 2017 Attainment Status	Projected 2025 Attainment Status
60190011	California	Fresno	Nonattainment	Nonattainment
6019 5001	California	Fresno	Nonattainment	Nonattainment
60195025	California	Fresno	Nonattainment	Nonattainment
60250005	California	Imperial	Nonattainment	Nonattainment
60290014	California	Kern	Nonattainment	Nonattainment
60290016	California	Kern	Nonattainment	Nonattainment
60311004	California	Kings	Nonattainment	Nonattainment
60371002	California	Los Angeles	Maintenance	Maintenance
6039210	California	Madera	Nonattainment	Nonattainment
60470003	California	Merced	Nonattainment*	Nonattainment
60658001	California	Riverside	Nonattainment	Maintenance
60658005	California	Riverside	Nonattainment	Nonattainment
60990006	California	Stanislaus	Nonattainment	Nonattainment
60990005	California	Stanislaus	Nonattainment	Maintenance
60710025	California	San Bernardino	Maintenance	Maintenance
60771002	California	San Joaquin	Maintenance	Maintenance
610 72002	California	Tulare	Nonattainment	Nonattainment
160790017	Idaho	Shoshone	Maintenance	Maintenance
420030064	Pennsylvania	Allegheny	Maintenance	Attainment

Appendix C:
Regulations for Approval

Appendix C1:
Arizona Administrative Code
R18-2-220, Air Pollution Emergency Episodes

Appendix C2:
Arizona Revised Statutes
Section 49-432(C)

Appendix C3:
Pima County Code
17.24.010

Appendix C1:
Arizona Administrative Code
R18-2-220, Air Pollution Emergency Episodes

Arizona Administrative CODE

18 A.A.C. 2 Supp. 19-1

www.azsos.gov

This Chapter contains rule Sections that were filed to be codified in the *Arizona Administrative Code* between the dates of January 1, 2019 through March 31, 2019

Title 18

Office of the Secretary of State
ADMINISTRATIVE RULES DIVISION

TITLE 18. ENVIRONMENTAL QUALITY

CHAPTER 2. DEPARTMENT OF ENVIRONMENTAL QUALITY - AIR POLLUTION CONTROL

The table of contents on the first page contains quick links to the referenced page numbers in this Chapter. Refer to the notes at the end of a Section to learn about the history of a rule as it was published in the *Arizona Administrative Register*.

Sections, Parts, Exhibits, Tables or Appendices codified in this supplement. The list provided contains quick links to the updated rules.

Questions about these rules? Contact:

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The release of this Chapter in Supp. 19-1 replaces Supp. 18-3, 1-227 pages

Please note that the Chapter you are about to replace may have rules still in effect after the publication date of this supplement. Therefore, all superseded material should be retained in a separate binder and archived for future reference.

Amended by final rulemaking at 18 A.A.R. 1542, effective August 7, 2012 (Supp. 12-2). Amended by final rulemaking at 23 A.A.R. 333, effective March 21, 2017 (Supp. 17-1).

R18-2-219. Repealed

Historical Note

Adopted effective May 14, 1979 (Supp. 79-1). Former Section R9-3-218 repealed, new Section R9-3-218 adopted effective September 22, 1983 (Supp. 83-5). Former Section R9-3-218 renumbered without change as Section R18-2-218 (Supp. 87-3). Former Section R18-2-219 renumbered to R18-2-220, new Section R18-2-219 renumbered from R18-2-218 and amended effective September 26, 1990 (Supp. 90-3). Section repealed by final rulemaking at 18 A.A.R. 1542, effective August 7, 2012 (Supp. 12-2).

R18-2-220. Air Pollution Emergency Episodes

A. Procedures shall be implemented by the Director in order to prevent the occurrence of ambient air pollutant concentrations which would cause significant harm to the health of persons, as specified in subsection (B)(4). The procedures and actions required for each stage are described in the Department's "Procedures for Prevention of Emergency Episodes," amended as of August 2018 (and no future edition), which is incorporated herein by reference and on file with the Department.

B. The following stages are identified by air quality criteria in order to provide for sequential emissions reductions, public notification and increased Department monitoring and forecast responsibilities. The declaration of any stage, and the area of the state affected, shall be based on air quality measurements and meteorological analysis and forecast.

1. A Stage I air pollution alert shall be declared when any of the alert level concentrations listed in subsection (B)(4) are exceeded at any monitoring site and when meteorological conditions indicate that there will be a continuance or recurrence of alert level concentrations for the same pollutant during the subsequent 24-hour period. If, 48 hours after an alert has been initially declared, air pollution concentrations and meteorological conditions do not improve, the warning stage control actions shall be implemented but no warning shall be declared, unless air quality has deteriorated to the extent described in subsection (B)(2).
2. A Stage II air pollution warning shall be declared when any of the warning level concentrations listed in subsection (B)(4) are exceeded at any monitoring site and when meteorological conditions indicate that there will be a continuance or recurrence of concentrations of the same pollutant exceeding the warning level during the subsequent 24-hour period. If, 48 hours after a warning has been initially declared, air pollution concentrations and meteorological conditions do not improve, the emergency stage shall be declared and its control actions implemented.
3. A Stage III air pollution emergency shall be declared when any of the emergency level concentrations listed in subsection (B)(4) are exceeded at any monitoring site and when meteorological conditions indicate that there will be a continuance or recurrence of concentrations of the same pollutant exceeding the emergency level during the subsequent 24-hour period.
4. Summary of emergency episode and significant harm levels:

Pollutant	Averaging Time	Alert	Warning	Emergency	Significant Harm
Carbon monoxide (mg/m^3)	1-hr	--	--	--	144
	4-hr	--	--	--	86.3
	8-hr	17	34	46	57.5
Nitrogen dioxide ($\mu g/m^3$)	1-hr	1,130	2,260	3,000	3,750
	24-hr	282	565	750	938
Ozone (ppm)	1-hr	.2	.4	.5	.6
$PM_{2.5}$ ($\mu g/m^3$)	24-hr	140.5	210.5	280.5	350.5
PM_{10} ($\mu g/m^3$)	24-hr	350	420	500	600
Sulfur dioxide ($\mu g/m^3$)	24-hr	800	1,600	2,100	2,620

Historical Note

Adopted effective May 14, 1979 (Supp. 79-1). Editorial correction, subsection (B), paragraph (2) (Supp. 80-1). Editorial correction, subsection (A) (Supp. 80-2). Former Section R9-3-219 repealed, new Section R9-3-219 adopted effective May 28, 1982 (Supp. 82-3). Former Section R9-3-219 renumbered without change as Section R18-2-219 (Supp. 87-3). Section R18-2-220 renumbered from R18-2-219 and amended effective September 26, 1990 (Supp. 90-3). Section amended by final rulemaking at 25 A.A.R. 888, effective May 18, 2019 (Supp. 19-1).

ARTICLE 3. PERMITS AND PERMIT REVISIONS

R18-2-301. Definitions

The following definitions apply to this Article:

1. "Alternative method" means any method of sampling and analyzing for an air pollutant which is not a reference or equivalent method but which has been demonstrated to produce results adequate for the Director's determination of compliance in accordance with R18-2-311(D).
2. "Billable permit action" means the issuance or denial of a new permit, significant permit revision, or minor permit revision, or the renewal of an existing permit.
3. "Capacity factor" means the ratio of the average load on a machine or equipment for the period of time considered to the capacity rating of the machine or equipment.
4. "CEM" means a continuous emission monitoring system as defined in R18-2-101.
5. "Complete" means, in reference to an application for a permit, permit revision or registration, that the application contains all the information necessary for processing the application. Designating an application complete for purposes of a permit, permit revisions or registration processing does not preclude the Director from requesting or accepting any additional information.

Appendix C2:
Arizona Revised Statutes
Section 49-432(C)

VIEW DOCUMENT

The Arizona Revised Statutes have been updated to include the revised sections from the 54th Legislature, 2nd Regular Session. Please note that the next update of this compilation will not take place until after the conclusion of the 55th Legislature, 1st Regular Session, which convenes in January 2021.

DISCLAIMER

This online version of the Arizona Revised Statutes is primarily maintained for legislative drafting purposes and reflects the version of law that is effective on January 1st of the year following the most recent legislative session. The official version of the Arizona Revised Statutes is published by Thomson Reuters.

49-432. Classification and reporting; confidentiality of records

~~A. The director, by rule, shall classify air contaminant sources according to levels and types of emissions and other characteristics which relate to air pollution, and shall require reporting for any such class or classes. Reports may be required as to physical outlets, processes and fuels used, the nature and duration of emissions and such other information as is relevant to air pollution and deemed necessary by the director.~~

~~B. The owner, lessee or operator of a source under the jurisdiction of the department shall provide, install, maintain, and operate such air contaminant monitoring devices as are reasonable, necessary, and required to determine compliance in a manner acceptable to the director, and shall supply monitoring information as directed in writing by the director. Such devices shall be available for inspection by the director, or his deputies, during all reasonable times.~~

C. The department shall make available to the public any records, reports or information obtained from any person pursuant to this chapter, including records, reports or information obtained or prepared by the director or a department employee, except that the information or any particular part of the information shall be considered confidential on either of the following:

1. Notice from the person accompanying the information or a particular part of the information that the information, if made public, would divulge the person's trade secrets as defined in section 49-201 or other information that is likely to cause substantial harm to the person's competitive position.

2. A determination by the attorney general that disclosure of the information or a particular part of the information would be detrimental to an ongoing criminal investigation or to an ongoing or contemplated civil enforcement action filed under this title in superior court.

~~D. If the director on his own or following a request for disclosure disagrees with the confidentiality notice, he may request the attorney general to seek a court order authorizing disclosure. If a court order is sought, the person shall be served with a copy of the court filing and has twenty business days from the date of service to request a hearing on whether a court order should be issued. The hearing shall be conducted in camera, and any order resulting from the hearing is appealable as provided by law. The~~

issued. The hearing shall be conducted in camera, and any order resulting from the hearing is appealable as provided by law. The director may not disclose the confidential information until a court order authorizing disclosure has been obtained and becomes final. The court may award costs of litigation including reasonable attorney and expert witness fees to the prevailing party.

E. Notwithstanding subsection C, the department shall make available to the public the following information obtained from any person pursuant to this chapter:

1. The name and address of any permit applicant or permittee.

2. The chemical constituents, concentrations and amounts of any emission of any air contaminant.

3. The existence or level of a concentration of an air pollutant in the environment.

F. Notwithstanding subsection C, the director may disclose, with an accompanying confidentiality notice, any records, reports or information obtained by the director or department employees to:

1. Other state employees concerned with administering this chapter or if the records, reports or information is relevant to any administrative or judicial proceeding under this chapter.

2. Employees of the United States environmental protection agency if the information is necessary or required to administer and implement or comply with federal statutes or regulations.

Appendix C3:
Pima County Code
17.24.010

Article I. Availability of Information

17.24.010 Confidentiality of trade secrets, sales data, and proprietary information.

A. Any records, reports or information obtained from any person under this chapter, including records, reports or information obtained or prepared by the control officer or a county employee, shall be available to the public, except that the information or any part of the information shall be considered confidential on either of the following:

1. A showing, satisfactory to the control officer, by any person that the information or a part of the information if made public would divulge the trade secrets of the person.

2. A determination by the county attorney that disclosure of the information or a particular part of the information would be detrimental to an ongoing criminal investigation or to an ongoing or contemplated civil enforcement action under this chapter in superior court.

B. Notwithstanding subsection C of this section, the following information shall be available to the public:

1. The name and address of any permit applicant or permittee.

2. The chemical constituents, concentrations and amounts of any emission of any air contaminant.

3. The existence or level of a concentration of an air pollutant in the environment.

C. A claim of confidentiality shall not excuse a person from providing any and all information specifically required by the title.

D. A claim of confidentiality shall not be a defense for failure to provide any and all information required by the control officer.

(Ord. 1993-128 § 6 (part), 1993)

Appendix D:
Procedures Manual

ADEQ
Arizona Department
of Environmental Quality

Procedures for the Prevention of Emergency Episodes

Air Quality Division
August 2018 FINAL

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Table of Contents

1 INTRODUCTION

In Arizona, air quality monitoring is maintained by the Arizona Department of Environmental Quality (ADEQ), local agencies and some private industries. Monitoring air quality conditions helps to ensure compliance with air quality regulations, air quality standards, and detect potential episodes of increased pollutant concentrations. Complaints from the general public that report poor air quality will also be used as an indicator of possible episodes.

Meteorological conditions will be monitored continuously by the National Weather Service (NWS) and ADEQ to detect potential episodes caused by atmospheric stagnation conditions.

When there are indications that pollutant concentrations will increase, or have increased to harmful levels, certain actions will be taken by ADEQ or local pollution control agencies to alleviate conditions and inform the public. Narrative descriptions of these actions are included in the following sections. These actions are implemented through Arizona Administrative Code (A.A.C.) R18-2-220, Air Pollution Emergency Episodes. Air Pollution Emergency Episodes are defined as an occurrence of high concentrations for any of the pollutants listed in R18-2-220. Furthermore, the pollutant(s) must meet additional criteria (averaging time and ambient air concentrations) in order to be defined under the air pollution emergency episode stages as described in this manual and R18-2-220.

2 AIR QUALITY ADVISORY

Air quality advisories will be issued to the public when pollutant concentrations are significantly elevated. Advisories shall include information regarding the affected areas, pollutant concentrations, sources of the pollutant, meteorology, and a warning that sensitive persons should avoid unnecessary exposure. There are two types of air quality advisories, urban and rural/industrial.

The advisories described in this manual are not the same as a *High Pollution Advisory (HPA*) or *Health Watch (HW)* that are issued by ADEQ. An *HPA* or *HW* are issued in areas that are designated either nonattainment or attainment for a federal air quality standard. For these areas, ADEQ also issues a *HW* when air pollution levels are expected to approach the federal health standard or a *HPA* when air pollution levels are expected to exceed the federal health standard. The federal air quality standards are lower than the levels used as the thresholds for the episode stages as described in this manual.

2.1 Urban

An urban advisory will be issued when concentrations are expected to be near but below alert level in an urban area. This advisory will be prepared by the local pollution control agencies in consultation with ADEQ.

2.2 Rural/Industrial

A rural/industrial advisory will be declared when exceedances of an alert level occur in rural areas as a result of industrial emissions and are not expected to recur due to expected emissions reductions. A rural/industrial advisory will be issued by ADEQ in consultation with local air pollution control agencies, health departments, and industries.

3 ALERT STAGE

When exceedances of an alert level occur and are expected to continue or recur within 24 hours, the Director of ADEQ will be advised that an alert stage exists.

The ADEQ Director will prepare a news release that describes the affected area, pollutant concentrations, emissions, and meteorological conditions. Persons sensitive to air pollution will be warned to remain indoors as much as possible and all persons will be warned to avoid prolonged or strenuous exertion while outside. The news release will be issued by ADEQ's Public Information Officer (PIO).

In the case of automotive-related pollutants, the ADEQ Director will request that the general public restrict motor vehicle use as much as possible. For industrial pollutants, the Director will request emission reduction by applicable sources under State jurisdiction. The Director will contact local control agencies and health departments in the affected area(s) to inform them of the situation and request emission reduction by applicable sources under their jurisdiction.

ADEQ meteorologists will evaluate air quality and meteorological data to determine the effectiveness of initial control actions and to forecast air quality.

4 WARNING STAGE

When exceedances of a warning level occur and are expected to continue or recur within 24 hours, the ADEQ Director will be advised that a warning stage exists.

The ADEQ Director will prepare a news release that describes the affected area, pollutant concentrations, emissions, and meteorology. The general public will be urged to remain indoors whenever possible and avoid prolonged or strenuous exertion. The news release will include a statement that the applicable sources have been asked to further curtail their emissions.

In the case of automotive-related pollutants the ADEQ Director will request that schools as well as industrial, business, and government facilities limit activities as much as possible to restrict motor vehicle traffic. The Director will request that athletic events such as football and basketball games be postponed. For other pollutants, the Director will request increased emission reduction by applicable sources under State jurisdiction. The Director will also contact local control agencies and health departments in the affected area and request increased emission reductions by the applicable sources under their jurisdiction.

Warning stage control actions shall also be implemented when an alert stage has persisted for 48 hours with no improvement in air quality or meteorology. A news release will be prepared by the ADEQ Director and released by the PIO.

ADEQ meteorologists will evaluate air quality and meteorological data to evaluate the effectiveness of additional control actions and to forecast air quality.

5 EMERGENCY STAGE

The ADEQ Director will be advised that an emergency stage exists if any the following conditions occur:

- Exceedances of an emergency level occur and are expected to continue,
- Exceedances of an emergency level recur within 24 hours, or
- If 48 hours after a warning has been declared, air pollution concentrations and meteorological conditions do not improve.

The ADEQ Director will notify the Office of the Governor that an emergency stage has been reached. Once notified, all control directives and press releases shall come from the Office of the Governor. As directed by the Governor all industrial, construction, commercial, governmental and institutional facilities and activities may be closed, except those necessary for public safety, health, and welfare. The use of motor vehicles may be prohibited except in emergency situations that have been approved by local law enforcement officials.

The ADEQ Air Quality Division will provide the necessary information regarding air quality, emissions, meteorology, and health effects to the Office of the Governor.

6 EPISODE TERMINATION

ADEQ meteorologists will notify the ADEQ Director when monitoring data show that conditions have improved and are expected to continue, leading to the indication that a declared episode stage no longer exists. At this time, the ADEQ Director will issue an episode termination notice. The Director will notify the Office of the Governor, local air quality control agencies, health departments, and the general public that the episode has been terminated. Industries and other emission sources will also be informed of the episode termination and that normal operations can be resumed.

A report describing the episode will be prepared by ADEQ and forwarded to the U.S. Environmental Protection Agency.

Appendix E:
Public Process Documentation

AIR QUALITY DIVISION

Public Hearing

Dear Interested Party,

ADEQ will host a Public Hearing to review *the proposed infrastructure state implementation plan (SIP) revision for the 2012 Fine Particulate Matter and the 2015 Ozone National Ambient Air Quality Standard (NAAQS)*. We will be holding a virtual meeting to address any concerns regarding the plan on December 2, 2021 at 11:00 am. We invite attendees to submit any comments or concerns regarding the plan to ADEQ staff during the meeting. The document can be accessed on the ADEQ website via the following link: https://azdeq.gov/notices.

Please register for *the proposed infrastructure state implementation plan (SIP) revision for the 2012 Fine Particulate Matter and the 2015 Ozone National Ambient Air Quality Standard (NAAQS)* public hearing on December 2, 2021 11:00 AM MST at:

https://attendee.gotowebinar.com/register/8976654140686754316

After registering, you will receive a confirmation email containing information about how to join the webinar. Please RSVP by December 1, 2021 using the link above or by contacting the following ADEQ staff:

Lisa Tomczak
Air Quality Planner
Arizona Department of Environmental Quality
Phone: (602) 771-4450
Tomczak.Lisa@azdeq.gov

We hope to hear from you soon,

Sincerely,
Kelly McKenzie
Manager, Air Quality Improvement Section
Arizona Department of Environmental Quality
Phone: (602)771-4677
Email: mackenzie.kelly@azdeq.gov

ADEQ Arizona Department of Environmental Quality

PUBLIC NOTICE

AIR QUALITY DIVISION

SIP REVISION

The Air Quality Division of the Arizona Department of Environmental Quality (ADEQ) welcomes comments on the *proposed infrastructure state implementation plan (SIP) revision for the 2012 Fine Particulate Matter and the 2015 Ozone National Ambient Air Quality Standard (NAAQS*).

The purpose of the proposed SIP revision is to bring the nonattainment area into compliance with federal requirements for infrastructure as required under CAA Title I, Part D for the 2012 Fine Particulate Matter and the 2015 Ozone NAAQS. ADEQ is requesting the U.S. Environmental Protection Agency (EPA) approve this SIP revision into the Arizona SIP.

ADEQ welcomes comments on the proposed SIP revision during a public comment period held between November 1, 2021 and December 2, 2021 with a virtual public hearing held on December 2, 2021 at 11:00 a.m. Comments must be received or postmarked no later than 5:00 pm on December 2, 2021. Comments may be mailed or emailed to: Lisa Tomczak, Arizona Department of Environmental Quality, 1110 W. Washington St., Phoenix, AZ 85007. Phone: (602) 771-4450 or Email: tomczak.lisa@azdeq.gov. Additional information, including how to access the virtual public hearing, can be found at http://www.azdeq.gov/events or by contacting Lisa Tomczak using the information above.

Information to Access the Virtual Public Hearing

Please register for the public hearing for the *proposed infrastructure state implementation plan (SIP) revision for the 2012 Fine Particulate Matter and the 2015 Ozone National Ambient Air Quality Standard (NAAQS)* on December 2, 2021 11:00 AM MST at:

https://attendee.gotowebinar.com/register/8976654140686754316

After registering, you will receive a confirmation email containing information about how to join the webinar. Additional information, including how to access the virtual public hearing, can be found at https://azdeq.gov/public-notices or by contacting Lisa Tomczak using the information above.

Review the proposed SIP revision online at: https://azdeq.gov/events or at the ADEQ Records Center, 1110 W. Washington St., Phoenix, AZ 85007. For Records Center hours or appointment scheduling, call (602) 771-4380 or (800) 234-5677 ext. 602-771-4380.

ADEQ will take reasonable measures to provide access to department services to individuals with limited ability to speak, write or understand English and/or to those with disabilities. Requests for language translation, ASL interpretation, CART captioning services or disability accommodations must be made at least 48 hours in advance by contacting the Title VI Nondiscrimination Coordinator, Leonard Drago, at

602-771-2288 or Drago.Leonard@azdeq.gov. For a TTY or other device, Telecommunications Relay Services are available by calling 711.

ADEQ tomará las medidas razonables para proveer acceso a los servicios del departamento a personas con capacidad limitada para hablar, escribir o entender inglés y/o para personas con discapacidades. Las solicitudes de servicios de traducción de idiomas, interpretación ASL (lengua de signos americano), subtitulado de CART, o adaptaciones por discapacidad deben realizarse con al menos 48 horas de anticipación comunicándose con el Coordinador de Anti-Discriminación del Título VI al 602-771-2288 o Drago.Leonard@azdeq.gov. Para un TTY u otro dispositivo, los servicios de retransmisión de telecomunicaciones están disponible llamando al 711.