

## **PUBLIC NOTICE**

### **YOU HAVE A VOICE IN AIR POLLUTION CONTROL IN ARIZONA**

The Arizona Department of Environmental Quality (ADEQ) proposes to issue Air Quality Control Renewal Permit Number 101093 to Aps - Fairview Power Plant for the continued operation of Aps - Fairview Generating Station, a power generation facility located at Sulphur Springs and Lawrence, Douglas, Cochise County, AZ 85607. The mailing address for the facility is 400 N 5th St, MS 9303, Phoenix, AZ 85004. The facility is subject to the requirements of the Federal Clean Air Act, Code of Federal Regulations, Arizona Revised Statute 49-426, and the Arizona Administrative Code, Title 18, Chapter 2. The facility emits the following air contaminants: coarse particulate matter with diameters 10 micrometers or less (PM<sub>10</sub>), fine particulate matter with diameters 2.5 micrometers or less (PM<sub>2.5</sub>), volatile organic compounds (VOCs), nitrogen oxides (NO<sub>x</sub>), sulfur dioxide (SO<sub>2</sub>), carbon monoxide (CO), and hazardous air pollutants (HAPs).

This public notice provides information to help you participate in the decision-making process. You have an opportunity to submit written comments about this permit and request that ADEQ hold a public hearing about the permit. To submit written comments, include your name, mailing address, signature (and/or your agent or attorney signature) and clearly explain why the permit should or should not be issued. Grounds for comment are limited to whether the permit meets the criteria for issuance spelled out in the state air pollution control laws or rules. The public notice period is in effect from February 20, 2025 to March 22, 2025. Comments may be submitted in writing to: [Karla Murrieta](mailto:Karla.Murrieta@azdeq.gov), Air Permits Unit, ADEQ, 1110 W. Washington St., 3415A-1, Phoenix, AZ 85007 or via email to [airpermits@azdeq.gov](mailto:airpermits@azdeq.gov). Comments must be received by March 22, 2025.

The draft permit and related documentation are available for review online at [azdeq.gov/publicnotices](http://azdeq.gov/publicnotices) by searching for the date of this public notice, or in person at the ADEQ Records Center by scheduling an appointment at least 48 hours in advance. For ADEQ Records Center information, visit [azdeq.gov/records](http://azdeq.gov/records), call 602-771-4380 or email [recordscenter@azdeq.gov](mailto:recordscenter@azdeq.gov). The documents are also available at the City Clerk's Office at 425 E.10th St., Douglas, AZ 85607.

ADEQ will consider all comments received in making a final decision on the proposed permit. Everyone commenting will receive notification of the final decision. People who file comments on the permit will have the right to appeal the final decision as an appealable agency action to the Office of Administrative Hearing (OAH) pursuant to §41.1092.03, and the appeal must be filed within thirty (30) days after the issuance of the final decision. The OAH may sustain, modify, or reverse the final decision.

This permit is subject to review by the Environmental Protection Agency (EPA) pursuant to 40 CFR 70.8 and Arizona Administrative Code R18-2-307. If EPA does not object to the issuance of this permit, you may petition to EPA within sixty (60) days after the expiration of EPA's forty-five (45)-day review period. A petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Please refer to [epa.gov/title-v-operating-permits/title-v-petitions](http://epa.gov/title-v-operating-permits/title-v-petitions) for additional information. Any person who petitions to EPA pursuant to 40 CFR 70.8(d) shall notify ADEQ by certified mail as soon as possible, but in no case more than 10 days following such petition. The notification shall include the grounds for objection and whether such objections were raised during the public comment period.

*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, Joaquin Marruffo Ruiz, at 520-628-6744 or Marruffo.Joaquin@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), subtítulo 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, Joaquin Marruffo Ruiz, al 520-628-6744 o Marruffo.Joaquin@azdeq.gov. Para un TTY u otro dispositivo, los servicios de retransmisión de telecomunicaciones están disponible llamando al 711.*